REGULAR COUNCIL MEETING
AGENDA

MAY 23, 2016 - 7:30 P.M.

CITY HALL COUNCIL CHAMBERS
15 LOOCKERMAN PLAZA
DOVER, DELAWARE

OPEN FORUM - 15 MINUTES PRIOR TO OFFICIAL MEETING (7:15 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 CHAPLAIN WALLACE DIXON

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 - ANNUAL COUNCIL MEETING OF MAY 9, 2016**

2. **CERTIFICATES OF APPRECIATION (ANDERSON)**
   - **A. SOLID ROCK BAPTIST CHURCH**
   - **B. MT. ZION A.M.E. CHURCH**
   - **C. UNION MISSIONARY BAPTIST CHURCH**

3. **PRESENTATION BY THE URBAN LEAGUE (DR. SHEKELIA HINES)**

4. COUNCIL COMMITTEE OF THE WHOLE REPORT - MAY 10, 2016

* **A. SPECIAL SAFETY ADVISORY AND TRANSPORTATION COMMITTEE**

(1) REVIEW OF POSITION DESCRIPTION/REQUIREMENTS - CITY FIRE MARSHAL (INSPECTOR III)

(COMMITTEE RECOMMENDED REFERRING THIS MATTER TO STAFF TO DEVELOP AN APPROPRIATE JOB DESCRIPTION AND POST THE POSITION ACCORDINGLY)

B. LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE

(1) TRANSFER OF REAL PROPERTY FROM DELAWARE CIVIC CENTER CORPORATION TO DELAWARE STATE UNIVERSITY

(COMMITTEE RECOMMENDED REFERRING THIS ITEM DIRECTLY TO CITY COUNCIL WITHOUT A RECOMMENDATION AND CONTINUING THE DELIBERATION ON THE COUNCIL FLOOR 13 DAYS HENCE)

* **(2) UPDATE - OVERGROWTH OF BAMBOO - RODNEY ROAD**

(COMMITTEE ACTION NOT REQUIRED)

* **(3) DOWNTOWN DOVER BUSINESS IMPROVEMENT DISTRICT (BID) BUDGET AND ASSESSMENT (TAX) RATES FOR FISCAL YEAR 2016-2017**

(COMMITTEE RECOMMENDED APPROVAL OF THE BUDGET AND ASSESSMENT (TAX) RATES FOR FISCAL YEAR 2016-2017, AS RECOMMENDED BY STAFF)

* **(4) PROPOSED ORDINANCE #2016-10 AMENDING CHAPTER 2 - ADMINISTRATION, ARTICLE IV - OFFICERS AND EMPLOYEES, DIVISION 8 - DEFERRED COMPENSATION PLAN (SPONSORS: COLE AND KOENIG) (SEE ITEM #12-A)**

(COMMITTEE RECOMMENDED ADOPTION OF PROPOSED ORDINANCE #2016-10 AND THAT NO CHANGES BE MADE TO THE EMPLOYEE HANDBOOK SO THAT THIS BENEFIT IS EXTENDED TO NON-BARGAINING EMPLOYEES COVERED UNDER THE DEFERRED COMPENSATION PLAN)

* **(5) EVALUATION OF TRIAL PERIOD FOR COUNCIL COMMITTEE OF THE WHOLE MEETINGS (COUNCIL RESOLUTION NO. 2015-16)**

(COMMITTEE RECOMMENDED EXTENDING THE COUNCIL COMMITTEE OF THE WHOLE FORMAT ON TUESDAY EVENINGS THROUGH MAY 31, 2017 (ADOPTION OF RESOLUTION NO. 2016-05 AMENDING RESOLUTION NO. 2015-16))

* **(6) REQUEST OF FIRE DEPARTMENT - ENGINE #7 REPLACEMENT**

(COMMITTEE TABLED THE DISCUSSION OF REPLACING ENGINE #7 UNTIL THE BUDGET DISCUSSIONS)

* **(7) PROGRESS REPORT ON THE YOUTH ADVISORY COMMITTEE'S REPORTING OF THEIR MINUTES**

(COMMITTEE RECOMMENDED THAT THE YOUTH ADVISORY COMMITTEE BE SUSPENDED UNTIL ALL MINUTES OF THE MISSING MEETINGS ARE APPROVED BY COUNCIL AND UNTIL COUNCIL CAN DISCUSS THE MATTER THOROUGHLY)

* **C. PARKS, RECREATION, AND COMMUNITY ENHANCEMENT COMMITTEE**

(1) PRESENTATION - TINY HOME VILLAGE CONCEPT (SUE HARRIS)

(COMMITTEE ACTION NOT REQUIRED)

(2) COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM QUARTERLY UPDATE (JANUARY, FEBRUARY, AND MARCH)

(COMMITTEE RECOMMENDED ACCEPTANCE OF THE REPORT)

5. SETTING OF PUBLIC HEARING - ELECTRIC FUND BUDGET

(STAFF RECOMMENDS THAT A PUBLIC HEARING BE SET FOR JUNE 13, 2016 AT 7:30 P.M.)

* **6. 2016/17 STAFF APPOINTMENTS - CITY COUNCIL** (DEFERRED DURING THE ANNUAL MEETING OF MAY 9, 2016)

- **A. CITY ASSESSOR**
- **B. BUILDING INSPECTOR**
- **C. CITY CLERK**
- **D. ASSISTANT CITY CLERK**
- **E. CONTROLLER/TREASURER**
- **F. ASSISTANT CONTROLLER/TREASURER**
- **G. ASSISTANT TREASURERS**
- **H. FIRE MARSHAL (DEFERRED)**
- **I. CITY SOLICITOR**
- **J. DEPUTY CITY SOLICITOR**

* **7. 2016/17 COMMITTEE APPOINTMENTS - COUNCIL PRESIDENT** (DEFERRED DURING THE ANNUAL MEETING OF MAY 9, 2016)

- **A. CITY CHAPLAINS**
- **B. CIVILIAN PENSION PLAN - BOARD OF TRUSTEES**
- **C. COMPENSATION COMMISSION**
- **D. CONSTRUCTION CODE APPEALS COMMITTEE**
- **E. LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE**
- **F. OTHER POST-EMPLOYMENT BENEFITS (OPEB) TRUST FUND BOARD**
- **G. PARKS, RECREATION, AND COMMUNITY ENHANCEMENT COMMITTEE**
- **H. POLICE PENSION PLAN - RETIREMENT COMMITTEE**
- **I. SAFETY ADVISORY AND TRANSPORTATION COMMITTEE**
- **J. UTILITY COMMITTEE**

(COUNCIL PRESIDENT SLAVIN REQUESTS THAT THESE APPOINTMENTS BE DEFERRED)

* **8. 2016/17 MISCELLANEOUS APPOINTMENTS - COUNCIL PRESIDENT** (DEFERRED DURING THE ANNUAL MEETING OF MAY 9, 2016)

- **A. CENTRAL DELAWARE CHAMBER OF COMMERCE - LIAISON MEMBER**
- **B. CITY/COUNTY COMMITTEE (LIAISON TO KENT COUNTY)**
- **C. KENT COUNTY TOURISM BOARD OF DIRECTORS - VOTING LIAISON MEMBER**
- **D. KENT ECONOMIC PARTNERSHIP BOARD OF DIRECTORS - VOTING LIAISON MEMBER**
- **E. PRESIDENT'S COUNSEL ON PUBLIC/PRIVATE PARTNERSHIPS AND THE FUTURE OF CITY HALL, WEYANDT HALL, FORMER DOVER LIBRARY, AND OTHER CITY PROPERTIES**

(COUNCIL PRESIDENT SLAVIN REQUESTS THAT THESE APPOINTMENTS BE DEFERRED)

* **9. 2016/17 COMMITTEE APPOINTMENTS - MAYOR** (DEFERRED DURING THE ANNUAL MEETING OF MAY 9, 2016)

- **A. COMPENSATION COMMISSION**
- **B. DOVER FOURTH OF JULY CELEBRATION COMMITTEE**
- **C. DOVER PUBLIC LIBRARY ADVISORY COMMISSION**
- **D. DOWNTOWN DOVER PARTNERSHIP BOARD OF DIRECTORS**
- **E. ELECTION BOARD**
- **F. PROPERTY MAINTENANCE CODE BOARD OF APPEALS**
- **G. SILVER LAKE COMMISSION**

* **10. REAPPOINTMENTS/APPOINTMENTS - RECOMMENDED BY MAYOR CHRISTIANSEN**

A. PLANNING COMMISSION - THREE (3) YEAR TERMS TO EXPIRE JUNE 1, 2019

(1) KATHLEEN WELSH - FIRST DISTRICT (REAPPOINTMENT)

(2) JOHN H. BALDWIN, SR. - FOURTH DISTRICT (REAPPOINTMENT)

(3) KENNETH ROACH - FOURTH DISTRICT

B. PLANNING COMMISSION - ANDREA MAUCHER - SECOND DISTRICT (TO FILL THE UNEXPIRED TERM OF MICHAEL J. AMBRUSO, SR. - TERM TO EXPIRE JUNE 1, 2018)

* **11. RESOLUTION NO. 2016-06 AUTHORIZING SIGNATURES FOR BANKING SERVICES ON BEHALF OF THE CITY OF DOVER, DELAWARE - CONTROLLER/TREASURER, ASSISTANT CONTROLLER/TREASURER, AND ASSISTANT TREASURERS**

12. FIRST READING - PROPOSED ORDINANCE #2016-10

THE FIRST READING IS OFFERED ON THE PROPOSED ORDINANCE. FINAL ACTION BY COUNCIL WILL TAKE PLACE DURING THE SECOND READING ON JUNE 13, 2016. THE ORDINANCE IS AVAILABLE AT THE ENTRANCE OF THE COUNCIL CHAMBERS, ON THE CITY'S WEBSITE AT WWW.CITYOFDOVER.COM UNDER "GOVERNMENT," OR BY CONTACTING THE CITY CLERK'S OFFICE AT 736-7008 OR CITYCLERK@DOVER.DE.US.

A. PROPOSED ORDINANCE #2016-10 AMENDING CHAPTER 2 - ADMINISTRATION, ARTICLE IV - OFFICERS AND EMPLOYEES, DIVISION 8 - DEFERRED COMPENSATION PLAN
(LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE)

13. CITY MANAGER'S ANNOUNCEMENTS

14. COUNCIL MEMBERS' ANNOUNCEMENTS

15. ADJOURNMENT

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

/TM

S:\AGENDAS-MINUTES-PACKETS-PRESENTATIONS-ATT&EXH\COUNCIL-AGENDAS\2016\05-23-2016 MARKED FOR PACKET BOOKMARKS.WPD

THE AGENDA ITEMS AS LISTED MAY NOT BE CONSIDERED IN SEQUENCE. PURSUANT TO 29 DEL. C. §10004(E)(2), THIS AGENDA IS SUBJECT TO CHANGE TO INCLUDE THE ADDITION OR THE DELETION OF ITEMS, INCLUDING EXECUTIVE SESSIONS, WHICH ARISE AT THE TIME OF THE MEETING.

ANNUAL COUNCIL MEETING

The Annual Council Meeting was held on May 9, 2016 at 7:30 p.m. with Mayor Christiansen presiding. Council members present were Mr. Anderson, Mr. Sudler, Mr. Neil, Mr. Cole, Mr. Hosfelt, Mr. Hare, Mr. Hutchison and Mr. Slavin. Mr. Lewis was absent.

Council staff members present were Police Chief Bernat, Mrs. Mitchell, Mr. Koenig, Mrs. Townshend, Fire Chief Carey, City Solicitor Rodriguez, and Mrs. McDowell.

The colors were presented by the Dover High School Air Force Junior Reserve Officer Training Corps (AFJROTC).

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

The National Anthem was performed by Ms. Allysa Perez, Dover High School Chorus.

AGENDA ADDITIONS/DELETIONS

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

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

ADOPTION OF MINUTES - REGULAR COUNCIL MEETING OF APRIL 25, 2016

The Minutes of the Regular Council Meeting of April 25, 2016 were unanimously approved by motion of Mr. Hutchison, seconded by Mr. Neil and bore the written approval of Mayor Christiansen.

REAFFIRMATION OF MAYOR AND COUNCIL OATHS OF OFFICE ADMINISTERED BY THE HONORABLE WILLIAM L. WITHAM JR., RESIDENT JUDGE - SUPERIOR COURT

The Honorable William L. Witham, Jr, Resident Judge, Superior Court, administered the reaffirmation of Mayor and Council Oaths of Office.

CERTIFICATE OF CONGRATULATIONS - CAESAR RODNEY SCHOOL DISTRICT 100TH ANNIVERSARY

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

> *The first consolidated school district in Delaware came into existence on July 1, 1915, and shortly thereafter, residents of the Towns of Camden and Wyoming jointly passed a referendum to build a new school to serve the children of their communities. In naming the institution, community leaders chose to honor one of Delaware's greatest statesmen – Revolutionary War hero, patriot, and signer of the Declaration of Independence – Caesar Rodney. The school opened its doors in 1916, serving a total of ninety-nine students in grades one through twelve.*

One hundred years later, Caesar Rodney School District has grown to become one of Delaware's exemplary public school districts, serving nearly eight thousand students in twelve schools. Today, students have the opportunity to attend school in state of the art facilities and take advantage of a wide array of educational offerings, including world language immersion for kindergartners and advanced placement, dual enrollment, and career pathway offerings for senior high students.

Caesar Rodney School District continues to fulfill the challenge set forth by its forefathers of being an educational leader, not only in Delaware, but throughout the country.

The City of Dover extends its sincere congratulations to

Caesar Rodney School District

on its 100th Anniversary

in recognition of its proud tradition of preparing students for successful, productive, and purposeful lives in a diverse, global community.

On behalf of the Mayor and Council, Mayor Christiansen presented the Certificate to Ms. Susan Frampton, Principal, W. Reily Brown Elementary School.

On behalf of the Board of Education, Superintendent Dr. Kevin Fitzgerald, and the community, students, and staff of the Caesar Rodney School District, Ms. Frampton thanked the Mayor and members of Council for this recognition. Ms. Frampton stated that the Caesar Rodney School District Centennial Gala would be held on Saturday, May 14, 2016 at Dover Downs Hotel & Casino. She noted that W. Reily Brown Elementary School was the only school in the Caesar Rodney School District that has a Dover address and avails itself to City services.

CERTIFICATE OF CONGRATULATIONS - DOVER HIGH SCHOOL MUSIC DEPARTMENT

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

Certificate of Congratulations

presented to

Dover High School Music Department

which recently competed in the Festivals of Music in Myrtle Beach, South Carolina, and received awards in the following categories:

Chamber Choir
Superior - 2nd Place (Mixed Choir Category)
Concert Choir
Superior - 3rd Place (Mixed Choir Category)
Drumline
Superior - 1st Place (Drumline Division)
Jazz Band
Excellent - 1st Place (AA - Jazz Band Category)
Marching Band
Superior - 1st Place (III - Parade Division)
Best Overall Parade Band
POMS
Superior - 1st Place (Parade Auxiliary Division)
Select Ensemble
Superior - 1st Place (Mixed Choir Category)
Best Overall Mixed Choir
String Orchestra
Excellent - 1st Place (A - String Orchestra Category)
Symphonic Band
Excellent - 1st Place (A - Concert Band Category)
Tyree Dennis
Most Outstanding Jazz Soloist
Wind Ensemble
Excellent - 1st Place (AA - Concert Band Category)
Best Overall Concert Band

Mr. Garrett George, Band Director, Mr. Bradley Whitenight, Director of Choral Activities, and all of the members of Band, Chorus, and Strings demonstrated exemplary performances on behalf of the Capital School District and Dover High School.

The City of Dover extends its sincere congratulations.

On behalf of the Mayor and Council, Mayor Christiansen presented the Certificate to Mr. Garrett George, Band Director, Mr. Bradley Whitenight, Director of Choral Activities, and Allysa Perez, Dover High School Chorus.

On behalf of the Capital School District Board of Education, Superintendent Dr. Dan Shelton, and everyone associated with the music department and the high school, Mr. George thanked the City of Dover for this recognition.

ELECTION OF COUNCIL PRESIDENT/VICE-MAYOR

Mayor Christiansen opened the floor for nominations for Council President/Vice-Mayor for 2016/2017.

Mr. Hutchison moved to nominate Timothy A. Slavin to serve as Council President/Vice-Mayor for 2016/2017, seconded by Mr. Hare.

Mr. Sudler moved to close nominations, seconded by Mr. Anderson and unanimously carried.

The motion to elect Timothy A. Slavin to serve as Council President/Vice-Mayor for 2016/2017 was unanimously carried.

RECESS FOR PHOTOGRAPHS (MAYOR AND COUNCIL)

Due to the absence of Councilman Lewis, Mayor Christiansen suggested that photographs be postponed until all members of Council were present.

Mr. Anderson moved to postpone the photographs until all members of Council are present. The motion was seconded by Mr. Cole and carried by a vote of seven (7) yes (Anderson, Neil, Cole, Hosfelt, Hare, Hutchison, and Slavin), one (1) no (Sudler), and one (1) absent (Lewis).

PROCLAMATION - COMMUNITY ACTION MONTH

The City Clerk read the following Proclamation into the record:

WHEREAS, *Community Action Agencies were created when the Economic Opportunity Act of 1964 was signed into law, and currently there are approximately one thousand such agencies serving the underprivileged in the United States; and*

WHEREAS, *First State Community Action Agency has been committed to working with individuals and communities to overcome the challenges of unemployment, homelessness, substandard living conditions, and hunger in Delaware since 1965; and*

WHEREAS, *First State Community Action Agency has made an essential contribution to individuals and families in Delaware by providing innovative and cost-effective programs that enable them to improve their lives and living conditions; and*

WHEREAS, *Delaware and the entire country must continue to promote economic security and ensure that all citizens are able to live with dignity by providing support and opportunities for those in need of assistance.*

NOW, THEREFORE, I, ROBIN R. CHRISTIANSEN, MAYOR OF THE CITY OF DOVER, DELAWARE, *do hereby proclaim May 2016 as* ***COMMUNITY ACTION MONTH*** *in the City of Dover in recognition of the hard work and dedication of First State Community Action Agency.*

On behalf of the Mayor and Council, Mayor Christiansen presented the proclamation to Ms. Kaneisha Trott, First State Community Action Agency.

On behalf of the Board of Directors, Executive Director Bernice Edwards, and the staff of First State Community Action Agency, Ms. Trott thanked the Mayor and Council for their support, noting that it is a pleasure and honor to serve and make an impact on the community in Dover and statewide.

PROCLAMATION - MENTAL HEALTH AWARENESS MONTH

The City Clerk read the following Proclamation into the record:

WHEREAS, *mental health is essential to the well-being of every individual, yet many people experience mental health conditions or periods of emotional and psychological distress, especially during times of difficulty, and, with effective treatment, individuals with mental health conditions can recover and lead full, productive lives; and*

WHEREAS, *we, as a community, must learn to recognize the signs of mental distress and ensure that those who are struggling are encouraged to seek the help they need and each business, school, government agency, healthcare provider, organization, and citizen has a responsibility to support prevention programs and promote mental wellness.*

NOW, THEREFORE, I, ROBIN R. CHRISTIANSEN, MAYOR OF THE CITY OF DOVER, DELAWARE, *do hereby proclaim May 2016 as* ***MENTAL HEALTH AWARENESS MONTH*** *in the City of Dover and encourage all citizens, government agencies, public and private institutions,*

businesses, and schools to recommit our community to increasing awareness and understanding of mental health, the different steps our citizens can take to protect their mental health, and the need for appropriate and accessible services for all people with mental health conditions.

PROCLAMATION - PUBLIC WORKS WEEK

The City Clerk read the following Proclamation into the record:

WHEREAS, *public works services are an integral part of the daily lives of those in our community, and the support of an understanding and informed citizenry is vital to the efficient operation of public works systems and programs, such as facilities management, fleet maintenance, grounds and parks maintenance, solid waste collection and recycling, street and stormwater management, water production, and water and wastewater operations and maintenance; and*

WHEREAS, *the health, safety, and comfort of this community greatly depend on the quality and effectiveness of public works facilities and services, whose engineering, construction, and inspection, are vitally dependent upon the efforts and skill of the City of Dover Public Works Department staff; and*

WHEREAS, *the efficiency of the qualified and dedicated personnel of the Public Works Department is materially influenced by the people's attitude and understanding of the importance of the work that the Department performs; and*

WHEREAS, *the American Public Works Association 2016 National Public Works Week theme, "Public Works Always There," speaks to the essential nature of public works services in support of everyday quality of life.*

NOW, THEREFORE, I, ROBIN R. CHRISTIANSEN, MAYOR OF THE CITY OF DOVER, DELAWARE, *do hereby proclaim May 15 - 21, 2016 as* ***PUBLIC WORKS WEEK*** *in the City of Dover, and urge all citizens and organizations to learn more about the issues involved in providing public works, and to recognize the contributions that dedicated Public Works Department employees make every day to our health, safety, comfort, and quality of life.*

On behalf of the Mayor and Council, Mayor Christiansen presented the proclamation to Mrs. Sharon Duca, Public Works Director. Mrs. Duca read the following statement:

> This year's National Public Works Week theme, "Public Works Always There", showcases the extensiveness of Public Works. Public Works projects and services have been part of our modernized way of life for centuries. Examples include:
>
> - establishment of the first municipal dump in Athens Greece in 500 BC;
> - utilization of the first concrete by the Romans in 200 BC;
> - construction of aqueducts in Rome from 500 BC to 100 AD;
> - construction of the Taj Mahal in 1647;
> - institution of street sweeping by Ben Franklin in Philadelphia in 1757;
> - establishment of the New Deal and numerous public works programs by FDR in 1930;

- start of construction of the interstate highway system in 1954;
- completion of the City of Dover's initial municipal water system in 1882; and
- completion of construction of the City of Dover's first 1.5 million gallon water tank in 2016.

These advances in Public Works over time, in addition to many others, have allowed us to come to enjoy the quality of life we know today. The City of Dover meets various needs of the community by providing the following through the Department of Public Works:

- Fleet maintenance of 236 vehicles and equipment;
- Facilities maintenance of 61 buildings and structures;
- Sanitation services resulting in the collection and disposal of nearly 12,000 ton of waste each year;
- Streets maintenance of 108 miles of City streets and 139 miles of storm sewer;
- Grounds maintenance of 285 acres of City property, 2,265 street trees and 44 flower beds;
- Water system maintenance of 195 miles of water main and appurtenances;
- Wastewater system maintenance of 185 miles of sewer main and appurtenances as well as 44 pump stations;
- Water Treatment & Production services resulting in the production of 1.6 billion gallons of water a year; and
- Administration, Inspection and Engineering support services to all operational divisions and capital programs.

Every year it is a challenge for staff to provide the services expected with the resources available. This effects our staff at all levels. As such it is necessary to constantly reassess priorities and even utilize temps and contractors at times to achieve service delivery requirements and expectations. In this midst of this, however, it is apparent that our most valuable resource is our current 76 dedicated staff members who come to work ready to meet the challenges of the day; and most days do have their challenges. Just as in any line of work mistakes can be made and things may not turn out as planned. But it is only through the perseverance of our dedicated staff that the expectation for service each and every day can be realized. I would like to thank the Public Works staff for their continuing dedication and diligence which have allowed us all to enjoy the quality of life we realize in the City of Dover. It is only through them that these services are possible. I would also like to thank Scott Koenig for his never ending support, Donna Mitchell for assistance from the financial side as well as the continued support of the Council and Mayor. It is through the efforts of staff and your support that the City of Dover Department of Public Works can always be there.

STATE OF THE CITY MESSAGE - MAYOR ROBIN R. CHRISTIANSEN

Mayor Christiansen presented the State of the City address, as follows:

Good Evening,

Tonight as we enter in the second year of my term I am honored to serve as your Mayor. Together I feel that the Mayor and Council of your city continue to work tirelessly to maintain the City and it services that each of you have come to expect. Have we been successful? Yes. Have we always been successful? No. But we, the Mayor and Council and City staff and all of our employees from the newest to the most seasoned strive daily for community excellence through quality services.

Last year I gave us a B+. Today in the vein of my old English teacher of long ago Phyllis Levitt, I give us a B- because while I know we have worked diligently, we can always do better and we will.

Having said that, I thank the Council President and the members of Council and all the volunteers that serve on various boards and commissions. For it is in the spirit of our predecessors that they serve to make Dover the place that we all love to call home.

The Dover Police Department, under the leadership of my Chief Paul Bernat and his staff and the dedication of the men and women of the Department who are not my Police Department, their Police Department but our Police Department serving all of the citizens of Dover equally. I salute them for the job they do.

I commend our department for being innovative and progressive. We have and will continue to review use of force and deadly force policies to guarantee we are in compliance with nationally recognized standards and practices. Thanks to the efforts of the Chief and Senator Brian Bushweller, the City of Dover through the confidence of Attorney General Matt Denn and the members of the Joint Finance Committee secured $580,000 to enhance Community Policing, foot patrols and additional cameras to make our communities safer. Likewise, in our belief that we are a community we have dedicated some of those funds to continue our very successful cadet program, as well as other projects such as the PAL program and other community outreach programs to build trust between the department and the citizens we serve.

Who could question the value of service and the dedication of the men and women of the Dover Fire Department Robbins Hose Company No. 1 founded in 1882 and continuing to provide outstanding service as the only all-volunteer Fire Department serving a state capital today.

I personally thank Chief Buck Carey for his continued service as Chief as well as the men and women who exemplify service to others. Think of them and pray for them each time the siren sounds.

The men and women who daily make Dover the community for all of us to be proud of are the unsung heroes. From the line men to the streets crew, the Clerks the administrative assistants, the customer service reps and everyone else. They keep the City moving forward by providing services above and beyond the call of duty. We thank you for your efforts for you make us shine. And if I missed anyone, do not be upset because we appreciate everyone who is a part of the Dover team.

Finally, there are many issues which face a city that continues to grow. The challenges are many but we have the talent and the team to meet the challenges today, and ensure that our vision of the future is a safe prosperous, and beautiful City where we all want to work, play and live; a place we are proud to call home. We need to make strides in reducing crime overall, we need to see improvements in time and efforts spent in Economic Development to bring more jobs to Dover with acceptable wages for people to raise their families on and we need to continue to address our aging infrastructure.

I thank the entire community for understanding that things don't happen overnight, but with a strong council, willing to make the tough calls needed we will get to where we have to be.

So join with me in this great and ongoing adventure as we move forward into our next fiscal year. Where we will celebrate our 300th Birthday of our great City by leaving a legacy to those who will come behind us.

Again, I thank you and appreciate the continued support from Council, staff and all of our citizens.

ANNEXATION OF PROPERTIES LOCATED AT 1411 AND 1417 SOUTH GOVERNORS AVENUE, OWNED BY HEARTLAND DELAWARE, INC.

Mrs. Ann Marie Townshend, Director of Planning and Community Development, reviewed the Petition to Annex and Zone property. The Planning Commission recommended annexation of the property with the zoning designation of C-4 - Highway Commercial, as submitted.

Public Hearing - Zoning Classification

Members considered a request for rezoning of properties proposed for annexation located at 1411 South Governors Avenue, consisting of $0.2158^{+/-}$ acres (Parcel C) and 1417 South Governors Avenue, consisting of $0.4497^{+/-}$ acres (Parcel D), owned by Heartland Delaware, Inc. These properties are currently zoned BG - General Business District (Kent County zoning classification) and the proposed zoning is C-4 - Highway Commercial (City of Dover zoning classification).

A public hearing was duly advertised for this time and place to consider the rezoning of properties located at 1411 South Governors Avenue and 1417 South Governors Avenue, owned by Heartland Delaware, Inc.

Mayor Christiansen declared the public hearing open and, with no one present wishing to speak, the public hearing was closed.

Adoption of Annexation Resolution No. 2016-02

Members considered Annexation Resolution No. 2016-02 for property located at 1411 South Governors Avenue and 1417 South Governors Avenue, owned by Heartland Delaware, Inc.

By motion of Mr. Hare, seconded by Mr. Hosfelt, Council, by a unanimous roll call vote (Lewis absent), adopted Resolution No. 2016-02, as follows:

APPROVING THE INCLUSION OF AN AREA WITHIN THE LIMITS OF THE CITY OF DOVER.

WHEREAS, the Charter of the City of Dover authorizes Council to extend the boundaries of the said City in accordance with Title 22, Chapter 1, Section 101 of the Delaware Code (22 Del.C.§101); and

WHEREAS, the Mayor and Council deem it to be in the best interest of the City of Dover to include an area contiguous to the present City limits, and hereinafter more particularly described, within the limits of the City of Dover; and

WHEREAS, the Charter of the City of Dover provides that if an annexation is petitioned by all owners of all property considered for annexation, no election shall be required. For an annexation petition not requiring an election, such petition shall be processed in accordance with procedures established for amendments to the zoning map, specified in Dover Code, Appendix B - Zoning. All annexation petitions shall be processed concurrently with the rezoning of the property considered for annexation and shall be subject to public hearing before City Council. Public notice shall be completed in accordance with the provisions of the Dover Code relating to amendment of the zoning map.

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

1. That the following described area, situated in the City of Dover, East Dover Hundred, Kent County, State of Delaware, along with all adjacent paths, sidewalks, roadways, and rights-of-way in their entirety, shall be annexed to and included within the limits of the City of Dover:

> All that lot, piece or parcels of land with the improvements thereon erected, as combined areas of current tax parcel #s 2-00-086.09-01-21.00-00001 (Parcel "C"), and 2-00-086.09-01-22.00-00001 (Parcel "D"), lying near the Southwest intersection of U.S. Route #13 and Webb's Lane, being bounded on the East by U.S. Route #13, on the South by lands of The Rent Shop, LLC (aka Burger King), to the West by S. Governors Avenue, and to the North by lands now or formerly of Heartland Delaware, LLC, and being more particularly bounded as described in accordance with a recent survey by Mountain Consulting, Inc., as follows to wit:
>
> COMMENCING from a point of intersection of the Easterly right of way line of S. Governors Avenue (76 feet wide) and the centerline construction base line of Webb's Lane (85 feet wide), as shown on DelDOT Contract #20-045-02, #72-02-003,

and #93-008-01; THENCE, (by DE SPCS NAD '83-'93 Bearing System), South 08 degrees 08 minutes 25 seconds West, 283$^{+/-}$ feet to a concrete monument found at the POINT OF BEGINNING;

THENCE, from said POINT OF BEGINNING (existing concrete monument having grid coordinates of N: 412,434.0625', E: 624,002.6331), being a common corner for Parcel "D" and lands now or formerly The Rent Shop, LLC, along the Easterly right of way of S. Governors Avenue (76 feet wide), North 08 degrees 08 minutes 25 seconds East, 79.00 feet to a "PK" nail found, at a common corner for Parcels "D" and "C";

THENCE, along Parcel "C" and said right of way, North 08 degrees 08 minutes 25 seconds East, 50.00 feet to a capped rebar found, at a common corner for Parcels "C" and "B";

THENCE, leaving said right of way, and running along the Northerly line of Parcel "C", South 81 degrees 38 minutes 31 seconds East, 188.13 feet to a point, at a common corner for Parcels "C", "B", and in the line of Parcel "A";

THENCE, along Parcels "C" and "A", South 08 degrees 21 minutes 29 seconds West, 50.00 feet to a point, at a common corner for Parcels "C", "D", and "A";

THENCE, along Parcels "D" and "A", South 08 degrees 21 minutes 29 seconds West, 50.00 feet to an iron pipe found, at a common corner for Parcels "D" and "A";

THENCE along Parcels “D” and “A”, South 81 degrees 38 minutes 31 seconds East, 173.57 feet to an iron pipe found, on the Westerly right of way line of S. Dupont Hwy. (aka Rt. 13) (180 feet wide);

THENCE, along Parcel "D" and said right of way line of S. Dupont Hwy., South 20 degrees 11 minutes 29 seconds West, 28.52 feet to an iron pipe found, at a common corner for Parcel "D" and lands of said The Rent Shop, LLC;

THENCE, along the Southerly line of Parcel "D" and said lands of The Rent Shop, LLC, North 81 degrees 49 minutes 01 seconds West, 355.36 feet to the concrete monument found at the POINT OF BEGINNING;

CONTAINING 0.6655$^{+/-}$ acres (28,990 square feet) of land within said metes and bounds, being the same more or less.

2. That the above described property shall be annexed into the City of Dover with a zoning classification as set by City Council and in accordance with the zoning map and environs then in force, effective upon such lands being included within the limits of the City of Dover.

3. That the certified copy of this resolution of annexation, together with a plot of the area annexed, shall be filed for record with the Recorder of Deeds of Kent County.

4. That the effective date of this resolution shall be the 10th day of May, 2016 at 12:01 a.m.

ADOPTED: MAY 9, 2016

Final Reading/Adoption of Rezoning Ordinance #2016-12

Members considered Rezoning Ordinance #2016-12 for property located at 1411 South Governors Avenue and 1417 South Governors Avenue, owned by Heartland Delaware, Inc.

Mr. Neil moved that the Final Reading of Ordinance #2016-12 be acknowledged by title only, seconded by Mr. Cole and unanimously carried. *(The First Reading of the ordinance was accomplished during the Council Meeting of March 14, 2016.)*

Mr. Slavin moved for approval of the rezoning, as recommended by the Planning Commission. The motion was seconded by Mr. Neil and, by a unanimous roll call vote (Lewis absent), Council adopted Ordinance #2016-12, as follows:

AN ORDINANCE AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF DOVER BY CHANGING THE ZONING DESIGNATION OF PROPERTIES LOCATED AT 1411 AND 1417 SOUTH GOVERNORS AVENUE

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

WHEREAS, it is deemed in the best interest of zoning and planning to change the permitted use of properties described below from BG (General Business District) (Kent County zoning classification) to C-4 (Highway Commercial Zone)(City of Dover zoning classification).

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

1. That from and after the passage and approval of this ordinance the Zoning Map and Zoning Ordinance of the City of Dover have been amended by changing the zoning designation from BG (General Business District) (Kent County zoning classification) to C-4 (Highway Commercial Zone) (City of Dover zoning classification) on that property located at 1411 South Governors Avenue, consisting of $0.2158^{+/-}$ acres (Parcel C), and that property located at 1417 South Governors Avenue, consisting of $0.4497^{+/-}$ acres (Parcel D), owned by Heartland Delaware, Inc.

   (TAX PARCELS: ED-00-086.09-01-21.00-000 (PARCEL C) AND ED-00-086.09-01-22.00-000 (PARCEL D); PLANNING REFERENCE: AX-16-02; COUNCIL DISTRICT: 2)

ADOPTED: MAY 9, 2016

ANNEXATION OF PROPERTY LOCATED ADJACENT TO STATE ROUTE 1 AND SURROUNDING THE INTERSECTION OF LEIPSIC ROAD AND PERSIMMON TREE LANE INCLUDING THREE (3) UNADDRESSED LOTS OF A SINGLE PARCEL (LOTS 8, 9, AND 10A) AND PROPERTY LOCATED AT 1229 PERSIMMON TREE LANE (LOT 18), OWNED BY DOVER INTERNATIONAL SPEEDWAY, INC.

Mrs. Ann Marie Townshend, Director of Planning and Community Development, reviewed the Petition to Annex and Zone property. The Planning Commission recommended the annexation of the property with the zoning designation of RC - Recreational and Commercial, as submitted.

In response to Mr. Sudler, Mrs. Townshend stated that one (1) of the concerns that had been expressed for several years pertained to noise and, as a result, Staff brought forward changes to the RC zone which specified noise hours. She explained that, with approval of the annexation of these properties, all of the areas will be subject to the City noise ordinance.

Mrs. Townshend stated that there are a number of other issues that the Delaware Department of Transportation (DelDOT) addresses, such as concerns regarding pedestrians on Permission Tree Lane. She advised members that there are meetings held throughout the year that include DelDOT, the Police Department, and other key players to ensure the traffic flow and public safety of the event.

Mr. Neil stated that Dover International Speedway, Inc. and Red Frog Events have been extremely accommodating in working with residents of the area, noting that he is one (1) of the residents. He stated that they are well aware of the problems along Persimmon Tree Lane, particularly with pedestrians walking that area and preventing emergency and other vehicles from getting through. Mr. Neil indicated his belief that the Speedway would be meeting with the residents once again this year. He stated that they continually work with residents to try to find solutions to alleviate the problem. Mr. Neil expressed his appreciation for the Speedway's cooperation and stated that they provide a tremendous economic piston in bringing in money from out of state.

Public Hearing - Zoning Classification

Members considered a request for rezoning of property proposed for annexation located adjacent to State Route 1 and surrounding the intersection of Leipsic Road and Persimmon Tree Lane (three (3) unaddressed lots of a single parcel), consisting of $5.67^{+/-}$ acres (Lot 8), $10.21^{+/-}$ acres (Lot 9), and $13.69^{+/-}$ acres (Lot 10A) and property located at 1229 Persimmon Tree Lane, consisting of $228.86^{+/-}$ acres (Lot 18), owned by Dover International Speedway, Inc. These properties are currently zoned AR - Agricultural Residential (Kent County zoning classification) and the proposed zoning is RC - Recreational and Commercial (City of Dover zoning classification).

A public hearing was duly advertised for this time and place to consider the rezoning of property located adjacent to State Route 1 and surrounding the intersection of Leipsic Road and Persimmon Tree Lane (three (3) unaddressed lots of a single parcel), and property located at 1229 Persimmon Tree Lane, owned by Dover International Speedway, Inc.

Mayor Christiansen declared the public hearing open. There being no one present wishing to speak, Mayor Christiansen declared the public hearing closed.

Referring to the noise hours, Mr. Sudler asked what time the noise would be expected to cease. Responding, Mrs. Townshend stated that it would be 2:00 a.m. on weekend nights and 12:00 midnight on week nights.

Mr. Neil indicated that the noise problems were not from the concert but private parties. He indicated that these parties were occurring on property which is in the County, and the County had not been forthcoming in taking action. Mr. Neil hoped that with one (1) jurisdiction, the private noise could be handled better.

Adoption of Annexation Resolution No. 2016-03

Members considered Annexation Resolution No. 2016-03 for property located adjacent to State Route 1 and surrounding the intersection of Leipsic Road and Persimmon Tree Lane (three (3) unaddressed lots of a single parcel), and property located at 1229 Persimmon Tree Lane, owned by Dover International Speedway, Inc.

By motion of Mr. Neil, seconded by Mr. Hutchison, Council, by a roll call vote of seven (7) yes (Anderson, Sudler, Neil, Cole, Hare, Hutchison, and Slavin), one (1) abstention (Hosfelt), and one (1) absent (Lewis), adopted Resolution No. 2016-03, as follows:

APPROVING THE INCLUSION OF AN AREA WITHIN THE LIMITS OF THE CITY OF DOVER.

WHEREAS, the Charter of the City of Dover authorizes Council to extend the boundaries of the said City in accordance with Title 22, Chapter 1, Section 101 of the Delaware Code (22 Del.C.§ 101); and

WHEREAS, the Mayor and Council deem it to be in the best interest of the City of Dover to include an area contiguous to the present City limits, and hereinafter more particularly described, within the limits of the City of Dover; and

WHEREAS, the Charter of the City of Dover provides that if an annexation is petitioned by all owners of all property considered for annexation, no election shall be required. For an annexation petition not requiring an election, such petition shall be processed in accordance with procedures established for amendments to the zoning map, specified in Dover Code, Appendix B - Zoning. All annexation petitions shall be processed concurrently with the rezoning of the property considered for annexation and shall be subject to public hearing before City Council. Public notice shall be completed in accordance with the provisions of the Dover Code relating to amendment of the zoning map.

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

1. That the following described area, situated in Little Creek Hundred, Kent County, State of Delaware, along with all adjacent paths, sidewalks, roadways, and rights-of-way, shall be annexed to and included within the limits of the City of Dover:

Lot 8 (Portion of Tax Map Parcel No.: LC-00-058.00-01-29.00/000)

Beginning at a point at the southeasterly end of a daylight corner at the intersection of the easterly right of way line of State Route 1 and the northerly right of way line of Leipsic Road and at a corner for this parcel, thence from the place of beginning and running with said easterly right of way line of State Route 1 the following two courses and distances 1) South 83°52'17" West 220.11 feet to a point; thence 2) North 49°04'01" West 520.76 feet to a point at a corner for this parcel and lands now or formerly of Virginia D. Bason; thence turning and running with said lands of Bason 3) North 55°33'22" East 447.44 feet to a point in the westerly right of way line of Leipsic Road; thence turning and running with said westerly right of way line of Leipsic Road the following two courses and distances 4) South 50°33'11" East 481.99 feet to a point; thence 5) South 25°58'59" West 294.27 feet to the point and place of beginning and containing 5.67 acres of land, be the same more or less.

Lot 9 (Portion of Tax Map Parcel No.: LC-00-058.00-01-29.00/000)

Beginning at a point at the intersection of the easterly right of way line of State Route 1 and the southerly right of way line of Leipsic Road and at a corner for this parcel, thence from the place of beginning and running with said southerly right of way line of Leipsic Road the following six courses and distances: 1) North 25°58'59" East 464.88 feet to a point; thence 2) South 55°4l'45" East 196.1l feet to a point; thence 3) South 66°05'05" East 305.00 feet to a point; thence 4) South 55°41'45" East 304.09 feet to a point; thence 5) curving to the left along the arc of a circle having a radius of 946.47 feet and an arc length of 194.26 feet, chord bearing of said arc being South 61°34'33" East 193.92 feet to a point; thence 6) South 22°32'4l" East 148.48 feet to a point in the northerly right of way line of Pit Stop Lane; thence turning and running with said northerly right of way line of Pit Stop Lane the following two courses and distances 7) South 74°47'52" West 98.40 feet to a point; thence 8) South 76°14'13" West 509.20 feet to a point in the easterly right of way line of State Route 1; thence turning and running with said easterly right of way of State Route 1, 9) North 49°04'01" West 555.63 feet to the point and place of beginning and containing 10.21 acres of land, be the same more or less.

Lot 10A (Portion of Tax Map Parcel No.: LC-00-058.00-01-29.00/000)

Beginning at a point along the easterly right of way line of Leipsic Road at a corner for this parcel and lands now or formerly of Virginia D. Bason; thence from the place of beginning and running with said lands of Virginia D. Bason 1) North 55°33'22" East 648.20 feet to a point at a corner for this parcel and other lands of Dover International Speedway, Inc.; thence turning and running in part with said lands of Dover International Speedway and lands now or formerly of Thomas W. Murray, Inc. 2) South 38°32'24" East 1,685.22 feet to a point in line of the easterly right of way line of Leipsic Road; thence turning and running with said easterly right of way line of Leipsic Road the following five courses and distances 3) curving to the right along the arc of a circle having a radius of 816.47 feet and an arc length of 427.33 feet,

chord bearing of said arc being North 70°41'23" West 422.47 feet to a point; thence 4) North 51°41'45" West 304.09 feet to a point; thence 5) North 49°16'38" West 402.52 feet to a point; thence 6) North 55°41'45" West 500.00 feet to a point; thence 7) North 66°05'05" West 236.90 feet to a point and place of beginning and containing 13.69 acres of land, be the same more or less.

Lot 18 (Tax Map Parcel No.: LC-00-058.00-01-02.00/000)

Beginning at a point along the northerly right of way line of Persimmon Tree Road at a corner for this parcel and lands now or formerly of Shirley A. Leitzinger; thence from the place of beginning and running with said northerly right of way line of Persimmon Tree Road 1) South 51°05'02" West 49.08 feet to a point at a corner for this parcel and lands now or formerly of Grace A. Outten; thence turning and running in part with said lands of Outten and lands now or formerly of Kathleen T. Moran Trustee the following two courses and distances 2) North 39°05'57" West 949.31 feet to a point; thence 3) South 66°25'24" West 3,109.16 feet to a point in line with other lands of Dover International Speedway, Inc.; thence turning and running in part with said other lands of Dover International Speedway, lands now or formerly of Virginia D. Bason and lands now or formerly of the State of Delaware the following two courses and distances 4) North 37°53'24" West 1,785.20 feet to a point; thence 5) North 01°39'38" West 13.74 feet to a point at a corner for this parcel and lands now or formerly of Michael L. Foxwell; thence turning and running in part with said lands of Foxwell and lands now or formerly of Craig A. Stonesifer the following 19 courses and distances 6) North 08°02'53" East 86.99 feet to a point; thence 7) South 86°20'05" East 56.81 feet to a point; thence 8) North 48°56'16" East 361.04 feet to a point; thence 9) North 42°22'08" East 238.44 feet to a point; thence 10) North 06°16'35" West 100.72 feet to a point; thence 11) North 36°40'17" East 184.00 feet to a point; thence 12) North 14°33'19" East 145.26 feet to a point; thence 13) North 22°03'44" East 198.01 feet to a point; thence 14) North 28°42'27" East 196.34 feet to a point; thence 15) North 28°14'04" West 116.14 feet to a point; thence 16) North 00°34'36" East 274.17 feet to a point; thence 17) North 19°55'33" West 208.74 feet to a point; thence 18) North 05°19'58" East 218.67 feet to a point; thence 19) North 41°43'46" East 232.28 feet to a point; thence 20) South 85°27'14" East 247.52 feet to a point; thence 21) North 72°59'47" East 217.18 feet to a point; thence 22) North 77°52'58" East 129.16 feet to a point; thence 23) South 76°59'16" East 322.58 feet to a point; thence 24) South 67°34'35" East 174.83 feet to a point at a corner for this parcel and lands now or formerly of Jean Gruwell; thence turning and running with said lands of Gruwell the following 37 courses and distances 25) South 11°34'48" East 110.59 feet to a point; thence 26) South 26°52'33" East 33.71 feet to a point; thence 27) South 43°52'05" East 195.56 feet to a point; thence 28) South 12°34'41" East 20.70 feet to a point; thence 29) North 50°14'17" East 95.17 feet to a point; thence 30) North 82°54'46" East 83.21 feet to a point; thence 31) South 75°05'35" East 91.24 feet to a point; 32) North 46°54'08" East 237.32 feet to a point; 33) South 74°48'27" East 108.35 feet to a point; 34) North 72°48'11" East 436.78 feet to a point; thence 35) South 21°03'07" East 173.14 feet to a point; thence 36) North 61°34'5l" East 246.59 feet to a point; thence 37) North 24°25'40" East 70.66 feet to

a point; thence 38) South 27°36'11" East 460.21 feet to a point; thence 39) South 69°21'27" East 44.60 feet to a point; thence 40) South 42°16'23" East 138.56 feet to a point; thence 41) South 01°37'18" East 139.95 feet to a point; thence 42) North 72°51'36" East 49.21 feet to a point; thence 43) South 24°05'31" East 57.44 feet to a point; thence 44) South 40°08'31" West 38.10 feet to a point; thence 45) South 19°44'53" East 73.55 feet to a point; thence 46) South 24°59'31" West 30.37 feet to a point; thence 47) South 35°41'22" West 35.95 feet to a point; thence 48) South 28°09'44" East 87.13 feet to a point; thence 49) South 52°44'35" East 33.88 feet to a point; thence 50) South 07°07'05" East 94.43 feet to a point; thence 51) North 56°27'28" East 10.21 feet to a point; thence 52) South 28°45'50" East 156.39 feet to a point; thence 53) South 55°35'37" West 39.13 feet to a point; thence 54) South 03°55'53" East 29.19 feet to a point; thence 55) South 11°36'33" East 141.88 feet to a point; thence 56) North 77°26'53" East 31.69 feet to a point; thence 57) South 24°52'38" East 49.23 feet to a point; thence 58) North 80°31'50" East 37.44 feet to a point; thence 59) South 22°13'52" East 137.19 feet to a point; thence 60) South 39°54'50" East 122.71feet to a point; thence 61) South 44°38'05" East 109.70 feet to a point at a corner for this parcel and lands now or formerly of Joseph T. Larkin; thence running with said lands of Larkin; thence 62) South 39°21'21" East 34.34 feet to a point at a corner for this parcel and lands now or formerly of Thomas D. Cullen; thence turning and running in part with said lands of Cullen and lands now or formerly of Shirley A. Leitzinger the following two courses and distances 63) South 23°59'15" West 587.26 feet to a point; thence 64) South 38°00'54" East 997.30 feet to the point and place of beginning and containing 228.86 acres of land, be the same more or less.

2. That the above described property shall be annexed into the City of Dover with a zoning classification as set by City Council and in accordance with the zoning map and environs then in force, effective upon such lands being included within the limits of the City of Dover.

3. That the certified copy of the resolution of annexation, together with a plot of the area annexed, shall be filed for record with the Recorder of Deeds of Kent County.

4. That the effective date of this resolution shall be the 10th day of May, 2016 at 12:01 a.m.

ADOPTED: MAY 9, 2016

Final Reading/Adoption of Rezoning Ordinance #2016-13

Members considered Rezoning Ordinance #2016-13 for property located adjacent to State Route 1 and surrounding the intersection of Leipsic Road and Persimmon Tree Lane (three (3) unaddressed lots of a single parcel), and property located at 1229 Persimmon Tree Lane, owned by Dover International Speedway, Inc.

Mr. Neil moved that the Final Reading of Ordinance #2016-13 be acknowledged by title only, seconded by Mr. Cole and unanimously carried. *(The First Reading of the ordinance was accomplished during the Council Meeting of March 14, 2016.)*

Mr. Hare moved for approval of the rezoning, as recommended by the Planning Commission. The motion was seconded by Mr. Neil and, by a roll call vote of seven (7) yes (Anderson, Sudler, Neil, Cole, Hare, Hutchison, and Slavin), one (1) abstention (Hosfelt), and one (1) absent (Lewis), Council adopted Ordinance #2016-13, as follows:

AN ORDINANCE AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF DOVER BY CHANGING THE ZONING DESIGNATION OF THREE (3) UNADDRESSED LOTS OF A SINGLE PARCEL OF PROPERTY LOCATED ADJACENT TO STATE ROUTE 1 AND SURROUNDING THE INTERSECTION OF LEIPSIC ROAD AND PERSIMMON TREE LANE, AND PROPERTY LOCATED AT 1229 PERSIMMON TREE LANE

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

WHEREAS, it is deemed in the best interest of zoning and planning to change the permitted use of properties described below from AR - Agricultural Residential Zone (Kent County zoning classification) to RC - Recreational and Commercial Zone (City of Dover zoning classification).

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

1. That from and after the passage and approval of this ordinance the Zoning Map and Zoning Ordinance of the City of Dover have been amended by changing the zoning designation from AR - Agricultural Residential (Kent County zoning classification) to RC - Recreational and Commercial (City of Dover zoning classification) for three (3) unaddressed lots of a single parcel located adjacent to State Route 1 and surrounding the intersection of Leipsic Road and Persimmon Tree Lane, consisting of $5.67^{+/-}$ acres (Lot 8), $10.21^{+/-}$ acres (Lot 9), and $13.69^{+/-}$ acres (Lot 10A) and for property located at 1229 Persimmon Tree Lane, consisting of $228.86^{+/-}$ acres (Lot 18), owned by Dover International Speedway, Inc.
   (TAX PARCELS: LC-00-058.00-01-29.00-000 (LOTS 8, 9, AND 10A) AND LC-00-058.00-01-02.00-000 (LOT 18); PLANNING REFERENCE: AX-16-03; COUNCIL DISTRICT: 3)

ADOPTED: MAY 9, 2016

PUBLIC HEARING/FINAL READING OF PROPOSED ORDINANCE #2016-15 - REZONING REQUEST FOR PROPERTIES LOCATED IN THREE (3) AREAS (A, B, AND C) CONSISTING OF FOURTEEN (14) PARCELS TOTALING $291.07^{+/-}$ ACRES, OWNED BY DOVER INTERNATIONAL SPEEDWAY, INC.

A public hearing was duly advertised for this time and place to consider the rezoning of property located in three (3) areas (A, B, and C) consisting of fourteen (14) parcels totaling $291.07^{+/-}$ acres, owned by Dover International Speedway, Inc., as follows:

Area A: Twelve (12) parcels located east of Leipsic Road and west of State Route 1, totaling $195.13^{+/-}$ acres. The current zoning is CPO (Commercial and Professional Office) and R-8 (One-Family Residence), partially subject to the SWPOZ (Source Water

Protection Overlay Zone), and the proposed zoning is RC (Recreational and Commercial), partially subject to the SWPOZ (Source Water Protection Overlay Zone).
Tax Parcels: LC-05-058.17-02-01.00-000, LC-05-058.17-01-07.00-000, ED-05-058.17-01-11.00-000, LC-05-058.17-01-08.00-000, ED-05-058.17-01-18.00-000, LC-05-058.17-01-09.00-000, ED-05-058.17-01-19.00-000, ED-05-068.05-01-02.01-000, LC-05-058.00-02-08.00-000, ED-05-068.05-01-16.00-000, LC-05-068.00-01-01.00-000, and LC-05-068.10-01-01.00-000

Area B: Located east of State Route 1 and south of Pit Stop Lane, totaling $10.43^{+/-}$ acres. The current zoning is MHP (Mobile Home Park) and the proposed zoning is RC (Recreational and Commercial).
Tax Parcel: LC-05-058.17-02-01.00-000

Area C: Located north of Persimmon Tree Lane adjacent to the City limits, totaling $85.51^{+/-}$ acres. The current zoning is A (Agricultural) and the proposed zoning is RC (Recreational and Commercial).
Tax Parcel: LC-05-058.00-02-15.00-000

Mr. Neil moved that the Final Reading of Proposed Ordinance #2016-15 be acknowledged by title only, seconded by Mr. Cole and unanimously carried. *(The First Reading of the ordinance was accomplished during the Council Meeting of March 28, 2016.)*

Planner's Review

Mrs. Ann Marie Townshend, Director of Planning and Community Development, reviewed the petition to amend the zoning district and the findings and recommendations of the Planning Commission. She noted that the Planning Commission recommended approval of the rezoning request.

Public Hearing

Mayor Christiansen declared the public hearing open.

Mr. Gregory Moore, Becker Morgan Group, Inc., 309 South Governors Avenue, representing Dover International Speedway, Inc., stated that the Speedway is in favor of the rezoning. He indicated many of the parcels have been in the City of Dover for quite some time and have been involved in the race and the Firefly Music Festival for parking and camping. Mr. Moore informed members that the Speedway does not have any planned development in these areas, and they will continue to be used for parking and overnighting for campers. He stated that this would consolidate all of the properties under one (1) zoning.

Responding to Mr. Neil, Mr. Moore confirmed that the parcels include the area where the State Police perform training and it would be business as usual for all of those activities on these properties, just as it has been for the last 15 or 20 years at Dover International Speedway.

There being no one else present wishing to speak, Mayor Christiansen declared the public hearing closed.

Mr. Neil moved for approval of the rezoning request, as recommended by the Planning Commission. The motion was seconded by Mr. Hutchison and, by a roll call vote of seven (7) yes (Anderson, Sudler, Neil, Cole, Hare, Hutchison, and Slavin), one (1) abstention (Hosfelt), and one (1) absent (Lewis), Council adopted Ordinance #2016-15 *(Exhibit #1)*.

PUBLIC HEARING/FINAL READING - PROPOSED ORDINANCE #2016-14

A public hearing was duly advertised for this time and place to consider approval of proposed zoning text amendments to Appendix B - Zoning, Article 6 - Off-street Parking, Driveways and Loading Facilities, Section 5 - Supplementary Regulations for Parking and Loading Facilities, Subsection 5.3 - Supplementary Parking Regulations for Multiple Dwellings, Including Duplexes, Multiplexes, and Apartments.

Mr. Hutchison moved that the Final Reading of Proposed Ordinance #2016-14 be acknowledged by title only, seconded by Mr. Neil and unanimously carried. *(The First Reading of the ordinance was accomplished during the Council Meeting of March 28, 2016.)*

Mrs. Ann Marie Townshend, Director of Planning and Community Development, reviewed the Petition to Amend Zoning Ordinance Text. She advised members that the term "multiple dwellings" is defined in the Article 12. Mrs. Townshend explained that the current language in Subsection 5.3 references "Supplementary parking regulations for multiple dwellings including duplexes, multiplexes, and apartments," which is inconsistent with the definition in Article 12. She stated that, with the proposed amendment, reference to multiple dwellings would rely on the definition in Article 12.

Mrs. Townshend stated that this inconsistency was discovered during Staff's review of a duplex project downtown. She stated that the project is deemed to be very beneficial in terms of downtown redevelopment and the prohibition on parking in front of duplexes was creating problems with the design of the development.

Mrs. Townshend informed members that the Planning Commission unanimously recommended adoption of the ordinance.

Mayor Christiansen declared the public hearing open. There being no one present wishing to speak, Mayor Christiansen declared the public hearing closed.

Mr. Hare moved for adoption of the ordinance, as recommended by the Planning Commission. The motion was seconded by Mr. Neil and, by a unanimous roll call vote (Lewis absent), Council adopted Ordinance #2016-14, as follows:

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

That Appendix B - Zoning, Article 6 - Off-street Parking, Driveways and Loading Facilities, Section 5 - Supplementary Regulations for Parking and Loading Facilities, Subsection 5.3 - Supplementary Parking Regulations for Multiple Dwellings, Including Duplexes, Multiplexes, and Apartments of the Dover Code be amended to read as follows:

5.3 *Supplementary parking regulations for multiple dwellings*. No parking space shall be located in any front yard or within three feet of any lot line in side or rear yards. The parking of motor vehicles within 15 feet of any wall or portion thereof, which wall contains legal windows (other than legal bathroom or kitchen windows) with a sill height of less than eight feet above the level of the said parking space is prohibited. No service of any kind shall be permitted to be extended to users of the lot, including automobile service, repair or fueling, and no gasoline, oil, grease, or other supplies shall be stored or sold in any such lot or in any garage on such lot.

ADOPTED: MAY 9, 2016

DOVER HUMAN RELATIONS COMMISSION REPORT - APRIL 20, 2016

The Dover Human Relations Commission (DHRC) met on April 20, 2016, with Commissioner Henderson presiding.

AGENDA ADDITIONS/DELETIONS

The Committee amended the agenda to allow item #2, Recess for Photographs, to be accomplished at the end of the meeting.

The Committee approved the agenda as amended.

Presentation by the Metropolitan Wilmington Urban League Young Professionals - Dr. Shekelia Hines

Dr. Shekelia Hines, Chair of the Metropolitan Wilmington Urban League (MWUL) Dover Committee, reviewed a presentation entitled "Metropolitan Wilmington Urban League (MWUL) Dover Committee". She informed members that she is a physical therapist in Dover. Dr. Hines advised that the MWUL is new to the Dover area and its mission is to empower people of color to achieve economic self-reliance, parity, and civil rights. She stated that the Urban League has three (3) branches: 1) the Urban League itself, 2) the Young Professionals organization, and 3) the Guild. She explained that the Young Professionals branch includes individuals aged 21 to 45 and focuses on bringing together those who are currently engaged in their community with the idea that there would be an organized focus to foster relationships and grow together in order to accomplish goals. Dr. Hines reviewed a timeline reflecting the MWUL's accomplishments in 2015.

Dr. Hines indicated that the reason she was present was to raise awareness that the MWUL Dover Committee is here, who they are, and what they do, and she expressed her hope that they could work together with the City on programs. She explained that the organization had just come to Dover in March 2016; however, they had begun programming. Dr. Hines stated that, over the past weekend, the MWUL held Campaign Boot Camp Training, which offered education to participants about strategy, finance, compliance, branding, communications, and messaging. In May 2016, a "What's in Your Future" education workshop would be held in different schools to help juniors and seniors transition into the college phase. Dr. Hines noted that she, like other first generation students, had not known where to go for things such as financial aid, and the purpose of the workshop would be to pass on the

wisdom that had been learned. In June, the organization planned to present business and entrepreneurial training to bring business owners and those looking to become owners together and allow them to tap into resources. Dr. Hines advised members that community organizing training would also be held in July or September. She stated that the overall desire for MWUL in Dover was to foster new relationships and bring together young professionals in the area.

Mr. McGiffin questioned which entities were becoming involved with the MWUL in Dover. Responding, Dr. Hines advised members that she had been reaching out to different businesses and organizations and contacted Mayor Robin Christiansen, who referred her to the DHRC. She indicated that she was looking at universities, Legislative Hall, city governments, schools, organizations such as Dover Downs, as well as the beach areas. Dr. Hines stated that the MWUL could support the Commission's programming or movements, noting if the DHRC had gray areas or problems, her organization could fill these gaps rather than having to invent something new.

Mr. McGiffin stated that the Dover area hosts the Kent County Bar Association, which is a professional association of local lawyers that includes a number of young professionals. He offered to provide Dr. Hines with contact information for the current president of this organization.

Mr. Roach suggested that Dr. Hines contact former City Councilman Reuben Salters, founder of the Sankofa Cultural Arts Center. Responding, Dr. Hines stated that she had spoken to Mr. Salters and planned to meet with him.

Ms. Mullen indicated that she works for an organization that serves some individuals who are juvenile delinquents. She stated that this population includes professionals and expressed the desire that they not be overlooked. Ms. Mullen questioned if there were any criteria that would exclude this population from the MWUL. Responding, Dr. Hines stated that everyone was welcome, and the only criterion would be a willingness to work toward the Urban League's mission.

Responding to Mr. Henderson regarding the history of the MWUL, Dr. Hines clarified that the Urban League was founded in 1910 in New York, and the affiliated Wilmington Urban League organization started in 1999; however, the work for it began in 1990. She explained that the Urban League is a national organization and the MWUL is a branch of this organization.

Mr. Roach suggested that Dr. Hines contact Dr. Dan Shelton, Superintendent, Capital School District, and offered to provide his contact information.

In response to Mr. Henderson as to whether she is in the Dover or Wilmington area, Dr. Hines explained that she lives in Bear but works in Dover.

Mr. Roach requested that Dr. Hines' contact information be emailed to members.

Dr. Hines pointed out that contact information and the MWUL website was included in the presentation; however, she offered to email this information as well.

DHRC Committee Updates

Government Policy, Programs, and Practices Committee *(McGiffin)*

City of Dover Diversity Questionnaire - Questions for Online Survey

Mr. McGiffin advised members that, in December 2015, he and Mr. Henderson interviewed key staff in the City of Dover organization using the Dover Human Relations Commission Diversity Questionnaire approved by the DHRC as a basis for the interviews. Mr. McGiffin explained that the GPPP's next step was to make a diversity survey available in printed and online form to as many City of Dover employees as possible; however, he reminded members that the Commission had not approved using the DHRC Diversity Questionnaire for an online survey. Mr. McGiffin explained that the GPPP Committee had reviewed the questionnaire and marked those questions that they felt appropriate for the online survey with asterisks. He advised that once the questions were approved, Mr. Andy Siegel, IT Director, would use the questions to develop a diversity survey instrument using Survey Monkey. Mr. McGiffin suggested that Chairman Henderson could then email City employees, provide a link to the survey, and request that they take a few minutes to complete it. Mr. McGiffin planned to write up the results of the interviews and the survey within a couple of weeks of receiving the data. Although this would not provide a scientific study, he felt it would provide information regarding how aware primary decision makers and rank and file employees are of diversity issues and how they respond. He expressed his hope that this would result in a useful document that would show where the City is with respect to diversity, so that members could plan where to go from there and how to get there. Mr. McGiffin requested that the Commission approve the online survey questions or come up with an alternative so that the GPPP Committee could move forward.

Mr. Henderson advised members that the employees who were interviewed had been responsive overall, and responses were varied.

In response to Mr. Henderson's request to provide further details regarding the interviews, Mr. McGiffin explained that 45 minutes were marked out for each interview and approximately 10 to 12 interviews were conducted. Some interviewees were very forthcoming, and others more guarded. He felt that the GPPP Committee was generally very well received, and they received useful information.

The Commission recommended authorizing the Government Policy, Programs, and Practices Committee to take the next step and put the survey questions online as drafted.

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

Community Engagement Committee *(Roach)*

DHRC Logo

During the Regular City Council meeting of February 22, 2016, members approved the Commission's recommendation that Dover High School students be asked to create a logo for the DHRC in exchange for a $50 gift certificate. During the DHRC meeting of March 16, 2016, members discussed soliciting a donation rather than using money from the budget for the gift certificate. Mr. Roach indicated that he did not mind personally donating $50 cash, and Ms. Griffith suggested that all members could contribute money. Mr. Roach stated that he would reach out to the Dover High School art department or print shop to see if they could work on creating a logo and the winner could be given a cash prize.

During the DHRC meeting of April 20, 2016, Mr. Roach stated that he had received donations for the DHRC logo contest and expressed the desire to adjust the $50 restriction because some people had promised to give more than that amount. He questioned if members wished to provide a grand prize of all donations received for the winner of the logo contest or if they would like to grant first, second, and third place prizes based on the logos that are received. Mr. Roach indicated that he could provide a report by the next meeting regarding who would be donating for the DHRC logo competition and members could move forward from that point.

Mrs. Jody Stein, Administrative Assistant, City Clerk's Office, noted that City Council had approved an allocation of $50 from the DHRC budget for the gift certificate.

Ms. Griffith questioned if there was a need to go back through City Council to increase this amount for donations and Mr. McGiffin stated his belief that this was probably the case.

Ms. Bogle suggested that the approved $50 DHRC allocation go to the winner and additional donated funds could be put into the DHRC budget.

Mr. Roach asked if the DHRC would have to go to City Council if there were additional funds from outside sources. Responding, Mr. McGiffin stated his belief that any funds expended should be approved by City Council, and if members were doing something in the name of the DHRC, Council's approval would be needed.

Mr. Roach stated his desire to move forward with the logo and save the topic of donations for another discussion. He advised members that when he speaks to the art department at Dover High School, only a $50 gift certificate in exchange for a logo would be discussed. Mr. Roach requested a printout with easy to read information so that participants would understand what they are doing and what the logo should look like as a starting point for their inspiration.

Mr. Henderson suggested leaving this up to the creativity of those at Dover High School. Responding, Mr. Roach indicated that he could provide them a brief description.

Mr. McGiffin suggested that they visit the City's website. Responding, Mr. Roach indicated that he could provide a link to the website and would provide an update on this item at the next DHRC meeting.

In response to Ms. Griffith in regard to reviewing logo submissions, Mr. Roach stated that if he received submissions in a timely manner, he would request that review of the logos be added to the next meeting agenda.

Reach One, Teach One Challenge

During their meeting of January 11, 2016, City Council approved the Commission's recommendation that Council consider having a "Reach One, Teach One Challenge" for the City of Dover.

During the April 20, 2016 DHRC meeting, Mr. Roach indicated that he was unsure how to the administer this program throughout the City workforce. He reminded members that the intent of the Reach One, Teach One Challenge was to encourage employees to become a mentor to a child, noting the need for mentors at all grade levels. Mr. Roach stated that Booker T. Washington Elementary School was struggling to find mentors to spend 40 minutes per week with kids and thought the DHRC could challenge City employees to do this. He asked if members would like him to develop something for their approval that could be dispersed to City employees.

Dr. Shekelia Hines, Chair of the Metropolitan Wilmington Urban League (MWUL) Dover Committee, stated that the Urban League had an event scheduled for May 14, 2016. She advised that the high school juniors and seniors who would be attending would need mentors to remain with these students as they transition to college; therefore, this would be another opportunity for mentoring.

Ms. Bogle questioned if there would be a vetting and monitoring process for City employees who mentor and how recently employees had undergone background checks. She commented that she had overseen a mentoring program for the Capital School District and some problems came up. Ms. Bogle felt this should be thought through before doing something in the name of the DHRC. Responding, Mr. Roach stated that the school has a mentoring coordinator.

Ms. Bogle asked if mentoring would be done through the Connecting Generations program. Responding, Mr. Dionta Cox, former mentor coordinator in the Capital School District, stated that Connecting Generations has mentors doing part-time work in some Capital School District schools.

Ms. Bogle questioned if the Reach One, Teach One Challenge would involve mentors going into the schools, and Mr. Roach confirmed this, stating that mentors would typically go in and have lunch with kids and would not take them out of school. Ms. Bogle indicated that she had not been aware that Reach One, Teach One was through the Capital School District.

Mr. McGiffin questioned if the point of the Reach One, Teach One Challenge was to encourage DHRC members and those employed by the City of Dover to participate in mentoring, and this was confirmed by Mr. Roach. Mr. Roach explained that the DHRC would not oversee mentoring but would encourage employees to participate and perhaps provide incentives, such as a button, cup, or an email with kudos. The intent was to raise awareness and encourage investing time in kids with the hope of curtailing future problems.

Responding to Ms. Mullen as to whether alternative schools were also being considered, Mr. Roach stated that the intent was to include schools such as Kent County Alternative Programs and Parkway Academy.

Mr. Roach indicated that, if desired, he could write up an email stating that the DHRC has issued a challenge to all City of Dover employees to volunteer at one (1) of the local schools and, if they do so, to notify the DHRC so that they could receive kudos. Responding, Mr. Henderson suggested that Mr. Roach and Ms. Bogle work together on this and forward this information to Ms. Griffith.

Ms. Bogle questioned if a flyer or email was desired, and Mr. Roach suggested whichever she felt was more appropriate.

Ms. Bogle noted that there were a couple of City employees who were already mentoring in the Capital School District and suggested that they may be able to help with recruiting.

New Ideas for Community Engagement

During the Commission meeting of March 16, 2016, it was recommended that all members come up with a new idea by the next meeting in regard to a forum, task, or challenge for the community that they would like to see the DHRC undertake.

During the DHRC meeting of April 20, 2016, Mr. Roach suggested holding a two (2) hour open meeting to allow people to meet their DHRC representatives, possibly at a church or local event. He felt this would make members more approachable to the community. Mr. Roach felt that people are not as likely to want to sit and talk with Commissioners and get to know them at a formal meeting. He suggested that members look at their calendars and pick a date during the summer.

Mr. Henderson suggested possibly having a barbecue. Responding, Mr. Roach indicated that he was in favor of this, stating that if the Commissioners gathered with their families so they could get to know each other and other people showed up, this

would be a forum. He indicated that he was unsure if this would be allowed due to concerns related to the Freedom of Information Act (FOIA). Mr. Roach suggested it might be possible to have an event such as a barbecue meet and greet at Silver Lake if it were properly noticed and it was specified that no action would be taken.

Ms. Griffith stated that this was similar to people being invited to have breakfast or coffee with their legislators.

Mr. McGiffin pointed out that there could be issues if a quorum was present. Responding, Ms. Griffith stated that members would not be talking about business.

Ms. Mullen advised members that some communities in Dover have civic associations, noting that she belongs to one, and she stated that she would be happy to put the DHRC on the Towne Point Civic Association's agenda so they would know what the DHRC is and what they do.

Ms. Griffith indicated that members could find civic associations within their districts so these associations could get to know their own DHRC Commissioners.

Mr. Roach suggested that members check their local districts for civic associations and check a possible date for a meet and greet in the summer.

Noting that Ms. Mullen had brought forth the idea regarding civic associations, Mr. Henderson requested that she give members a little more guidance in this regard and that this be placed on the next meeting agenda.

Ms. Mullen stated that the next Towne Point Civic Association meeting was scheduled for May 20, 2016, and Mr. Henderson indicated that the DHRC would meet shortly thereafter.

Education Committee *(Bogle)*

Ms. Bogle stated that Capital School District was holding community meetings regarding their new strategic plan and she had attended. She indicated the need to connect with Mr. Henderson in regard to meeting with Dr. Dan Shelton, Superintendent, Capital School District, and stated that she would set up some meetings.

Communications Committee *(Griffith)*

African American Festival

Ms. Griffith stated that the DHRC's recommendation to allocate $200 to participate in the African American Festival on the last Saturday in June would be considered by City Council during their meeting of April 25, 2016. She indicated that funds would pay for a table and giveaways. She reminded members that they had discussed passing out water in order to start a conversation with those attending.

Community Involvement - Public Relations Initiative

Ms. Griffith stated that photos were being taken later in the evening and would be used for congratulatory cards that would be sent out to the community from the DHRC. She indicated that she would reach out to obtain an estimate for this.

Ms. Bogle stated that Delaware Correctional Industries offers printing at a reasonable price, and Mrs. Sadusky offered to contact them. Ms. Griffith stated that she would see if the cards could be printed through Legislative Hall. Mr. Roach stated that he is acquainted with the owner of Windswept and that he could approach them. Responding to Ms. Griffith, Mr. Roach indicated that no dollar amount had been assigned because an estimate was still pending.

Ms. Griffith indicated her expectation that she would be writing out the cards. She stated her thought that each Commissioner's signature should be printed on the card and they would be sent on behalf of the Commission. Ms. Griffith expressed the need to talk about how decisions would be made regarding when cards would be sent.

Mr. McGiffin felt that members could establish criteria and Ms. Griffith could exercise authority consistent with the criteria, noting that there could be a list of events and accomplishments that would be recognized by the Commission.

Mr. Roach suggested that Ms. Griffith develop a list of the criteria to be used for discussion and approval during the next DHRC meeting.

Old Business

DHRC Vacancies (First and Fourth Districts)

Mr. Henderson stated that he would discuss the existing vacancies in the First and Fourth Districts with Council President Slavin.

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

COUNCIL COMMITTEE OF THE WHOLE REPORT - APRIL 26, 2016

The Council Committee of the Whole Meeting was held on April 26, 2016, at 6:00 p.m., with Mr. Hare presiding in the absence of Council President Slavin. Members of Council present were Mr. Sudler, Mr. Neil, Mr. Cole, Mr. Hosfelt (departed at 7:14 p.m. and returned at 7:31 p.m.), and Mr. Hutchison. Mr. Anderson and Mr. Lewis were absent. Mayor Christiansen was also present. Civilian members present for their Committee meetings were Mr. Keller (*Safety Advisory and Transportation*), Mr. Blakeman and Ms. Stewart (*Utility*), and Mr. Shevock and Ms. Maucher (*Legislative, Finance, and Administration*). Mr. Shelton (*Safety Advisory and Transportation*) was absent.

SAFETY ADVISORY AND TRANSPORTATION COMMITTEE

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

Speed Control Measures - Independence Boulevard

Chairman Hosfelt stated that a working group including neighbors, residents, State Representative Sean Lynn, and staff from the Delaware Department of Transportation (DelDOT) had been working on speed control measures for Independence Boulevard in Bicentennial Village since the Summer of 2015.

Representative Sean Lynn, 31st District, stated that Bicentennial Village is situated in his district. Mr. Lynn advised members that residents had brought forward concerns about speeding through the main corridor of Bicentennial Village and the use of this thoroughfare as an alternative to Saulsbury Road as a north/south connector to avoid more highly trafficked or regulated routes. Based upon a request from the neighborhood, a working group was set up with DelDOT to look at traffic calming measures throughout the neighborhood. Mr. Lynn explained that a radar sign had been put in place and other traffic calming measures were proposed. He indicated that approval was being sought from Council to install these measures in Bicentennial Village, noting that he would pay for this project using his Community Transportation Funds (CTF). Mr. Lynn stated that this project was a portion of a two (2) part traffic calming measure proposal. The second portion, located on North State Street, would be brought forward once it is approved by the working group.

Mr. Tom Dix, 664 Independence Boulevard, member of the Bicentennial Village Civic Association and the working group, stated that he had a stake in this problem due to residing at this location. He stated that, last May, a six (6) day survey was done on his street, and 5,000 - 6,000 cars transited Independence Boulevard on any one (1) day. Mr. Dix advised members that when the Police Chief saw this report, he dispatched the motorcycle squad to address speeders, and neighbors were caught going 46 and 40 mph. It was Mr. Dix's opinion that drivers feel they can go as fast as they dare because the street is 37 feet wide, noting that this did not make for a peaceful community. He asked members to consider the proposals before them, noting that the working group had studied and worked hard on this issue. Mr. Dix requested members' due consideration, noting the desire to return his street to a nice, peaceful street.

Mr. William Garfinkel, 9 Freedom Drive, member of the Bicentennial Village Civic Association and the working group, echoed Mr. Dix's remarks. He stated that Independence Boulevard is now a dangerous street with too many cars using it as a bypass to avoid Kenton Road, noting that there are two (2) blind curves. Mr. Garfinkel stated his understanding that yellow lines would be placed on the road; however, he felt that Independence Boulevard could not be another Kenton Road anymore, reiterating that 6,000 cars per day were using the road and this was dangerous in this residential development that should never have been a

pass-through. He explained that he and Mr. Dix were asked to join the group by Mayor Christiansen and it was their job to keep the community involved. Mr. Garfinkel explained that they have a Facebook page used by hundreds of people and also joined Nextdoor, a private social network, to try to get out as much information as possible. He indicated that all these plans were discussed at the civic association meeting held in January, noting that they were not a secret and everybody knew about it. Mr. Garfinkel stated that he was very impressed with what DelDOT had done on the project and hoped that members would vote favorably on this issue.

Members were provided concept drawings of the proposed traffic calming measures in Bicentennial Village, including an Independence Boulevard Realigned Intersection and an Independence Boulevard at Colony Drive Proposed Roundabout. Mr. Mike Somers, Traffic Calming Supervisor, DelDOT, indicated that these files would also be provided for the Facebook page referenced by Mr. Garfinkel. Referring to the realigned intersection depicting Lamplighter Lane and Green Blade Drive, Mr. Somers advised members that drivers often run stop signs that do not meet normal warrants, and the concept of a realigned intersection had come out on a national level to help eliminate or reduce the running of stop signs. He stated that DelDOT had installed three (3) way stops in various locations and had good luck with them. In regard to the roundabout depicted at Green Blade Drive and Colony Drive, Mr. Somers advised members that this mini-roundabout would encourage a slow-down at the intersections and would also create a safe intersection, noting that these kinds of circular measures had been applied worldwide and were very effective.

Mr. Glenn (Guy) Pusey III, Engineering Designer, RK&K, advised members that drivers had been observed going very fast around the curve at Green Blade Drive and Colony Drive and that the roundabout would deflect traffic. He noted that roundabouts used in the past in Delaware were not very good and DelDOT had learned from its mistakes.

Mr. Somers indicated that the current roundabout at Mifflin Road was done in a rush and with virtually no money since residents in the apartment complex wanted to try it but did not have money for the project. Although it was not particularly well built, Mr. Somers stated that those in the apartment complex had spoken highly of it and it does what they wanted it to do. He advised members that there are more recent examples at the DelDOT campus, noting that the roundabout closer to Bay Road is a better example than the roundabout in the back, which was not built to standards. Mr. Somers stated that the roundabout program had been in place since 2001; however, it was more widely received in northern Delaware.

Mr. Hosfelt opened the floor for public comment.

Ms. Rhonda Lewis, 27 Liberty Drive, questioned the accuracy of the traffic count of nearly 6,000 cars if the count was taken after Dover High School left the Walker Road area. She stated that Walker Road, from McKee Road to Kenton Road, has only 7,350 cars per day. In regard to the Mifflin Road roundabout, Ms. Lewis

stated her belief that this roundabout was put there for speed control and was not about the apartments, noting that she had lived there at the time. She also expressed concern about realigning the Lamplighter Lane intersection since this would take away the parking for Continental Park, noting that kids play football and soccer there and need to be picked up.

Ms. Lewis questioned what would happen to the three (3) way stop sign at Freedom Drive. Responding, Mr. Somers stated that the original idea was to take it out; however, the working group felt strongly about leaving it.

Ms. Lewis expressed her opinion that taking the stop sign out would make a speedway worse than they have now, but keeping it would be a ridiculous amount of traffic control in a very small street, which was 30-some odd feet wide. She indicated that it was built in the 70's to collect the traffic from Route 8 to Walker Road, and there was only a block and a half of houses that face the road. Ms. Lewis felt that this indicated that this had not been the intent of a neighborhood street. She understood that there is speeding in the area; however, she felt the traffic was not as bad as it had been when Dover High was at its previous location. Ms. Lewis stated that, when coming out of the three (3) way stop signs or the stop sign at Liberty Drive, she does not have to wait as long anymore; however, she did not doubt that the gentleman who lives there sees the cars and speeding. Ms. Lewis advised members that she was unaware that there was a neighborhood association or a Facebook page. She indicated that the first notice that she received regarding this matter was a notice for a meeting at the City of Dover Police Department, and she did not think she was alone in this regard. Ms. Lewis stated that she had concerns but was unsure if the measures proposed were the best way to handle them.

Responding to Mr. Hosfelt, Ms. Lewis indicated that she was not in agreement with either of the proposed measures.

Mr. Les Blakeman, 209 Falmouth Way, Cranberry Run, informed members that he uses the road frequently because cars fill the lane at the Route 8/Dover-Kenton Road intersection and are backed up into the lane of traffic. He typically drives down to Bicentennial Village and across to Walker Road. Mr. Blakeman felt that a lot of similar overflow traffic was contributing to traffic in Bicentennial Village and, if some of this were fixed, he believed some of the traffic would dissipate.

Mr. Brad Ebaugh, 172 Continental Drive, agreed with Mr. Blakeman that extending the congested traffic lane would help. Noting that he comes up Mifflin Road every day, he stated that he observes people who cannot make the left-hand turn and instead turn by Redner's grocery store, using this as a cut-through. Mr. Ebaugh felt this cut-through would not be used if there was an adequate turn lane farther back on Route 8. In addition, he stated that he had been at his residence 25 years but had not received any information about a Facebook page or anything else related to this matter until one of his neighbors made him aware. Mr. Ebaugh felt that the previous comment made that the neighborhood was in on this issue was not accurate. He

stated that he would like more information before saying yes or no, but he did not like the idea of crowding the Continental Park field and not allowing parents to park in this area, believing that they would then park all through the streets.

Mr. Tom Monahan, 151 Continental Drive, stated that he was not happy with having four (4) yields at the intersection, noting that there were already speeders on the street who were going through yield signs. He advised members that he would like to see stop signs on Colony Drive and Green Blade Drive so drivers would know to stop and then go on the roundabout. He felt that four (4) yield signs would be asking for a lot of accidents.

Captain Dave Spicer, Dover Police Department, stated that he had been privileged to sit in on a lot of the meetings leading up to this point and thought it would be appropriate to compile data on how many traffic accidents occurred in this area over a three (3) year period. Dating back to 2013, there were approximately three (3) traffic accidents on Independence Boulevard alone. In 2014, there were two (2) traffic accidents on Independence Boulevard, and there were ten (10) in 2015. Captain Spicer did not know why this increase occurred; however, he felt there was definitely a problem occurring on Independence Boulevard. He indicated that there were no traffic accidents so far in 2016.

Mr. Sudler questioned how many community meetings were held in regard to this topic. Responding, Mr. Hosfelt indicated that there had been at least three (3) meetings.

Mr. Dix informed members that he had personally placed flyers on all the doorknobs in his community and everyone was notified. Mr. Garfinkel concurred; however, others in the audience expressed disagreement.

Mr. Neil thanked the homeowners who brought this issue to members' attention and also Representative Lynn. Mr. Neil stated that he had attended a number of related meetings at Legislative Hall. He felt if the proposed projects would slow people down, this would be an advantage. Mr. Neil noted that there would be a cost; however, if one (1) life were saved, it would be worth it. He indicated that the parking issue would be taken into consideration since it was important to a lot of people in the neighborhood. Mr. Neil felt that the road should not be a thoroughfare.

Mr. Hutchison expressed his opinion that the roundabout on Mifflin Road had been very effective from a public safety standpoint. He stated that the proposed roundabout was larger in design and should create an easier way for traffic to flow in and out.

Mr. Cole stated that the Continental Park issue mentioned previously had not come up during any of the previous related meetings and questioned if it is used a lot. Responding, Mrs. Ann Marie Townshend, Director of Planning and Community Development, explained that this is a City park, but the City does not hold programs there, and it is space for the public to use.

Mayor Christiansen echoed the concerns of the community and stated the desire to make sure that the entire community signs onto this plan or another plan. Having attended several of the meetings, he stated that there were quite a few people from the community who were on board with the proposal, however, he cautioned that this should be something that the entire community wants. He noted that police officers had arrested quite a few people that live in the neighborhood due to traffic violations. Once it is explained, and everyone is on board, Mayor Christiansen felt that Council should take the direction needed to provide safety.

Mr. Hare concurred with the Mayor, noting that tonight, two (2) individuals had spoken in favor of the proposal, one (1) not in favor, and one (1) wanted more information. Another gentlemen indicated he would like to see stop signs in a few different places. Mr. Hare felt that this matter had gone to two (2) or three (3) community meetings, but perhaps if another meeting was held, everyone present should sign a paper indicating whether they were for or against the plan. When the matter then came before Council, it would be a representation of more than just two (2) or three (3) people. Mr. Hare indicated that the community has to be the deciding factor, noting that he would like at least to see something reflecting the views of those who live on Independence Boulevard. He felt that someone should go up and down Independence Boulevard and get residents to sign off on the proposal.

In response to Mr. Cole regarding what the deadline would be for him to move forward, Representative Lynn explained that CTF funds had been set aside for this project and, if not expended, these funds would move into another project; therefore, funds would have to be expended relatively quickly.

In regard to community involvement, Representative Lynn stated that the Mayor had selected the individuals who sat on the working group from Bicentennial Village. Representative Lynn indicated that he personally attended multiple community meetings, noting that there are always people who state that they are unaware of such meetings. He advised that multiple meetings were held, they were well advertised on the Nextdoor app and on Facebook, and they were very well attended. Representative Lynn stated that the vast majority of the people at the meetings supported the project.

Mr. Hosfelt stated that he put notices out on Nextdoor and on the Bicentennial Facebook page to ask residents to attend and to speak either in favor or against the proposal so that it could be known where everybody stands. He advised members that some people agree and others do not, and he was unsure if all residents would ever agree to one (1) plan. As a past police chief and current councilman who lives near and travels that roadway, Mr. Hosfelt stated that something needed to be done on Independence Boulevard, noting the increase from two (2) to ten (10) accidents last year. He questioned what it would take to make the change, and whether it would be a child running across the road when leaving Continental Park. Mr. Hosfelt stated that meetings, which had been held since last summer, could continue and members could continue to argue and talk about this; however, he felt the matter was

at the point where a decision must be made. He indicated that the funds which were present would go to something else if the City did not take advantage of them. Mr. Hosfelt stated that there were two (2) good speed control alternatives present and expressed his opinion that members needed to make a decision.

Ms. Susan Hessler, 120 Cobblestone Lane, stated that she had attended two (2) of the community meetings and there was not an overwhelming majority that wanted anything done, except for some sort of speed control, whether it was a lighted fixture such as that now on Bicentennial. She expressed concern, if a roundabout were installed, that instead of going through the circle, people would come out onto Colony Drive, go through the light at Meetinghouse Lane and Colony Drive, and then divert onto Bicentennial Boulevard to cut over to Walker Road, and traffic would just be redirected. Ms. Hessler felt that this would create more of an excessive traffic pattern through the neighborhood.

Mr. Hosfelt stated his view that, historically, people had not circumvented the current roundabout on Mifflin Road to go through Woodmill to Route 8.

Based on the size and dimensions of the roundabouts, Ms. Hessler did not think they could be compared. She indicated that people cut through Colony Drive now, and she felt the mindset would be that if people want to get to Walker Road, they would go down to Bicentennial Boulevard and go right or left on Walker Road.

Mr. Sudler questioned how concerns regarding parking at Continental Park would be addressed if the park was used for recreation. He questioned if there would be parking allowed for a time frame or if those who park there would be ticketed.

Mr. Hosfelt stated his belief that there were no signs on the roadway that restrict parking at this time and parking would remain open.

The Committee recommended acceptance of the recommendation of DelDOT and the working group for the roundabout.

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

Traffic Concerns - Proposed Interconnection Between The Arbors Senior Garden Apartments and Emerald Pointe

Mrs. Ann Marie Townshend, Director of Planning and Community Development, reviewed a presentation entitled "The Arbors - Review of Interconnection with Emerald Pointe". She explained that, in 2002, the Planning Commission approved the subdivision now known as Emerald Pointe with 107 single-family detached homes. That plan included two (2) stub streets; one (1) extending west to a vacant property between Emerald Pointe and Hidden Oaks, and another extending from Topaz Circle to the south, to the subject property of The Arbors.

Mrs. Townshend advised that, in 2004, there was a minor subdivision of the McKee Property, which resulted in the parcel that was again the subject of The Arbors. At that time, the Delaware Department of Transportation (DelDOT) and the Public Works Department requested a 60-foot cross access easement from the McKee property to Emerald Pointe to line up with the stub street. This easement was approved by the Planning Commission and was on the final recorded plan for that minor subdivision.

Mrs. Townshend indicated that a project called "College Road Garden Apartments" came forward in 2005 and was reviewed as a Planned Neighborhood Design - Senior Citizen Housing option. The site plan was approved by the Planning Commission, but it expired in 2007, before it went to final plan, or construction was begun. She stated that in 2007, The Arbors came forward again as a Planned Neighborhood Design - Senior Citizen Housing, which was essentially the same plan that had expired previously with a few small changes. Mrs. Townshend explained that this project was approved by the Planning Commission and received final site plan approvals from all agencies; however, construction never commenced and the plan expired in 2009. Prior to the expiration of the site plan, the right of way that establishes Senior Way was recorded. She noted that, in 2009 and early 2010, the property was rezoned from R-8 (One-Family Residence Zone), to RG-2 (General Residence Zone), and the previous plans were brought forward as senior apartments, since apartments became a permitted use.

Mrs. Townshend informed members that, in 2010, there was another conditional use site plan application for the Arbors, with essentially the same building layout, which had minor tweaks to the parking and other layout on the site. She noted that this was for a 48-unit apartment building, and that every iteration for the property had been for 48 units. Mrs. Townshend stated that the original proposal would have had all traffic coming through Emerald Pointe, and there would be no access to College Road; however, Planning Department and DelDOT staff expressed concern about this. She noted that the Planning Commission ultimately required the construction of Senior Way, which would include access to College Road, and the connection to the Topaz Circle stub street. Mrs. Townshend indicated that this plan expired again, prior to getting all of the approvals and being finalized.

Mrs. Townshend advised members that the current land plan submission for The Arbors was consistent with the prior submission, but had some changes to the parking layout. It was approved by the Planning Commission on March 21, 2016, and included the interconnection with the Topaz Circle stub street. Mrs. Townshend reviewed the 2007 site plan for The Arbors Planned Neighborhood Design - Senior Citizen Option on Page 5 of the presentation, and reminded members that this project went to final plan approval, but was not constructed. She explained that the active recreation area on the west side of Senior Way showed a multi-use path for the residents of the development, and the connection to Topaz Circle was part of the plan. Mrs. Townshend then reviewed the land plan for the Arbors that was approved by the Planning Commission on Page 6. She indicated that, for the most part, this

plan remained unchanged from the 2007 plan, noting that parking would be tweaked and the connections to Topaz Circle and College Road would be retained. Mrs. Townshend advised members that there were concerns regarding how the connections would affect traffic through Emerald Pointe, in particular at the location where Emerald Pointe connects with McKee Road. Mrs. Townshend stated that, in terms of the history and prior approvals of Emerald Pointe, and the prior iterations of The Arbors property interconnection had always been part of the plan approval.

Mr. Hosfelt commented that he travels this road back and forth to work each day, and it was not uncommon to sit through the light at College and McKee Roads for three (3) or four (4) cycles before getting through. He questioned if DelDOT could help with this.

Mr. Marc Cote, Assistant Director, Planning Development Coordination, DelDOT stated that the intersection of McKee and College Roads was eventually planned to be part of the Dover Transportation Improvement District that DelDOT was working with the City on; however, this was in the infancy stages and there were no planned improvements at the intersection at this time. Mr. Cote advised that the interconnection was there to provide the residents of the community another access point to College Road so they do not have to travel through the intersection. He stated that the senior housing generates only a little over 160 trips per day, so not much traffic would be using it, and the interconnection is there mainly for the community to use.

Mr. Hosfelt invited those present who wished to speak to come forward.

Mr. Thomas Disabatino, 346 Topaz Circle, Emerald Pointe, informed members that when he found out about the plan he was immediately concerned, due to the traffic at McKee and College Road. He stated that traffic stacks up from College Road all the way to the entrance and beyond of Emerald Pointe when heading in the direction of Kraft Foods. Mr. DiSabatino feared that Emerald Pointe will just become a pass-through to College Road at those times when the traffic is heavy. In addition, he indicated that when trying to make a left turn from College Road to McKee Road headed toward Delaware Technical and Community College, the left turn cycle allows only five (5) to six (6) cars through; therefore, he felt that people would use Senior Way, go through Emerald Pointe, and take their chances on trying to make a left turn at the Emerald Pointe entrance, which he indicated was already a dangerous proposition. Mr. Disabatino reiterated the major concern that this would become a pass-through for those trying to avoid the intersection, noting that he did not know the date when the improvements would be made.

Mr. Hosfelt indicated that the improvements would take years.

Mr. Dan Maher, 16 Inverness Court, Woodlands of Fox Hall, expressed his desire to raise the same issues that he raised before the Planning Commission. He stated that the distance from the entrance of Fox Hall on College Road to the intersection is

roughly 0.3 miles and this area contains two (2) churches, a private residence, and a building development that empty onto College Road. Mr. Maher advised that the Arbors development would be the fourth development between the Woodlands of Fox Hall, Hidden Acres, the Arbors, and a little shopping center. He stated that those who are four (4) or five (5) cars back in the intersection during the day are stuck and cannot get to the left or right turn lane. Mr. Maher felt that having additional cars there would make that matter considerably worse. He did not understand where the projection of 160 trips came from, noting that there would be 48 units, each one with a car going in and out, and he felt the intersection would be a disaster. Mr. Maher expressed concern that the Arbors would be built before improvements are made and that it would make a bad situation worse. Referring to the discussion earlier in the meeting regarding Independence Boulevard, he questioned how many cars were traversing College Road if there were 6,000 per day on Independence Boulevard.

Mr. David Pokrajac, 6 Tanzanite Court, agreed with other members of the public. He stated that two (2) years ago in March he was living at the Courtyards when there was an accident at night. The police were chasing someone in an all-terrain vehicle who entered the neighborhood, causing havoc and waking up Mr. Pokrajac and his neighbor. He noted this happened before this became a through traffic road and questioned what would happen if the interconnection came to fruition. Mr. Pokrajac noted that earlier in the meeting members discussed measures to improve the traffic situation on Independence Boulevard, which had become a through-traffic road, and now they were proposing to open a through-traffic road. He questioned if they would propose to build a roundabout in one (1) to ten (10) years to prevent traffic accidents, noting that there was no space in the neighborhood for a roundabout. Mr. Pokrajac stated that kids play basketball and baseball on the streets in the neighborhood and run and ride bicycles there. He questioned if there was a desire for kids to be healthy and able to defend our country if needed or to be on Facebook all the time and have spinal injuries.

Ms. LaKeesha Christian, 207 Topaz Circle, advised members that her family had been living in the neighborhood for approximately seven (7) to eight (8) years. She referenced the concerns stated earlier in the meeting of residents living in and around Bicentennial Village, who felt they had lost the peacefulness of their neighborhood with all the traffic constantly going through. Ms. Christian noted that 6,000 cars was a lot of traffic going through and she did not want her neighborhood to experience this. She stated that they have a small community, know each other, and know the cars that travel in and out of the neighborhood. Ms. Christian feels very safe and secure there, her children play there, and she feels comfortable letting them go outside, run around the house, and go down to the park, knowing that they will be safe, and her neighbors will be looking out for them. She stated that she would lose all of that comfort if members agree to let a street cut through from one end to another. She stated her understanding that the purpose of the proposal was to help people to get in and out of the new residential area better, but expressed concern for those who are already living there and dealing with traffic when coming out. Ms. Christian noted that there is no light in front of Emerald Pointe and no approval

for a light, so it would take longer to get out of the neighborhood. In addition to the safety concerns, she noted that there would be 48 additional units, which would mean 100 extra cars if people have two (2) cars. Ms. Christian reiterated that she would like her children to be safe and did not think it fair to lose that just to add a new development to the community.

Mr. Mark Reaves, 10 Tanzanite Court, President, Emerald Pointe Homeowners Association, stated his concern that this development had come up numerous times under multiple names, and each time it had expired. He stated that they had no idea of ownership of this project, the owner had not come forward to the residents of the community, and there had been no discussion with the community regarding what was going on with the project. Mr. Reaves noted that Mr. Cote had casually stated that this was a through put to McKee Road on the other side. Mr. Reaves reiterated others' comments that this was a neighborhood, and the road comes directly through a residential area. He indicated that, currently, one (1) vehicle can pass through the street, and drivers must pull over to the side to pass. Mr. Reaves felt it infeasible for cars to pass each other coming through.

Mr. Reaves stated that if the Arbors development moves forward, there should be a "Do Not Enter" indication so others would not be entering his neighborhood, if there is some type of pass-through street. This would facilitate emergency vehicles reaching Emerald Pointe as they would not have to go all the way around and come down McKee Road to get into his community, which would be a benefit. However, Mr. Reaves felt that normal traffic should come in and out on College Road. He expressed his opinion that there should be discussion with DelDOT, noting that they had sent letters to DelDOT since late 2013 and early 2014 about getting some type of traffic light, such as a flashing yellow or flashing red light, but had been ignored for two (2) years. Mr. Reaves explained that residents must sometimes wait 15 minutes to get out of their neighborhood to go to work. He stated that there had been two (2) or three (3) fatalities. They had lost their neighborhood entrance signs which had not been replaced, although they had asked DelDOT for them numerous times for over two-and-a-half years, but had gotten the run-around. Mr. Reaves felt that if anything were to come before the City in regard to the interconnection, there had to be discussion with the neighborhood. He also commented that there were safety concerns due to numerous young children, expressing the desire to avoid an Amber Alert situation.

Mayor Christiansen stated that Mr. Reaves was correct, noting that he and Council President Slavin had made two (2) requests for traffic studies to be initiated at the entrance to Emerald Pointe, at the request of the residents, and also at the request of the residents of The Meadows. He informed members that he had observed in the morning that it was "Death Wish 2000" coming out of Emerald Pointe and The Meadows. Mayor Christiansen said he did not know if this had any bearing on whether or not there would be a through street. He questioned if staff had received information from DelDOT in regard to traffic counts. Mayor Christiansen stated his belief that, with the completion of the West Dover Connector that runs through the

south of the City, the traffic situation on McKee Road and Scarborough Road, and at the entrance and exit to Emerald Pointe, would be exacerbated. Mayor Christiansen indicated that he would like to see those traffic studies in hand for the City to make an intelligent decision on which direction the City would go.

Mrs. Townshend advised that she was not aware of any studies. She indicated that she could follow up with the DelDOT traffic section, especially if there had been fatalities. If a study had not been done, Mrs. Townshend indicated that staff could work with DelDOT on this. [Sent to AMT]

Mr. Cote stated that he would follow up with DelDOT's traffic study section to see what the results were of the requests; however, based on his experience, there was not enough traffic out of Emerald Pointe to warrant a signal.

Mr. Reaves suggested a signal at the intersection of McKee and Scarborough Roads, noting that this would break up the traffic pattern. Responding, Mr. Cote advised that warrants must be satisfied in order to place traffic signals, and even if a warrant is met, this does not necessarily mean that DelDOT would install a signal, just that the location is eligible for one. He reiterated his doubt that a warrant would be met. Mr. Cote noted that the residents were concerned about getting out onto McKee Road; however, he stated that an interconnection would allow them the opportunity to exit onto College Road. He explained that McKee Road has about 15,800 vehicles per day, whereas College Road has almost half that volume with 8,300 vehicles. Mr. Cote indicated that it would be much easier to get out onto College Road, which would provide the opportunity to bypass the intersection completely, when traveling westbound on College Road.

As a resident who lives and works off State College Road, and who grew up on State College Road, Mr. Sudler concurred with the majority of the residents who had voiced their opinion tonight. He stated that he would not vote in favor of the interconnection.

Mr. Scott Koenig, City Manager, stated that he recalled receiving an email from Mr. Mark Luszcz, Assistant Chief Traffic Engineer, regarding the intersection of McKee Road modified to Scarborough Road. It was Mr. Koenig's belief that DelDOT had done a traffic study and recommended that a signal be constructed at that location when the budget allows.

In regard to community planning, Mr. Koenig stated that interconnectivity is a component of the City's Subdivision Code and staff had been working on this with design engineers, developers, and existing developments for more than 25 years. He explained that communities such as Bicentennial Village, Presidential Courts, The Green, Deerfield, Woodmill, and Woodmill Apartments are interconnected by roads. Mr. Koenig explained that roads were constructed all the way to the boundaries of these subdivisions. He noted that Emerald Pointe, Hidden Oaks, the Village of Cannon Mill, and the Village of Westover all have stub roads constructed to the

boundaries to attain interconnectivity for school buses, emergency vehicles, vehicular traffic, and general day-to-day activities of a community. Mr. Koenig indicated that staff had fought for many years for cross-access agreements and cross-access construction to facilitate interconnections between various types of developments to alleviate additional traffic on main roads and main intersections. He advised that State growth patterns are pushing development to the communities. Mr. Koenig noted that traffic volumes in the City would continue to go up as Dover grows and becomes more urbanized and this was a reality for which staff had been planning for more than two (2) decades. He stated that transportation systems, transportation planning, utilities, etc., are part of the community fabric. Acknowledging that he understood that there are negatives to interconnectivity, Mr. Koenig noted that there are also positives that the City assumed would happen when developments and construction were planned and authorized. He explained that if Council decides not to approve the interconnection, there would be a subdivision with 150 units that has one (1) connection to the road for emergency vehicles to get in or out.

Mr. Koenig advised that votes by Council and the Planning Commission regarding interconnectivity had not always been unanimous because it is difficult when portions of the community say they do not want it. Some residents who bought lots in a subdivision become upset because roads may actually be connected to other developments. Mr. Koenig expressed his opinion that staff had done a good job of laying the foundation for interconnections because they are important to the community.

Mr. Reaves stated that the community was planned in 2005 or 2006, and he felt the interconnectivity should have happened when they started building the neighborhood. He indicated that a road could have been put through to College Road at that time, noting that it was now coming as a surprise to residents. He expressed his belief that residents did not disagree with interconnectivity; however, they had a problem with traffic flow coming through the neighborhood. Mr. Reaves felt that this should be considered strongly, noting that emergency vehicles coming in from College Road would be welcome; however, studies were incomplete regarding traffic coming in through the other neighborhood. He indicated that currently there were 107 houses, and children in the neighborhood had grown, and were now driving. Mr. Reaves stated that households that used to have one (1) or two (2) vehicles now had four (4), and all of this traffic was trying to exit at the same time. He stated that DelDOT had denied their request for any type of alleviation for traffic exiting out onto Scarborough/McKee Road. Mr. Reaves indicated that they had asked for the center lane to be extended to allow drivers to pass and get to the center lane and then merge in to the traffic, noting that this lane ends before their development. Mr. Reaves informed members that they had asked for a flashing red or yellow light. All of these things were requested over the past two (2) years and were denied. He stated, if the project goes forward and more cars are added to the flow, nothing had been suggested to alleviate problems getting out of the development, and he reiterated that there have been three (3) fatalities.

Mrs. Townshend pointed out that the subdivision site plan had been approved with the interconnection. The Planning Commission had acted, and this matter was not being brought to the Committee or Council for approval. She indicated that if Council determines that they want to look at how this could be eliminated, there would be ways to consider this; however, approval was not on the current agenda.

Mr. Hosfelt questioned the process if there was a desire to take action. Responding, Mrs. Townshend explained that she provided information to Mr. William Pepper, Deputy City Solicitor, who evaluated the various codes and stated that Council would have the purview to abandon the right of way of the stub street in Emerald Pointe. Mrs. Townshend advised that if this was something that Council wants to do, it would be initiated. This matter would have to go through the Development Advisory Committee process and through the Planning Commission, with a recommendation, so this would not be a simple motion, but a process that would have to go forward to effect a change.

Mr. Sudler moved to look into the process of abandoning the stub street that was recommended by the Planning Commission in Emerald Pointe, seconded by Mr. Hare.

Mr. Hare stated his belief that there was plenty of time on this issue, noting that the project had not yet been developed or built. He suggested reviewing it for access for emergency vehicles or school buses. Mr. Hare pointed out that there are other developments, such as Hidden Acres, that have only one (1) way in and out. He felt that if the development is built and there are issues and problems, they could be addressed in two (2) or three (3) years, as problems were being addressed in Bicentennial Village.

Ms. Rose Shields, 339 Topaz Circle, stated that when she purchased her property, she asked about this section and was told not to worry about it. She expressed concern about the two (2) houses on either side with traffic going through.

Mr. Sudler stated that he did not oppose interconnection; however, he opposed it at the location discussed at the present moment. He felt that with further input from the community and further planning, a happy medium would be found. He noted that the Village of Westover had one (1) way in and out and they had been fine.

Mr. Hutchison felt, based on the comments made by neighbors this evening, that members had an opportunity and responsibility to review this matter further to make sure that everyone is on the same page, and understands the issue. He also felt that there was a responsibility to address the concerns, due to public safety.

Mr. Hosfelt advised that he lives in Fox Hall West, where residents suffer every day with interconnection from Westfield cutting through the neighborhood to get to Kenton Road more quickly. He stated that he receives complaints from his neighbors, understood the concerns it causes, and could only imagine what this

would cause for the development of Emerald Pointe. Mr. Hosfelt noted that representatives from DelDOT had indicated there would be 8,500 vehicles going back and forth each day. He believed that growth and speeds would become greater. Based on Captain Mark Spicer's comments earlier in the evening, Mr. Hosfelt felt that accidents would increase and expressed the desire to learn from the discussions earlier in the evening in regard to Bicentennial Village.

Mr. Keller stated that he lives in Fox Hall and that any more traffic on College Road would be a mess. He stated that he travels two (2) to three (3) times per day from Oakmont Road to College Road.

The Committee recommended looking into the process of abandoning the stub street that was recommended by the Planning Commission in Emerald Pointe.

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

Mr. Marion Wright, 118 Topaz Circle, expressed concern about the traffic problems they had experienced, noting that there had been two (2) or three (3) fatalities at the intersection where residents exit. He indicated that when he is exiting to the left or right and he sees a car turning the corner, he thinks he has adequate time to exit; however, the next thing he knows, the car is on top of him, going about 60 or 65 miles per hour. Mr. Wright advised that he and his wife see people flying on their way to work and home at night. He felt this was a dangerous problem that might be reduced if there were stop or speed limit signs. Mr. Wright stated that when making a left-hand turn, he must pull up because he is afraid that someone will hit him from behind instead of going around. Mr. Wright advised members that cars in back cannot see the curve in the road. He felt that bringing a policeman to this location from time to time to warn people about high speeds would probably help, and hopefully there would be no more fatalities.

Review of Position Description/Requirements - City Fire Marshal (Inspector III)
Due to time constraints, this item was deferred.

UTILITY COMMITTEE

The Utility Committee met with Chairman Hutchison presiding.

Dedication of Rights-of-Way and Public Infrastructure - Tribbitt Street Extension and Southern Portion of Dover High Drive (Leander Lakes)
Mr. Scott Koenig, City Manager, informed members that as part of the approved plans of the new Dover High School and Leander Lakes Apartments, a road connection was required to the Village of Cannon Mill. He stated that this infrastructure dedication includes a portion of Tribbitt Street and a portion of Dover High Drive, and this improvement would guarantee both vehicular and pedestrian interconnection from the development to the new Dover High School. Mr. Koenig

stated that the total amount of road dedication is approximately 940 linear feet, and the total construction value of the associated public improvements is approximately $335,368. He explained that these improvements were required as part of the development project, and Dixie Construction has completed construction of the improvements in accordance with City standards and specifications. After construction was completed, City staff inspected the public improvements and developed a list of repairs to be made to meet the City of Dover Standards and Specifications for Public Works Construction. As of this date, all work required by the Public Works Director has been completed. A one (1) year Maintenance Agreement and a Release of Liabilities will be submitted as part of the dedication process.

Staff recommended acceptance of the dedication of rights-of-way and public infrastructure of the Tribbitt Street Extension and southern portion of Dover High Drive, to include all of the referenced public improvements, as well as their construction values.

The Committee recommended acceptance of the dedication of rights-of-way and public infrastructure, to include all of the referenced public improvements, as well as their construction values, as recommended by Staff.

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

Annual Engineering Consultant's Report on the Operation and Maintenance of the Electric System - Fiscal Year 2015

Mrs. Donna Mitchell, Controller/Treasurer, reviewed the conclusions of the Engineering Consultant's Report on the Operation and Maintenance of the Electric System, Fiscal Year 2015, prepared by Burns & McDonnell Engineering Company, Inc. She reminded members that the Annual Engineering Consultant's Report was required by Section 705 and Section 504 of the City's Resolution, Authorizing and Securing Electric Revenue Bonds, adopted December 23, 1985.

Mrs. Mitchell noted that pages 3-17 through 3-19 describe the projects completed during the past year, as well as upcoming projects.

Mrs. Mitchell, referring to Page 4-3 of Table 4-1: Annual Sales and Customer Accounts, advised members that there was a typographical error, and the Total Energy Sales for FY 2015 should reflect 723M kilowatt hours (kWh), not 715M kWh, and a revised Report would be provided.

Mrs. Mitchell informed members that one (1) difference in this year's report was that the consultant included an Appendix A with pictures of each the City's substations, identified by location, noting that St. Jones was spelled incorrectly.

Staff recommended acceptance of the Report.

Mr. Blakeman, referring to Page 3-5 of Table 3-2: FY 2015 Generating Plant Operating Statistics, noted that the statistics regarding Forced Outage were listed as hours, and the Availability Factor did not seem to coincide with the hours. He asked if the planned outages that reduce availability were not listed. Responding, Mr. Harry Maloney, Electric Director, explained that the table only listed the forced outage rates. He stated that he would examine the numbers and provide clarification.

Mr. Blakeman, referring to Table 4-3 Revenue Margins and Unaccounted for Energy on Page 4-5, questioned if outdoor lighting was moved from the losses area into a separate line item account, noting that the Report indicated that "In previous Annual Engineering Consultant's Reports, Outdoor Lighting energy was recorded as losses. In this report, Outdoor Lighting customer accounts, energy sales, and revenues were recorded as a separate rate class." In response, Mrs. Mitchell confirmed that the outdoor lighting was moved out of the loss area because that was inappropriate. Mr. Blakeman commended staff for moving it, noting that it was a good thing to do.

The Committee recommended acceptance of the report, as recommended by Staff.

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

TEA/NAES Reports (January and February)

The TEA/NAES Monthly Reports for January and February 2016 were provided to members to enable them to monitor electric sales and revenues received, which will provide a better understanding of any fluctuations that occur and allow the opportunity to make improvements if deemed necessary.

Mr. Scott Koenig, City Manager, reviewed Page 12 of the TEA Report for February 2016, noting that the Gross Load Actual YTD was tracking slightly above what was budgeted for the year. Referring to the Total - Utilities Cost, he stated that $33,855,500 was budgeted as projected expense through February, and the actual expenses through February were $29,251,658, which was favorable by approximately $4.6M. Mr. Koenig indicated that this trend seems to be continuing through the FY 2017 budget.

Staff recommended acceptance of the reports.

The Committee recommended acceptance of the reports, as recommended by Staff.

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

Garrison Oak Technical Park Project Updates

Mr. Scott Koenig, City Manager, informed members that this would be the final update regarding Garrison Oak construction projects, since the projects are coming to a close. He provided the following updates:

City Infrastructure

Mr. Koenig reminded members that Council awarded three (3) different construction contracts for the Garrison Oak Technical Park (GOTP). He stated that one (1) contract was awarded to A-Del Construction Co., Inc. in the original amount of $6,214,700 to build internal gravity sewer, water distribution system and General Fund infrastructure for streets, drainage ditches and pipes, as well as landscaping associated with the technical park. Mr. Koenig stated that the second contract was to CB & I, Inc. for the elevated 1.5MG water tower and the value of the original contract was $3,487,660. Mr. Koenig advised that the last infrastructure contract was awarded to George & Lynch, Inc. for the construction of the sanitary sewer pump stations and force mains inside the GOTP, as well as the upgrade of the pumping station in White Oak Farms, and the abandonment of the small pump station on White Oak Road, noting that the value of that contract was $2,572,065. Mr. Koenig stated that the total infrastructure contracts related to these three (3) projects are valued at $12,274,425, and the final contracts are currently tracking at $12,246,788.10, which is a slight reduction of the amount that was initially authorized.

Mr. Koenig informed members that the George & Lynch contract is complete, they have submitted all their paperwork, and the infrastructure is operational, including all the pump stations and abandonments. Referring to the CB & I contract, he stated that the elevated storage tower is in operation; however, there are some final closeout items that need to be done on that project. He advised that staff is holding approximately $174,000 for project closeout and documentation that needs to be submitted prior to releasing the final payment. Mr. Koenig stated that staff is holding approximately $611,000 for the A-Del contract until they finalize all of the work. He explained that A-Del has some sediment and erosion control that needs to be finished; however, the City is nearing the very end stages of that contract, and staff expects to release the retainage back to the contractor by the end of the fiscal year in order to wrap up the construction contracts.

Mr. Koenig advised that there were some miscellaneous contracts associated with the development that include final design. He stated that surveying in the flood plain must be completed to confirm the final as-builts of the improvements in the flood plain. Mr. Koenig reminded members that there was also work authorized through the Electric Department to relocate the 69 kV line, noting that all that work was completed and all the billing should be finalized by the end of the current fiscal year, if it was not already finalized.

Mr. Koenig stated that construction would wrap up in FY 2016. He informed members that the only thing that currently looks incomplete is the left entrance to the Garrison Energy Center (GEC), explaining that the contractor for the GEC needs to finish the ramping apron into the parking lot as one (1) of their final construction items. Mr. Koenig stated that the park is operational and the City is still working to market and sell additional lots.

Calpine Energy Center

Mr. Hutchison asked if the Calpine water demand was meeting Staff's expectations. Responding, Mr. Koenig advised that the numbers were running low for the first nine (9) months, explaining that part of reason was related to some outages last fall for construction completion. Mr. Koenig stated that staff would be fully reviewing these numbers during the summer months to make sure that Calpine is hitting the budget numbers or that there is an explanation as to why they are not.

Dover Sun Park

Members reviewed details regarding the White Oak Solar Park incremental cost for Fiscal Year 2016.

Mr. Koenig stated that the incremental costs for the Sun Park through February 2016 indicated an additional $763,204 over what the City would expect to pay for normal electric power coming off of the grid.

Mr. Koenig informed members that, in the future, this report would be included in either the City Manager's Monthly Report or the TEA/NAES Report. He stated that Council will still be provided the information; however, it would no longer be a separate item for discussion at the Utility Committee meeting.

LEGISLATIVE, FINANCE AND ADMINISTRATION COMMITTEE

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

Update - Transfer of Real Property from Delaware Civic Center Corporation to Delaware State University

During their meeting of August 24, 2015, the Committee recommended continued conversation and information gathering from Delaware State University (DSU), as well as the City Manager, and for DSU to come back at the first meeting in October and give another presentation in regard to how they could economically benefit both the City and DSU. On October 12, 2015 the City Manager provided a status report on the request.

During the Legislative, Finance, and Administration Committee meeting of April 26, 2016, Mr. David Sheppard, General Counsel for DSU, advised that when the University last had an opportunity to present before Council, Mr. Tom Preston was there in the role of General Counsel and he has since retired. Mr. Sheppard advised that he was present at the meeting as the Assistant General Counsel and stated that he did not have anything additional to add in terms of the economic benefit that the development of a convocation center on the civic center property site would bring to the City. He referred members to the Delaware State University Convocation Center Final Report that was presented during the August 24, 2015 meeting. In regard to the economic benefit to the City of a convocation center on the civic center property site, Mr. Sheppard pointed out that Page 24 - Economic Impact

reflected the estimate of expert consultants that, if built and fully utilized, the convocation center would generate $7M - $9.5M per year in revenue for the Dover area.

Mr. Sheppard stated that developing such a center would also be to the material benefit of the University. He informed members that for athletic events DSU currently uses Memorial Hall, which is more than 40 years old and not up to what one would expect for a Division 1 NCAA program. There are also events such as convocations and graduations, and DSU was fortunate to have Vice President Joe Biden speaking at graduation this year. Mr. Sheppard expressed his hope that the weather would cooperate on May 7, 2016 for graduation; however, he noted the benefit of having a facility that can house both students and parents during graduation. He stated that DSU is currently relegated to Memorial Hall in the wintertime, which is not ideal, and to the outdoor football stadium in the summertime, which is uncomfortable in the rain.

Mr. Sheppard indicated that the benefit to the City as a whole would be for events that could come to the City. He stated that indoor facilities in Delaware are limited for trade shows, conventions, and athletic events, noting that existing indoor facilities include the Bob Carpenter Center in Newark, the Chase Center in Wilmington, and some limited facilities at Dover Downs.

Mr. Sheppard indicated that they propose to build the facility in two (2) phases. The convocation center in phase 1 would have 3,600 arena-style seats and up to approximately 1,200 floor seats. Phase 2 would allow for total seating of approximately 6,000. Mr. Sheppard stated that the 76ers have an NBA developmental league team that plays their entire schedule at the Bob Carpenter Center. He used this an example of an activity that could be brought to the Dover area, which would allow those on the Delmarva Peninsula an opportunity to see games. In terms of economic benefit, Mr. Sheppard indicated that there would be revenue from the University's use of City utility service and tax dollars from the various businesses who generate revenue from events such as conventions or trade shows.

Mr. Sheppard reminded members that the land was formerly the Frazier's Pit landfill and was not currently being utilized. It was his understanding, from talking to DSU's expert consultants and from information that DSU has on the property, that the vast majority of the property could not be developed because it is landfill. Mr. Sheppard had recently been informed that the sole use of the land at this point in terms of development would be as a parking lot to facilitate the facility that was being discussed because of the desire not to disturb the land and create run-off from a disruption of the land.

Mr. Sheppard reminded members that, during the prior discussion of this topic, the City Manager had expressed his beliefs regarding the value of the land and there was some discussion about obtaining information to support that valuation. Mr. Sheppard

had not seen that information to date; therefore, he had no basis to compare and contrast in terms of valuation. He advised members that he serves on the planning board for New Castle County and, based on the information he had received from experts and his own experience, he felt there was very little that could be done with grounds that were formerly landfill. In addition, Mr. Sheppard noted that the property is located on Crawford Carroll Avenue, which sits off Route 13, noting that land with frontage on Route 13 has a value greater than land that is set back.

Mr. Sudler questioned whether DSU would be making a donation in regard to property tax if the City were to give the land to the University. Responding, Mr. Sheppard stated that no decisions had been made in this regard at this point. He stated that Mr. Hare had met with the President and Chief Operating Officer of DSU, as well as the General Counsel serving at that time. They had discussed some ideas for DSU to make a contribution or give something back to the City. Mr. Sheppard advised members that he had not been present at that meeting; however, he had the impression that the President was open to these ideas, which might be subject to future discussion.

Ms. Maucher questioned if the University would participate in off-setting the infrastructure improvement costs that would come from 6,000 extra vehicles coming in for events. Mr. Sheppard stated that they would; however, he indicated that the level of this contribution would depend on the attendant cost. He advised members that DSU met with the Delaware Department of Transportation (DelDOT) last summer regarding the prospect of redeveloping the area to redistribute traffic, utilizing a different entrance of the Dover Mall and having traffic run down that road, and, through eminent domain, capturing some of the existing DSU property in the baseball field to do that. Mr. Sheppard felt that some trade-offs could probably happen to facilitate that, stating that the University would be an active part of that discussion as part of its traditional pedestrian plan for students to access the property.

Mr. Cole stated that he understood the benefits of the proposal and questioned if there were any concrete figures regarding the direct benefit to the City. Noting that Mr. Hare indicated that there had been a meeting and that some other things were in the works, Mr. Cole asked if they would be presenting information that was new since the last meeting. Responding, Mr. Sheppard stated that he had no information to add to what was captured in the Final Report. He indicated that there was a lot of speculation involved, noting that when building a facility like this it is necessary to anticipate the draw of the facility and the attendant benefit. Mr. Sheppard felt this was largely captured in the report and did not want to misrepresent that there would be some greater benefit to the City since the experts had spoken to the issue. In terms of sheer dollars and cents, he felt that nothing had changed. Mr. Sheppard indicated that the previous discussion was complicated by a representation that was made about the valuation of the land and what the City would be entitled to as a consequence of transferring the land to DSU. He felt that this valuation information would be helpful and he did not have it, reiterating his understanding that the property was landfill and its valuation was nominal or nothing at all. Mr. Sheppard advised members that

DSU had reached out to the Department of Natural Resources and Environmental Control to figure out what liability would be inherited for any necessary remediation for the land into the future. If the land were transferred to the University, DSU would have some responsibility to make sure there is no environmental impact, noting that this responsibility now lies with the City. He was unsure how this would translate into true dollars. Mr. Sheppard felt that he was operating at a disadvantage, noting that he was not in a position to answer that question, although the City Manager may be.

Mr. Sudler recalled that, during the previous discussion, DSU had raised $10,000 or $16,000 toward the total estimated cost for this project and questioned the current status. He noted that there had been discussion about how long it would take to get the project up and running so that the City would start receiving some of the economic benefit. In response, Mr. Sheppard stated that DSU was in the process of developing a Request for Information (RFI) for a number of projects, including residence halls, other facilities, and the convocation center. This was the result of someone who came to DSU as part of a public/private partnership to develop the convention center and had a proposal that was shovel-ready. In using the State's and the University's dollars, Mr. Sheppard explained that the project would have to be bid out; however, he stated that there are entities who could turn the project around within 18 months to two (2) years.

Mr. Shevock stated that during the previous presentation there had been discussion about the City possibly using a portion of the property and questioned if this was no longer being considered. Responding, Mr. Scott Koenig, City Manager, stated that he was still interested in using the portion of land for potential solar field development over the next three (3) to twenty (20) years. He explained that this area was shadowed and labeled as future parking on Page 16 of the Delaware State University Convocation Center Final Report. Mr. Koenig indicated that this had not been shared with DSU at this point because survey data had not yet been reviewed.

Mr. Hare stated that State Senators Bonini and Bushweller were offering DSU support for the project and that the land, with the exception of the use for the solar park, is really no immediate benefit to the City. He suggested including a clause that if in two (2) years there is no contract in place to build something, then the land will revert back to the City. Mr. Hare stated that if something positive can come from the land and the State is willing to help, they should move ahead.

Mr. Sudler asked what the value of the land was. Responding, Mr. Scott Koenig, City Manager, stated that he did not have that information with him, noting that the City has not had the land appraised and he did not know what it would be valued at from a tax assessment standpoint. He advised that the City spends approximately $1,000 a year to have an environmental report done related to the closing of the former landfill. Mr. Koenig stated that if there is any mowing or maintenance associated with the cap, it is done by the City at a cost of approximately $3,000 to $5,000 a year so that the reporting mechanism with DNREC does not expire and

reopen the City's liability for the landfill closure. He noted that the deed is still in the Civic Center Corporation's name. Mr. Koenig advised that the land would be good for something like a parking lot; however, it is not going to be prime land to actually build the facility on because of the differential settling issues. He noted that they do not have a private, third-party appraisal of the land. Mr. Sudler recalled that, during the last discussion, they were given a value of between $1.7M and $2M for the property.

Mr. Koenig advised that there are three (3) parcels of land associated with this area. One (1) is the old Frazier Landfill area, and there are two (2) other pieces of land that come up to the Crawford Carroll Avenue extended area. He indicated that the value in general is not heavily weighed to the landfill area. Mr. Sudler reminded members that, during the last discussion of this item, Council members voiced concerns that they did not know the value of the land they would be gifting away.

Mr. Hosfelt stated that he was one (1) of the councilmen that expressed concern with the price tag and noted that his other concern was that, historically, colleges and universities do not pay taxes on significant amounts of land and building value. He also noted that Dover Fire Department responds to hundreds of calls to the DSU campus and receives nothing in return, which is upsetting. Mr. Hosfelt stated that he did not foresee the situation getting any better if DSU builds a convocation center, noting that it would continue to tax the City's public safety resources. He noted that DSU has a fine police department; however, the use of the Fire Department alone taxes the equipment, staff, and volunteers.

Responding, Mr. Hare advised that there was something in the works, which will be discussed during the budget review. He indicated that there has been discussion with DSU and they are receptive to this idea.

Mr. Shevock asked if the City was going to dedicate the whole piece of ground or if there was going to be a set aside for the solar farm that Mr. Koenig mentioned. Responding, Mr. Koenig advised that there are three (3) pieces of land associated with the total area of this proposal. He noted that the City donated the land known as Frazier's Pit to the Civic Center Corporation years ago with a clause that if the Civic Center Corporation did not move forward, those land donations would revert back to the donors. Mr. Koenig stated that the land that would revert back to the City is the Frazier Pit and the boundary of Frazier Pit. He noted that there are two (2) other pieces of land owned by the Davey Lumber Company and KW Lands LLC. Mr. Koenig advised that both of those pieces of land run up and touch what is now called Crawford Carroll Avenue.

Mr. Koenig advised members that, if you were standing on Crawford Carroll Avenue and looking towards the woods along the edge of Sam's Club, the land from the road all the way back to the power lines is the KW Lands LLC and the Davey Lumber land. He noted that the land behind the power lines that are traversing the land is where the Frazier Pit land holding starts and runs roughly from that overhead power

line all the way to the edge of, and including the slope down to, the lake.

Mr. Koenig advised that a number of the acres of the former landfill are not developable because some of this area is essentially the cap of the landfill. He noted that, under the closure documents for development, the land could be used for parking lots and certain types of infrastructure, affording for differential settlement of the land; however, it is not prime development land.

Mr. Sudler stated that both the City and DSU need to economically coexist and help each other; however, the City will soon be reviewing its budget, which will include the needs of the Police and Fire Departments. Echoing Mr. Hosfelt's concerns, Mr. Sudler stated that when there is a situation that exceeds DSU's capability, whether it is a fire or a criminal matter, the City is hit with the cost.

Mr. Hare advised that he and Mr. Koenig met with DSU President Williams and discussed the amount of tax-exempt property owned by DSU. He noted that one of the proposals was that if the Dover Fire Department needed a new fire truck, DSU could contribute $150,000 a year for the next five (5) to seven (7) years to the City as their Payment-In-Lieu of Taxes (PILOT) and they would be recognized for purchasing the fire truck. Mr. Hare indicated that President Williams was not adverse to the idea and liked that DSU would be recognized.

Mr. Hare advised members that he is pursuing this approach with all non-profits, which account for 40% of the tax-free properties in the City of Dover, noting that all non-profits should pay something toward public safety. He reminded members that property taxes do not cover the Fire and Police Departments.

Mr. Hare reiterated his feeling that donating the property to DSU, with a claw-back clause, would be a win-win situation. He noted that the City wanted a civic center there initially, and if DSU was willing to build it and it is built, then the City will also be able to use it.

Mr. Sudler reiterated that his major concern was that he did not want his constituents to bear the cost. Responding, Mr. Hare stated that it would be saving the constituents money because the City is spending money to maintain the property.

Mr. Hutchison stated that he liked the concept and would like to see the City of Dover sit down with the leadership of DSU to discuss the property. He stated that he thought this was a great opportunity for DSU and the City of Dover to work in partnership.

Referring to Mr. Hare's suggestion of a claw-back clause, Mr. Shepherd recalled that the Civic Center Corporation had 10 years to try to build the Civic Center and could not accomplish it. Responding, Mr. Hare stated that two (2) or three (3) years was just an example and it could be a 10-year clause.

Mr. Shepherd advised that DSU was in discussions and going through a process to build the convocation center.

Responding to Ms. Maucher, Mr. Hare stated that the Civic Center Corporation was also non-profit and the situation would be similar.

Mayor Christiansen stated that he participated in a number of meetings with DSU President Williams, the Provost, and General Counsel, and they made it quite clear that they were interested in this property. He also noted that the Kent County Metropolitan Planning Organization (MPO), of which he is vice-chairman, has proposed the extension of Crawford Carroll Avenue and reconfiguring the intersection from Produce Junction onto the highway in anticipation of the convocation center.

Mayor Christiansen contended that if a happy medium or common ground could be reached for managing the property between DSU and the City of Dover, with no impact on the City's constituents, then they need to move forward. He noted that, otherwise, they would end up 10 years down the road with a vacant lot that had had the potential of moving Dover into the 21st Century. Mayor Christiansen suggested that it was imperative to handle this request with due diligence, but rather quickly.

State Senator Brian Bushweller recalled that 10 or 15 years ago, when Mr. Hutchison was Mayor, he gave a stump speech around the City talking about the wonderful contributions that the higher education institutions in the City of Dover were providing to the City and to the whole State, but especially to the City of Dover. He noted that Mayor Hutchison would talk about Delaware State University, Wilmington University, Delaware Technical & Community College, and Wesley College, and even the University of Delaware Paradee Center near the Danner Farm. Senator Bushweller stated that Mayor Hutchison was right, and Senator Bushweller saw this project fitting right into that notion. He suggested that the City look to the higher education institutions for economic development and job creation, noting that they are already making major financial and economic contributions.

Senator Bushweller advised that they should be doing anything they can to enhance the ability of those institutions to themselves further develop and add more economic vitality and more jobs to our City. He stated that in economic development they say there are two (2) things you have to do, one (1) is to recruit new businesses and the other is to nurture the businesses you have. Senator Bushweller felt that granting this request would nurture the businesses that the City has.

Senator Bushweller stated that the land for a civic center was donated in the 1990s and the State contributed $7M, which was put into special accounts for the civic center. He thought t was not built because the concept of the civic center never caught on with the people, City Council, or with developers. He advised that, three (3) to five (5) years ago, he was in a meeting at DSU and someone mentioned the civic center land as the potential site for a university facility, and it occurred to him

that DSU could be the "anchor tenant" for the site. Senator Bushweller stated that he felt one (1) of the reasons the civic center never worked was because it lacked an anchor to make it all work.

Senator Bushweller advised that the Bond Bill Committee, which he and Senator Bonini are members of, offered language last year or the year before that recognizes the interest of Delaware State in obtaining land from the Civic Center Corporation for a convocation center and directs the Civic Center Corporation, which is now defunct, to reconstitute itself for the purpose of disposing of its assets in a manner consistent with the charter of the Civic Center Corporation, which is to dispose of its land in an appropriate way. He recognized the reversion clause in the deed, which was the current topic of discussion.

Senator Bushweller stated that the State also has language that directs the relevant parties, including the State, to look for appropriate funding mechanisms to build the convocation center. He suggested that the clawback should not be too restrictive because, unless there is a developer that is willing to invest the money, the State will probably end up being the biggest funder of the convocation center, and they are not financially prepared to begin the project.

Senator Bushweller recognized that the property tax was a legitimate issue for the City; however, he suggested that most state capitals have the same problem because so many state buildings are located in the capital. He commended the members of Council and DSU for considering options and hoped that they would continue to work on the tax issue while they move forward on the land transfer. Senator Bushweller noted that it was his understanding that KW Lands LLC had the same reversion clause in the deed, and they have authorized the transfer of their land to DSU.

Senator Bushweller commended Council members for discussing this complicated issue and stated that he would appreciate it if Council could move forward on it, recognizing that there would be outstanding issues to discuss. He offered his assistance moving forward.

State Senator Colin Bonini advised members that he is the most conservative member of the General Assembly and that he hates to spend money; however, as a member of the working group for the convocation center, he realized that the proposal makes sense for two (2) reasons. The first reason is that it is going to bring money into the City and the value of the property is currently zero because the City does not have anybody interested in buying it. The second reason is that DSU, which is a State agency, provides direct accountability for a vitally important project.

Senator Bonini, as the senior Senator on the Bond Bill Committee, assured members that the State anticipates helping to absorb the cost of infrastructure if this becomes necessary, noting that it had been discussed by the working group.

Senator Bonini echoed Senator Bushweller's concern with the length of time for the clawback clause, noting that a compressed timeline for construction could result in a developer increasing their price. He stated that he hoped that Council would move forward as quickly as possible.

Senator Bonini advised that he made his whole career about value for taxpayers, and he felt that the convocation center would be a winner that would bring significant revenue into the City. He suggested that the center can be a significant tax driver, whether through a ticket tax for the events or by some other means.

Senator Bonini stated that he recognized the issue of Payment-In-Lieu of Taxes (PILOT) and indicated that at least two (2) senators were actively working on structurally fixing the issue. He stated that he had also spoken with Mr. Hare about specific projects that he could, and wanted to, help with. Senator Bonini stated that he did not want to see worthwhile projects get caught in the PILOT debate, feeling that the long-term answer is structural.

Senator Bonini reiterated his hope that Council will transfer this land because there is the potential for something fantastic in Dover. He reiterated that if it turns out not to be as fantastic as they hope, there is a direct line of accountability, which is tremendously important.

Mr. Sudler thanked Senators Bonini and Bushweller for supporting DSU. He stated that it is very important for members to discuss this matter and expressed his support for further discussions or staff recommendations.

Mr. Sudler moved to recommend that Delaware State University (DSU) present the Committee with a proposal for City Council to transfer the property to DSU. The motion was seconded by Ms. Maucher.

Mr. Neil indicated that he understands why it is extremely important for the City to do this type of thing and that it is something he would support; however, he stated that he would need to explain this to constituents in layman's terms. He informed members that he had received a letter from a constituent in his community who does not understand the value of this proposal or why he works to protect Dover Downs. Mr. Neil stated that the constituents in his community see the value of the equity in their homes dropping to 40% - 50% because it is a lease land community and complain that their taxes have increased. He indicated that he has explained to these constituents that the value of their homes went down by 28% and they are not actually paying more taxes for the services that the City provides. Mr. Neil stated that the City provides a great value for the cost of water and electricity, noting that the City has the second lowest electric rate during the summer and approximately the fourth lowest during the winter. He explained that by expanding this economic value, the City can bring in more businesses to decrease taxes.

Mr. Neil requested that DSU provide an explanation of the total package of what they are offering. He stated that he is supportive of the educational institutions in the City, but he has to explain this proposal to his constituents. Mr. Neil indicated that information regarding the negotiations that DSU had been discussing with members of Council would also be valuable for him in explaining why the City would like to transfer this property to DSU.

Mr. Sudler called for the question, seconded by Mr. Hare.

Mr. Sudler indicated that the motion was to send this matter to Council for further discussion of the transfer of this City property to DSU. Responding, Mr. Hare stated his understanding that DSU was going to come back to the Committee with a proposal, which would include a clawback, so that members can take an official vote.

Mr. Hare reminded members that the City gave this land to the Civic Center Corporation in the 1990s, and this would just transfer it to another agency hoping to do what the Civic Center Corporation did not do.

Mr. Hosfelt and Mr. Cole requested clarification on the motion. Responding, Mr. Hare stated that DSU is going bring a proposal back to the Committee regarding the transfer of the land.

Mayor Christiansen stated that Mr. Sudler called the question to end the discussion and it was appropriately seconded, so that is the motion on the floor that needs to be acted on, according to Robert's Rules of Order.

Mr. Hosfelt stated that he cannot vote on a motion if he does not know what it is. Responding, Mr. Hare clarified that the motion was to end the discussion.

In response to Mr. Sudler, Mr. Hare stated that the original motion made by Mr. Sudler was to have DSU come back to the Committee with a proposal for the City to transfer the land to DSU.

Responding to Mr. Sudler, Mrs. Traci McDowell, City Clerk, indicated that the original motion was for DSU to bring a proposal back for consideration. Mr. Hare reminded members that the motion was seconded by Ms. Maucher.

The Committee recommended that Delaware State University (DSU) present the Committee with a proposal for City Council to transfer the property to DSU.

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

Responding to Mr. Sheppard, Mr. Hare stated that DSU would simply bring the proposal to Council, including a clawback. He explained that the matter would not come back to the Committee.

Senator Bushweller asked if it was the intent of this Committee that Council vote on transferring the land to DSU, subject only to the revision of the proposal from DSU in that regard. Responding, Mr. Neil and Mr. Hare confirmed that this was their understanding.

Mr. Hare moved to recommend in favor of transferring the land to DSU. The motion was seconded by Mr. Sudler.

Mr. Hosfelt stated that there had been no discussion on the motion.

Mr. Neil stated that he wants to see what DSU is proposing, so he knows what he is voting for when it gets to Council. He indicated that he wants to know, in terms of time, when it will come back to Council, what DSU hopes to anticipate, what the fundraising is going to be that they are going to undertake, the building that they are talking about; he wants to see it all.

Mr. Sudler suggested a friendly amendment to the motion, that DSU provide the City with the information requested by Mr. Neil prior to the Council meeting, for inclusion in the Council packet. He stated that this would give members time to review the information and have their questions ready. Once members' questions are answered, they can vote yes or no.

Mayor Christiansen noted that the last motion that passed was to agree to move forward on the transfer of the property. He expressed his opinion that, in the interest of transparency and total understanding by each member of Council on behalf of the constituents, it is imperative that DSU bring the information requested by Mr. Neil back to the Committee for perusal and then move directly to Council. It was Mayor Christiansen's opinion that to do any less is derelict of duty. He asked how the constituents would understand the actions Council takes if the members of Council do not understand them. Mayor Christiansen stated that it is only fair to members of Council, the citizens, and DSU.

Mr. Neil noted that Mr. Hare had mentioned that DSU might want to include in their proposal that they will be making a donation towards fire protection, etc. Responding, Mr. Hare stated that the donation is something totally different and separate from this matter.

Mr. Shevock asked how long it would take for DSU to come back to Council with the proposal. Responding, Mr. Sheppard stated that part of the challenge is trying to figure out what to provide, in addition to what has already been provided in the Delaware State University Convocation Center Final Report, which was done by some very talented people. He indicated that maybe DSU could distill the Report down in a way that may be more easily communicated to the City's constituents, suggesting perhaps a page with bullet points. Mr. Sheppard asked, once DSU has had the opportunity to discuss it and make sure they provide the right product, what an appropriate time would be to bring this back.

Responding to Mr. Hare, Mr. Sheppard indicated that 30 days would probably be sufficient.

Mr. Neil stated that this time frame was fine with him, noting that he did not want to push them and would wait until they are ready. He noted that, in terms of the time, DSU needs to figure out if this will be done within a 5-year period or a 10-year period and inform Council what it is going to take. Responding, Mr. Hare stated that this information would be included in their proposal as the clawback.

In response to Mr. Neil, Mr. Sheppard stated that the challenge, as was demonstrated by the lack of success for the Civic Center Corporation, is that it is difficult for him to tell the City that DSU is going to get this done on a date certain. He explained that this is why a reversionary interest in the language would be for a future date that is far off, noting that it is not as simple as snapping your fingers and making it happen. Mr. Sheppard stated that DSU has to get partners in this and might have to engage the State on the effort.

Mr. Koenig reminded members that when this matter was previously discussed, one (1) of the things that Staff was asked to do was to go back and evaluate the whole issue of whether this land had value to the City. Referring to Page 16 of the DSU Convocation Center Final Report, Mr. Koenig stated that Staff has been on record several times saying that the value for the City is the area shadowed and labeled as future parking, which could be used for a potential solar field. He wanted to make sure that this is part of the discussion, explaining that if the City simply transfers this land, the City may be buying land for a potential solar field. Mr. Koenig stated that his only caveat regarding this matter is to ensure that discussions regarding a potential solar field and the confirming of any easements on this property occur prior to Council taking final action on a land transfer.

Ms. Maucher asked if the Committee can recommend that Council enter into negotiations with DSU for the transfer of the property, and whether that would end the discussion by the Committee. She stated that she did not understand why this would need to come back to the Committee. Responding, Mr. Hare advised that Council can enter into negotiations; however, the matter would have to come back to the Committee for review and recommendation to Council.

In response to Mr. Hare, Mr. Hosfelt stated that, at this point, members had not agreed to enter into negotiations. Based on the motion, it was his understanding that the Committee had agreed to allow time for DSU to bring back information for further discussion. Mr. Hosfelt stated that he did not see the motion as approval to sell the property or give the property or deed over.

Mr. Hare clarified that the motion was to have DSU bring their proposal back to the Committee.

Mr. Sheppard requested additional clarification, explaining that he had heard two (2) different requests. He stated his understanding that Mr. Neil wants a distillation of the Delaware State University Convocation Center Final Report to be able to more easily communicate it to his constituents, which Mr. Sheppard indicated that DSU can do. He stated that he also heard, at least as a suggestion, that the City is looking for language from DSU to set the parameters around how the transfer would operate, what opportunity for reversionary interest there might be to the City and how that would work. He wanted to make sure that he was clear on these requests, so that when he comes back, he has what Council needs to be able to move forward.

Responding to Mr. Sheppard, Mr. Hare indicated that if DSU came back with a proposal that KW Lands and the Frazier Pit be transferred to DSU, the City would still have the right to the other parcel that Mr. Koenig said the City might need for the solar field, there would be a 10-year clawback, and the Committee can discuss what to do.

Mr. Hosfelt stated that he was unsure where the City was at this point. It was his understanding that the City has something that DSU wants and, in his view, DSU would come to Council as a whole with their proposal to take this property off the City's hands. Mr. Hosfelt indicated that it was obvious there had been discussions or negotiations about other costs and factors that may affect the City that not everyone in the room was aware of, which was confusing. He noted that there had been talk about other information that would come to Council during the budget hearings.

Mr. Hare explained that his previous reference to information to be presented during the budget hearings did not pertain to the land transfer but negotiations for something else in the budget that was brought up last year.

Mr. Hosfelt expressed his opinion that the best thing to do at this point was for the motion to be withdrawn, table consideration of the transfer, and come back and review this matter with cooler heads.

Mr. Hutchison noted that many of the current members of Council had not been present when the civic center was previously considered. He assured members that study after study had been completed, a partnership between the City of Dover and State of Delaware was put forth, and the land was transferred to the Civic Center Corporation for economic development reasons. Mr. Hutchison noted that a lot of information showed that the transfer made good sense and, at that time, Council reviewed it and had the same questions that members were currently asking. He assured members that when all was said and done, Council had stepped up to the plate and agreed that it made good sense to move forward with the civic center opportunity; however, it failed. Nothing ever happened with the civic center, so the land came back to the City. Mr. Hutchison advised that members were now back at the table with a new opportunity and he felt that the facts and circumstances had not changed regarding why it made good sense to transfer the land. Mr. Hutchison expressed very strong support for hearing back from DSU regarding the proposal.

Mr. Sudler concurred with Mr. Hutchison, stating that he had reviewed this matter, understood what was happening, and was ready to move forward.

Mr. Hosfelt stated that some of those present did not understand what was being proposed or what DSU was being asked to do. Mr. Hosfelt stated that he thought he knew what he was voting for; however, if he had voted in favor of moving forward on giving the land to DSU, he had done so incorrectly and had to be accountable to this. He had intended to vote in favor of getting more information and discussing the matter.

Mr. Cole felt that the misunderstanding was that DSU thought that they had provided a proposal.

Mr. Sheppard stated that he appreciated the challenges and the needs to satisfy the interest of constituents and to be able to fairly represent to them what would be done with the City's property and how this would impact them as citizens. He stated that the proposal on the table was to facilitate a transfer of the property, at least out of the Committee to the full Council, so that a decision could be rendered. Mr. Sheppard reiterated that a lot had been captured in the Delaware State University Convocation Center Final Report and expressed his understanding that language needed to be worked out in terms of how the actual transfer would function. He stated that DSU would be happy to provide that language and did not believe it would take 30 days. Mr. Sheppard advised that he had the impression that Mr. Neil was looking for something different, so there was a lack of clarity. He indicated that if Council was simply looking for language to facilitate the transfer, he would be happy to put that language together.

Mr. Neil echoed Mr. Hutchison statement that this would allow for the development of the property with a new partner, DSU rather than the Civic Center Corporation. He advised that he was looking for the time parameters for how long it would take to develop and complete. Mr. Neil felt that he and Mr. Hare differed in their view, referring to Mr. Hare's previous remarks about a contribution to the City. Responding, Mr. Hare explained that the discussion he and Mr. Koenig had with DSU was in regard to a different matter that applied to the whole City and not DSU and not the land transfer.

Mr. Sudler moved to rescind his original motion.

Mrs. McDowell stated that the motion was for DSU to bring a proposal and was seconded by Ms. Maucher. She indicated that, immediately after that, Mr. Hare made a motion for the Committee to recommend in favor of transferring the property, which had not been voted on.

Mr. Sudler stated that his motion for DSU to bring back a proposal was now null and void.

Mr. Sudler moved that the current proposal from DSU for the transfer of land go forward from the Committee to Council for further discussion within 30-60 days, with information regarding the concerns brought forth to the Committee today, the breakdown requested by Mr. Neil, and a determination of whether a clawback clause would be included.

Mr. Koenig questioned if a motion was needed, stating his belief that DSU had advised that they were interested in the land; however, he did not recall there ever being a letter or written document requesting a specific number of acres or stating exactly what DSU wants from the City.

In response to Mr. Koenig, Mr. Sheppard stated that DSU sent a letter to Council President Slavin some time ago about this issue. He did not have it with him but offered to provide it and stated his belief that it would address the City Manager's concern.

Mr. Sudler stated that his motion was to move the matter from the Committee to Council for further discussion, with the understanding that the breakdown requested by Mr. Neil and information requested by Mr. Hosfelt would be provided.

Mr. Hare stated that his motion could be amended to add these provisions.

Senator Bonini expressed concern about delaying this matter more than a few weeks, noting that the General Assembly would recess on June 30, 2016. It was his belief that the State would need language from the City to move this matter forward, and he commended Senator Bushweller for including such language in the Bond Bill. Senator Bonini indicated that General Assembly would not go back into regular session until January 2017 and wanted to share this time constraint with members.

After further discussion between Mr. Hare and Mr. Sudler regarding the motion on the floor, Mr. Hosfelt expressed confusion regarding the status of this matter. He stated his belief that one (1) motion was unanimously carried, Mr. Hare had made a motion that had not been voted on, and Mr. Sudler had put another motion on the floor.

Mr. Sudler stated that his original motion was null and void. He stated his recollection that Mr. Hare had made a motion and his last motion was an amendment to Mr. Hare's motion which provides the allotted time and language.

Mrs. McDowell reiterated that the first motion, which indicated that DSU would bring a proposal back, had been acted upon and could not be withdrawn. She stated that the next motion was from Mr. Hare to recommend transfer of the property. It was seconded by Mr. Sudler but had not yet been voted on.

In response to Mr. Hare, Mrs. McDowell explained that the motion was for DSU to bring a proposal back to the Committee and it was unanimously carried.

Mr. Hare withdrew his motion to recommend in favor of transferring the land to DSU.

Mr. Sudler questioned if the matter would be brought back to the Committee if he agreed to withdraw his second, expressing his opinion that consideration of this matter should be forwarded to Council.

Mr. Hare stated that he withdrew his motion and asked Mr. Sudler if he agreed to withdraw his motion. Responding, Mr. Sudler agreed to withdraw his motion.

Mr. Hare stated that DSU would bring back a proposal regarding their recommendation for the transfer of the property.

Mr. Sudler requested clarification as to whether this matter would come back to the Committee, reiterating his opinion that it should be forwarded to Council.

Mr. Cole moved to table the matter, seconded by Mr. Hosfelt.

Mr. Cole suggested a roll call vote.

Mr. Sudler questioned whether there was a vote on the previous motion. Responding, Mr. Hare stated that the motion to table supercedes.

Mr. Sudler called a point of order and requested clarification on the motion previous to the current motion to table the matter when he was asked whether or not he was in agreement with rescinding his second to Mr. Hare's motion. Responding, Mrs. McDowell expressed her belief that the previous motion had been rescinded, and the motion that had been voted on was for DSU to bring a proposal.

Mr. Sudler indicated that he had called a point of order as he was unsure why the matter was being tabled if it had already been voted on. Responding, Mrs. McDowell stated that the motion to table was made because the motion to have DSU bring back a proposal did not end the discussion. She reiterated that the motion for DSU to bring a proposal was unanimously carried.

In response to Mr. Sudler, Mrs. McDowell stated her belief that the motion to table had failed, but suggested a roll call vote.

Mr. Neil stated that, according to the motion that passed, that DSU is supposed to bring the proposal back. He suggested that Mr. Sheppard get together with Mr. Koenig regarding Mr. Koenig's concerns related to the land needed for the solar field. Responding, Mr. Sheppard stated that he would be happy to get together with Mr. Koenig at his convenience.

Mr. Hutchison noted that the issue being discussed was not complicated and expressed the need for Mr. Koenig and the leadership at DSU to sit down together,

discuss it, and come back in a short period of time so it can be acted upon. He stated that, to be fair to members, they must see what they are voting on. Mr. Hutchison indicated that it was a matter of DSU putting their request in writing so the City could deal with it in haste, noting the need to work with the General Assembly.

Mr. Cole withdrew the motion to table the matter, and Mr. Hosfelt withdrew his second.

For clarification, Mr. Sheppard questioned if DSU would return to the Committee or if this would be considered by Council. Responding, Mr. Hare stated that it would be brought before the Committee of the Whole, which includes members of Council.

Ms. Maucher expressed concerns regarding time constraints. Mr. Hare stated that the next meeting of the Council Committee of the Whole was scheduled for May 10, 2016 and the next Council meeting was scheduled for May 23, 2016.

Mr. Sudler commented that the General Assembly would recess on June 30, 2016.

Update - Overgrowth of Bamboo - Rodney Road
Due to time constraints, this item was deferred until the next meeting.

Downtown Dover Business Improvement District (BID) Budget and Assessment (Tax) Rates for Fiscal Year 2016-2017
Due to time constraints, this item was deferred until the next meeting.

Proposed Ordinance #2016-10 Amending Chapter 2 - Administration, Article IV - Officers and Employees, Division 8 - Deferred Compensation Plan (Sponsors: Cole and Koenig)
Due to time constraints, this item was deferred until the next meeting.

Evaluation of Trial Period for Council Committee of the Whole Meetings (Council Resolution No. 2015-16)
Due to time constraints, this item was deferred until the next meeting.

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

MONTHLY REPORTS - MARCH 2016
By motion of Mr. Hare, seconded by Mr. Neil, the following monthly reports were accepted by consent agenda:

City Assessor's Report
City Manager's Report
City Planner's Report (February and March)
Controller/Treasurer's Budget Report
Economic Development Office Report
Fire Chief's Report (February and March)
Police Chief's Report

QUARTERLY REVIEW OF CAPITAL INVESTMENT PLAN (CIP) (JANUARY, FEBRUARY, AND MARCH)

Members were provided the Quarterly Report for the Capital Investment Plan (CIP) as of March 31, 2016.

By consent agenda, Mr. Hare moved for acceptance of the Quarterly Report for the Capital Investment Plan (CIP) as of March 31, 2016. The motion was seconded by Mr. Neil and carried by a unanimous roll call vote (Lewis absent).

APPOINTMENT OF INTERIM FIRE MARSHAL - JASON A. OSIKA

By consent agenda, Mr. Hare moved to appoint Mr. Jason A. Osika to serve as interim Fire Marshal. The motion was seconded by Mr. Neil and carried by a unanimous roll call vote (Lewis absent).

2016/17 STAFF APPOINTMENTS - CITY COUNCIL

Council President Slavin requested that items #17 - #22 be deferred until the next regularly scheduled Council meeting.

Mr. Hare moved to defer these appointments until the next regularly scheduled Council meeting, seconded by Mr. Neil and unanimously carried.

2016/17 COMMITTEE APPOINTMENTS - COUNCIL PRESIDENT

Mr. Hare moved to defer these appointments until the next regularly scheduled Council meeting, seconded by Mr. Neil and unanimously carried.

2016/17 MISCELLANEOUS APPOINTMENTS - COUNCIL PRESIDENT

Mr. Hare moved to defer these appointments until the next regularly scheduled Council meeting, seconded by Mr. Neil and unanimously carried.

2016/17 APPOINTMENTS RECOMMENDED BY COUNCIL PRESIDENT - PRESIDENT'S COUNSEL ON PUBLIC/PRIVATE PARTNERSHIPS AND THE FUTURE OF CITY HALL, WEYANDT HALL, FORMER DOVER LIBRARY, AND OTHER CITY PROPERTIES

Mr. Hare moved to defer these appointments until the next regularly scheduled Council meeting, seconded by Mr. Neil and unanimously carried.

2016/17 COMMITTEE APPOINTMENTS - MAYOR

Mr. Hare moved to defer these appointments until the next regularly scheduled Council meeting, seconded by Mr. Neil and unanimously carried.

COUNCIL APPOINTMENTS

Mr. Hare moved to defer these appointments until the next regularly scheduled Council meeting, seconded by Mr. Neil and unanimously carried.

RESOLUTION NO. 2016-04 - APPROVAL OF THE 2016 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ACTION PLAN

By consent agenda, Mr. Hare moved for adoption of the proposed resolution, seconded by Mr. Neil and, by a unanimous roll call vote (Lewis absent), Council adopted Resolution No. 2016-04, as follows:

A RESOLUTION APPROVING THE 2016 COMMUNITY DEVELOPMENT BLOCK GRANT ACTION PLAN

WHEREAS, the City of Dover is entitled to $227,955 through the United States Department of Housing and Urban Development Community Development Block Grant program; and

WHEREAS, the City of Dover has prepared the 2016 Action Plan, in accordance with the United States Department of Housing and Urban Development guidelines, that serve as the primary planning document for identifying and meeting the housing and community development needs for the low and moderate-income residents of Dover; and

WHEREAS, the City of Dover is in favor of utilizing the Community Development Block Grant funds for the community development purposes in accordance with the National Community Development objectives of benefiting low and moderate income families, eliminating slums and blight, and meeting other community development objectives; and

WHEREAS, the United States Department of Housing and Urban Development requires the City of Dover to submit a Consolidated Plan and an Action Plan for Application for Federal Assistance including the proposed use of funds and including certain certifications and policies to obtain its $227,955 entitlement; and use of $8,554 in program income for eligible activities; and

NOW, THEREFORE BE IT RESOLVED THAT THE MAYOR AND COUNCIL OF THE CITY OF DOVER approve the 2016 Community Development Block Grant Action Plan and application for Federal Assistance included in the Action Plan, along with certifications and policies attached and authorize its forwarding to the United States Department of Housing and Urban Development for consideration.

ADOPTED: MAY 9, 2016

CITY MANAGER'S ANNOUNCEMENTS

Mr. Scott Koenig, City Manager, recognized the efforts of all City staff over this past weekend, noting that the City of Dover had a busy weekend that included events such as Old Dover Days; the History, Heritage, and Hops Festival; Wesley College and Delaware State University graduations; and Polytech and Caesar Rodney high school proms. He stated that these were all activities in and around the City of Dover which included support from the City of Dover Police Department, the volunteer fire service, the emergency management function, the Fire Marshal's Office, code and licensing functions, the Public Works Department, the Electric Department, the Dover Public Library, and almost every portion of City services. Mr. Koenig expressed thanks on behalf of the City Manager's Office for the efforts of staff.

Mr. Koenig informed members that staff met with the First State Community Action Agency last week regarding a number of programs that they offer which will help various members of the Dover community, both homeowners and renters. He noted that the programs discussed included the summer cooling program; the De-Lead program associated with housing; a heating program; as well as a Statewide training plan related to energy education. Mr. Koenig stated that he expected that these items would be brought before Council or that information would be provided to Council over the coming months. He expressed his appreciation for the First State Community Action Agency reaching out to the City to describe their mission and how it could have a beneficial impact on the City of Dover.

COUNCIL MEMBERS' ANNOUNCEMENTS

Mayor Christiansen shared his appreciation of all City staff for their outstanding performance over the weekend.

Mr. Sudler urged members of Council and constituents to get involved and attend his meeting regarding shootings and illegal gang activity in the City of Dover, on Wednesday, May 18, 2016 at 7:00 p.m. in the City Hall Council Chambers. He stated that he would be giving a presentation regarding Council Resolution No. 2013-22 with SA #1 pertaining to the cessation of illegal gang formation in Dover. Mr. Sudler noted that State representatives would be in attendance to review additional funding options to help save taxpayers dollars on the fight against criminal enterprises in the City of Dover, and local and state law enforcement agencies would give their input on how to identify and report illegal gang activity.

Mr. Anderson reminded everyone that school board elections would be held on Tuesday, May 10, 2016, and encouraged everyone to avail themselves of their right to vote for the candidate of their choice.

Mr. Slavin expressed his thanks and appreciation to each member of Council in electing him to serve as Council President for another year. He stated that he had always had one (1) simple goal: that we conduct our affairs with civility and statesmanship, and that in so doing, we earn the trust and confidence of the people who put us in this office. Mr. Slavin noted that he looked forward to working with each member over the coming year, while keeping that goal in mind.

Mayor Christiansen thanked Council President Slavin and members of Council for the yeomen duties that they performed over the past year, noting that he looked forward to working with them in the coming year for the betterment of the City and the citizens.

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

Meeting adjourned at 8:35 p.m.

TRACI A. McDOWELL
CITY CLERK

All ordinances, resolutions, motions, and orders adopted by City Council during their Regular Meeting of May 9, 2016, are hereby approved.

ROBIN R. CHRISTIANSEN
MAYOR

/TM
S:\AGENDAS-MINUTES-PACKETS-PRESENTATIONS-ATT&EXH\Council-Minutes\2016\05-09-2016 Corrected to Amend Nomination of Council President Motion - 01-25-2017.wpd

Exhibits

Exhibit #1 - Ordinance #2016-15 - Rezoning Request for Properties Located in Three (3) Areas (A, B, and C) Consisting of Fourteen (14) Parcels, Owned by Dover International Speedway, Inc.

CITY OF DOVER
ORDINANCE #2016-15

AN ORDINANCE AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF DOVER BY CHANGING THE ZONING DESIGNATION OF 14 PARCELS OF PROPERTY LOCATED IN THREE (3) AREAS: EAST OF LEIPSIC ROAD AND WEST OF STATE ROUTE 1 (AREA A), EAST OF STATE ROUTE 1 AND SOUTH OF PIT STOP LANE (AREA B), AND NORTH OF PERSIMMON TREE LANE ADJACENT TO THE CITY LIMITS (AREA C)

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

WHEREAS, it is deemed in the best interest of zoning and planning to change the permitted use of properties described further in Exhibit A to this ordinance from the existing zoning classifications to the proposed zoning classifications listed in Exhibit B to this ordinance.

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

1. That from and after the passage and approval of this ordinance the Zoning Map and Zoning Ordinance of the City of Dover have been amended by changing the zoning designation from the existing to the proposed designations as specified in Exhibit B to this ordinance on 14 parcels of property, including: 12 parcels located east of Leipsic Road and west of State Route 1 (Area A) consisting of $195.13^{+/-}$ acres; that property located east of State Route 1 and south of Pit Stop Lane (Area B) consisting of $10.43^{+/-}$ acres; and that property located north of Persimmon Tree Lane adjacent to the City limits (Area C) consisting of $85.51^{+/-}$ acres, with parcels totaling $291.07^{+/-}$ acres in their entirety, owned by Dover International Speedway, Inc.
   (Planning Reference Z-16-04; Council District: 3)

   Tax Parcels:

LC-05-058.17-02-01.00-000	LC-05-058.17-01-09.00-000	LC-05-068.00-01-01.00-000
LC-05-058.17-01-07.00-000	ED-05-058.17-01-19.00-000	LC-05-068.10-01-01.00-000
ED-05-058.17-01-11.00-000	ED-05-068.05-01-02.01-000	LC-05-058.17-02-01.00-000
LC-05-058.17-01-08.00-000	LC-05-058.00-02-08.00-000	LC-05-058.00-02-15.00-000
ED-05-058.17-01-18.00-000	ED-05-068.05-01-16.00-000	

ADOPTED: MAY 9, 2016

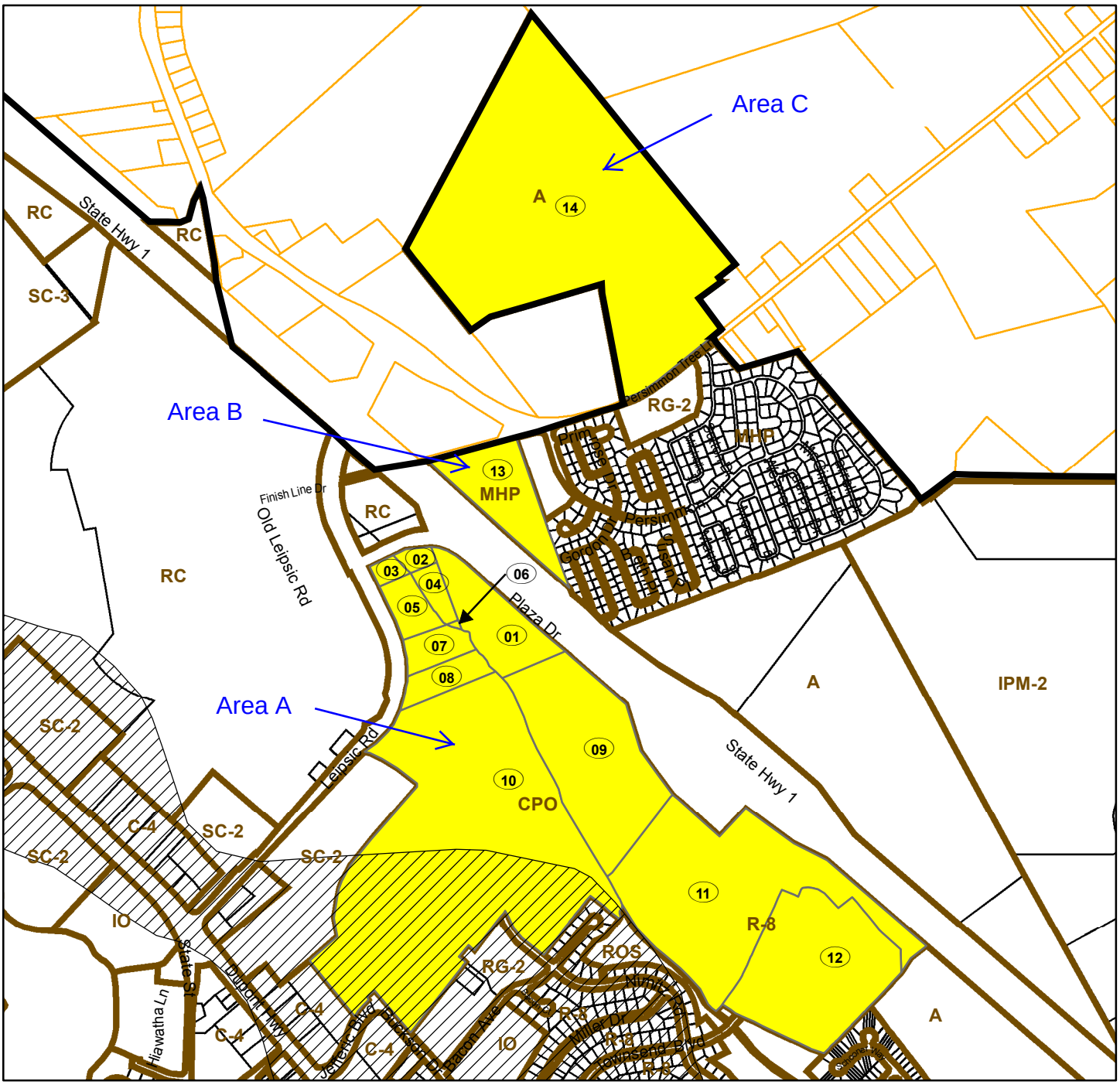
S:\ORDINANCES\2016\ADOPTED\Ordinance #2016-15 Rezoning - Dover International Speedway - 14 Parcels of Property-ADOPTED 05-09-2016.wpd

Actions History
May 9, 2016 - Public Hearing/Final Reading - City Council
April 18, 2016 - Review - Planning Commission
March 28, 2016 - First Reading - City Council

City of Dover

Department of Planning & Inspections

Zoning Map: Exhibit A



Ordinance: #2016-15
File: Z-16-04
Title: Lands of Dover International Speedway
Proposed Zoning: RC (Recreational and Commercial Zone)
Owner: Dover International Speedway, Inc.
Date: 3/22/2016

Refer to Exhibit B table for Parcel ID, Address, and Existing Zoning

Legend

- Subject Parcels
- Dover Parcels
- Zoning
- Dover Boundary
- Kent County Parcels

N W E S

0 700 1,400 2,800 Feet

EXHIBIT B
Lands of Dover International Speedway, Inc.
Ordinance #2016-15, File Z-16-04

Map References		Parcel	Parcel Size	Address	Current Zoning	Proposed Zoning
No.	Area		(Ac.)			
1	A	LC-05-058.17-02-01.00-000	9.21 +/-	75 Pit Stop Ln	C-PO (Commercial and Professional Office Zone)	RC (Recreational and Commercial Zone)
2	A	LC-05-058.17-01-07-00-000	1.22 +/-	Persimmon Tree Ln	C-PO (Commercial and Professional Office Zone)	RC (Recreational and Commercial Zone)
3	A	ED-05-058.17-01-11-00-000	1.25 +/-	979 Dover Leipsic Rd	C-PO (Commercial and Professional Office Zone)	RC (Recreational and Commercial Zone)
4	A	LC-05-058.17-01-08-00-000	1.83 +/-	Leipsic Rd	C-PO (Commercial and Professional Office Zone)	RC (Recreational and Commercial Zone)
5	A	ED-05-058.17-01-18.00-000	3.48 +/-	98 Old Leipsic Rd	C-PO (Commercial and Professional Office Zone)	RC (Recreational and Commercial Zone)
6	A	LC-05-058.17-01-09.00-000	0.34 +/-	Persimmon Tree Ln	C-PO (Commercial and Professional Office Zone)	RC (Recreational and Commercial Zone)
7	A	ED-05-058.17-01-19.00-000	2.87 +/-	Old Leipsic Rd	C-PO (Commercial and Professional Office Zone)	RC (Recreational and Commercial Zone)
8	A	ED-05-068.05-01-02.01-000	3.61 +/-	Leipsic Rd	C-PO (Commercial and Professional Office Zone)	RC (Recreational and Commercial Zone)
9	A	LC-05-058.00-02-08-00-000	27.65 +/-	Persimmon Tree Ln	C-PO (Commercial and Professional Office Zone)	RC (Recreational and Commercial Zone)
10	A	ED-05-068.05-01-16.00-000	78.15 +/-	Gruwell Farm	C-PO (Commercial and Professional Office Zone) SWPOZ (Source Water Protection Overlay Zone) Tier 3: Excellent Recharge Areas	RC (Recreational and Commercial Zone) SWPOZ (Source Water Protection Overlay Zone) Tier 3: Excellent Recharge Areas
11	A	LC-05-068.00-01-01.00-000	36.4 +/-	White Oak Rd	R-8 (One-Family Residence Zone)	RC (Recreational and Commercial Zone)
12	A	LC-05-068.10-01-01.00-000	29.12 +/-	Long Point Rd	R-8 (One-Family Residence Zone)	RC (Recreational and Commercial Zone)
13	B	LC-05-058.17-02-01.00-000	10.43 +/-	75 Pit Stop Ln	MHP (Mobile Home Park Zone)	RC (Recreational and Commercial Zone)
14	C	LC-05-058.00-02-15.00-000	85.51 +/-	599 Persimmon Tree Ln	A (Agricultural Zone)	RC (Recreational and Commercial Zone)
		Total Acreage:	291.07 +/-			

Map References are to Zoning Map Exhibit A and map submitted by applicant.

CERTIFICATE OF APPRECIATION

presented to

Solid Rock Baptist Church

for opening your facility
to provide space for community meetings

Your generous hospitality has enhanced community engagement in the City of Dover.

May 23, 2016

ROBIN R. CHRISTIANSEN
MAYOR

TIMOTHY A. SLAVIN
COUNCIL PRESIDENT

CERTIFICATE OF APPRECIATION

presented to

Mt. Zion A.M.E. Church

for opening your facility
to provide space for community meetings

Your generous hospitality has enhanced community engagement in the City of Dover.

May 23, 2016

ROBIN R. CHRISTIANSEN
MAYOR

TIMOTHY A. SLAVIN
COUNCIL PRESIDENT

CERTIFICATE OF APPRECIATION

presented to

Union Missionary Baptist Church

for opening your facility
to provide space for community meetings

Your generous hospitality has enhanced community engagement in the City of Dover.

May 23, 2016

ROBIN R. CHRISTIANSEN
MAYOR

TIMOTHY A. SLAVIN
COUNCIL PRESIDENT

COUNCIL COMMITTEE OF THE WHOLE

The Council Committee of the Whole Meeting was held on May 10, 2016 at 6:00 p.m. with Council President Slavin presiding (departed at 6:34 p.m., returned at 6:35 p.m., departed at 8:02 and returned at 8:04 p.m.). Members of Council present were Mr. Anderson, Mr. Sudler (departed at 6:34 p.m., returned at 6:39 p.m., and departed at 8:02 p.m.), Mr. Neil, Mr. Lewis, Mr. Cole, Mr. Hosfelt, Mr. Hare, and Mr. Hutchison (departed at 8:23 p.m. and returned at 8:25 p.m.). Mayor Christiansen was also present (departed at 6:37, returned at 7:18 p.m., and departed at 8:30 p.m.). Civilian members present for their Committee meetings were Mr. Keller and Mr. Shelton (*Safety Advisory and Transportation*), Mr. Caldwell and Mrs. Horsey (*Parks, Recreation, and Community Enhancement*), and Mr. Shevock and Ms. Maucher (*Legislative, Finance, and Administration*).

SPECIAL SAFETY ADVISORY AND TRANSPORTATION COMMITTEE

A Special Safety Advisory and Transportation Committee meeting was held with Councilman Hosfelt presiding.

AGENDA ADDITIONS/DELETIONS

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

Review of Position Description/Requirements - City Fire Marshal (Inspector III)

Mr. Hosfelt reminded members that this item was deferred during the Council Committee of the Whole/Safety Advisory and Transportation Committee meeting of April 26, 2016 due to time constraints.

Mrs. Ann Marie Townshend, Director of Planning and Community Development, stated that the main issue under deliberation was whether or not the person hired for the City Fire Marshal (Inspector III) position needed to have certification from the Council on Police Training (COPT). She explained that in the past 25 years, only two (2) people in the Fire Marshal's Office (FMO) had COPT training, one (1) of whom was Mr. Timothy Mullaney, the previous Fire Marshal who had transferred to the Dover Police Department. Mrs. Townshend indicated that Mr. Mullaney was sent to the Police Academy to take some of the stress off the Police Department. She noted that the FMO is first and foremost an inspections office with three (3) staff members. Mrs. Townshend estimated that 90% of the workload is related to inspections, plan review, and following up on complaints, and approximately 10% is related to fire investigation. She expressed her concern that if COPT certification is required, this would likely come at the cost of not having National Fire Protection Association (NFPA) Inspector I certification. Since the nature of the position is primarily fire inspections, fire plan review, and the prevention of fire, Mrs. Townshend felt that the City would end up with candidates that do not meet both of these qualifications; therefore, too much emphasis would be placed on the police side of the position, which involves the smallest amount of the workload.

Mrs. Townshend informed members that staff had met with the Police Department, who had agreed to work with the FMO on investigations. She indicated that staff was also working with the State to see if constable authority could be designated to the Fire Marshal, which would allow for

detaining people when conducting investigations. Even without police training and certification, Mrs. Townshend assured members that fire marshals are trained in fire investigation, including arson. She felt it important to ensure that the City recruits and hires in the best interest of the City and the office as a whole, rather than for a narrow portion of the job at the expense of a large portion.

Mr. Jason Osika, Inspector II, explained that the FMO is a small office with two (2) deputies, himself and Mr. Matthew Brown, Inspector I, who are not COPT certified, and one (1) vacant position. Mr. Osika reiterated that there had been only two (2) fire marshals who were COPT certified in the past 25 years. He noted that Mr. James Melvin attended the Police Academy run by the Dover Police Department in 1992 and he left the office in 1993. Mr. Osika advised that Mr. Timothy Mullaney attended the Academy in November 2011 and left the office in April 2016. He stated that the three (3) FMO staff members share all duties, including plan review, inspections, and origin and cause investigations, whereas employees in other offices, such as the State FMO, perform only one (1) of these functions. Mr. Osika stated that although fire investigations take approximately 10% of their workload, this variable could change at any time. He informed members that having one (1) COPT officer would not guarantee this individual's presence in the office 100% of the time due to vacations. Mr. Osika noted that he previously handled an arson fire through the Dover Police Department Criminal Investigation Unit when Mr. Mullaney was away from the office. He explained that the FMO staff uses the Law Enforcement Information Sharing System (LEISS) used by the Dover Police Department, entering and approving their own reports. Mr. Osika indicated that, since Mr. Mullaney's transfer, there is a temporary agreement with the Police Department to use the Criminal Investigation Unit whenever the FMO has a criminal fire. He advised that 101 fires were investigated in 2015, 13 of which were classified as incendiary and resulted in four (4) arrests. There were also four (4) incidents involving juveniles and one (1) involving mental capacity which was declined for prosecution by the Attorney General's Office. Mr. Osika advised members that in 2016 there had been 38 fires, seven (7) of which were incendiary with one (1) arrest, and arrest came under Mr. Osika with the use of the Dover Police Department. He indicated that the Fire Marshal would use COPT certification a very small percentage of the time.

Mr. Osika explained that losing one (1) individual in the FMO has a huge impact, noting that staff was now on call 24 hours and off 24 hours coming into the summer. Mr. Osika felt that if COPT were required, there would be a large chance of constant turnover due to the salary and benefits, expressing his belief that this was one (1) reason why Mr. Mullaney was no longer with the FMO. He indicated that the Fire Marshal position has Authority Having Jurisdiction (AHJ) powers. Mr. Osika informed members that the Fire Marshal signs off on everything relating to codes, such as NFPA codes, and this is one (1) of the main responsibilities of the position. He stated that he had provided staff information on other classes that could be required for this position. Mr. Osika advised that Mr. David Truax, former City of Dover Fire Marshal, had served as Fire Marshal for 18 years without COPT and Mr. Osika believed that the City had one of its largest arson periods under Mr. Truax in the late 1990's.

Mr. Osika requested that the Committee and Council not require COPT but indicate that it would be preferred, since COPT use is related to arrests and crimes and the remaining work involves investigations, NFPA, and plan review. Mr. Osika felt that the best candidate would be an individual with NFPA, COPT, Fire Inspector I, and Origin and Cause training from the National Fire Academy;

however, he felt there was a very small chancing of finding such an individual and if COPT was required, there would be a good chance of losing out on the 90% of other things needed for day-to-day operations.

Mayor Christiansen stated that the office of Fire Marshal was established in 1959 and there had been only two (2) COPT certified Fire Marshals over the course of time, noting that some of the other Fire Marshals had also been past chiefs of Robbins Hose Company. Mayor Christiansen advised members that he sits on the Council on Police Training (COPT) and believed that the qualifications for COPT did not necessarily coincide with the City of Dover Fire Marshal. He felt it would be wonderful to have a COPT certified individual but that it exceeded the qualifications needed.

Mrs. Kimberly Hawkins, Human Resources Director, informed members that the City's Inspector III position description applied to two (2) positions within the City, the Fire Marshal and the Code Enforcement Supervisor.

In response to Mr. Sudler, Mrs. Hawkins expressed her belief, based on what Mr. Osika had explained about the position, that knowledge of the NFPA code would be a requirement for the Fire Marshal, noting that she had not studied this.

Mrs. Townshend explained that the Code Enforcement Supervisor Inspector III has certification through the International Property Maintenance Code and Mr. Timothy Taraila serves in this position.

Mrs. Hawkins noted that the Fire Marshal would have NFPA certification.

Mr. Anderson pointed out that the position description required national certification in one (1) of the major areas of responsibility, including basic building code, plumbing code, mechanical systems, fire protection systems, and property maintenance, and that the Fire Marshal could qualify with plumbing code certification and not be certified in fire protection systems. He asked if it would make sense to require a separate description for the Fire Marshal position that includes at least two (2) certifications, with one (1) being fire protection systems. Responding, Mrs. Hawkins stated that City job descriptions were created in the past by the Management Advisory Group, Inc. who reviewed Positional Analysis Factors (PAF) for City positions and they are very generic. She explained that they are reviewed and updated to meet the needs of the position by the Human Resources Department and department heads when recruiting and creating job postings. Mrs. Hawkins advised that once Council makes a decision regarding the Fire Marshal position, staff will review and adjust the job descriptions for the Code Enforcement Supervisor and the Fire Marshal accordingly or create a new job description if it is desired to change the title to Fire Marshal rather than Inspector III. She stated that if the Inspector III title is retained, the current job description would be used as a shell, noting that staff had been inserting language that specifies the requirements for the position in the FMO.

Mr. Neil reminded members that the Operational and Administrative Analysis - Dover Fire Department, Dover, Del. - Final Report - March 2016 (Operational and Administration Analysis)***(Attachment #1)*** had referenced the Fire Marshal position, and he felt this report must be

taken into consideration in deciding what to do. He questioned if the citizens of the City would be endangered in any way if this position were left open and, if so, his inclination was to approve recruiting but to review the position when the report was considered and make changes for the successor at that time.

Mr. Anderson stated that Council had appointed an Interim Fire Marshal during their meeting of May 9, 2016; therefore, the position was covered in the interim. Responding, Mr. Slavin stated that the position was covered but the FMO was still down a position. Mr. Hosfelt noted that the deputies were on call more often and there was a lot more stress on the Fire Marshal's Office.

Mr. Hutchison stated the importance of listening to the City Planner, who works with the fire marshals and the inspectors and knows the office, noting that she had given clear direction on the type of person and guidelines that should be followed. He felt that members should do what was recommended by staff. Mr. Hutchison indicated that someone with both fire investigation and fire service background was needed.

Mr. David Truax, 35 Upland Avenue, advised that he served as City of Dover Fire Marshal from 1996 until May of 2014.

Mr. Sudler questioned if Mr. Truax believed that creating a new job description specific to the Fire Marshal would be more effective than continuing to use the Inspector III job description for this office. Responding, Mr. Truax indicated his preference for a new job description for the Fire Marshal, explaining that this had been discussed for a long time. Mr. Truax felt that the job description for the Fire Marshal differs from what the building inspector does, noting that it may be possible to modify the Inspector III position description.

In response to Mr. Hare, Mr. Truax expressed his opinion that some certifications should be required for the Fire Marshal.

Mr. Hare suggested that COPT could be a preferred certification, but he felt that there must be some knowledge and certifications required to be the Fire Marshal. Mr. Truax concurred with Mr. Hare, explaining that he felt that the City was past the point where they should require the Fire Marshal to be certified to carry a gun. Mr. Truax expressed his opinion that if the FMO were to go back to doing things with the Police Department, the individual who oversees criminal investigations must make sure that the police detectives work with the Fire Marshal and take the Fire Marshal's input seriously. Mr. Truax suggested making COPT training preferred and stressed the importance of getting someone at the helm of the FMO within a reasonable amount of time.

Mrs. Townshend stated that she did not believe there should be a delay in posting this position. She acknowledged that this position was part of the public safety study; however, she felt recruitment could be done in such a way that implementation of the study would not be precluded. Mrs. Townshend reiterated that there were two (2) employees on an on-call rotation of 24 hours on and 24 hours off, and this was affecting the workload in the office and their personal lives. In regard to the job description, Mrs. Townshend stated that she, Mrs. Hawkins, and Mr. Scott Koenig, City Manager, were prepared to create a Fire Marshal position separate from the Inspector III

position. She emphasized that certifications had always been required when this position had been posted in the past. When Mr. Mullaney took the position, it was posted as NFPA Inspector I required, COPT certification preferred, and staff was prepared to post it in this way for the current vacancy. Although the position description had some flexibility to include information relevant to both the code enforcement and fire marshal positions, staff had always ensured that the postings included the specific skill sets needed for each position.

In response to Mr. Hosfelt, Mrs. Townshend stated that staff's recommendation was to use the same posting they used when Mr. Mullaney was hired as Fire Marshal, with COPT preferred but not required.

Mr. Koenig requested that the issue be referred to administrative staff to refine the job description and post accordingly. He stated that the Fire Marshal's position was envisioned in the public safety study and he felt that staff could recruit knowing that those things were under consideration. Mr. Koenig felt it important to get the posting out and begin the process of recruitment to reduce the impact on the current staff.

Referencing Mr. Hare's concerns regarding certifications related to this position, Mr. Sudler questioned what additions Mr. Truax would recommend for the job description. Responding, Mr. Truax stated that he had not seen the job description and felt that Human Resources staff, Mrs. Townshend, and the current FMO staff should be able to determine the requirements. He noted that code enforcement and fire investigation should be included, or that time be allowed for this training.

Mr. Neil moved to recommend referring this matter to staff to develop an appropriate job description and post the position accordingly. The motion was seconded by Mr. Cole and carried by a roll call vote of eight (8) yes (Neil, Keller, Shelton, Cole, Hutchison, Slavin, Hosfelt, and Hare) and three (3) no (Sudler, Lewis, and Anderson).

Mr. Sudler moved for adjournment of the Safety, Advisory, and Transportation Committee meeting, seconded by Mr. Cole and unanimously carried.

Meeting adjourned at 6:30 p.m.

LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE

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

AGENDA ADDITIONS/DELETIONS

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

Transfer of Real Property from Delaware Civic Center Corporation to Delaware State University

During their meeting of May 9, 2016, City Council approved the Council Committee of the Whole/Legislative, Finance, and Administration Committee's recommendation that Delaware State University (DSU) present the Committee with a proposal for City Council to transfer the property to DSU.

Mr. Slavin moved to recommend referring this item directly to City Council without a recommendation and continuing the deliberation on the Council floor 13 days hence. The motion was seconded by Mr. Sudler.

Mr. Anderson questioned if members would hear from the people present at the meeting in regard to this matter. Responding, Mr. Slavin stated that there would be a full vetting of the issue at the City Council meeting.

Mr. Sudler called for the question. The motion was seconded by Mr. Hutchison and carried with Mr. Anderson voting no.

The motion to recommend referring this item directly to City Council without a recommendation and continuing the deliberation on the Council floor 13 days hence was carried with Mr. Anderson voting no.

Update - Overgrowth of Bamboo - Rodney Road

Mrs. Ann Marie Townshend, Director of Planning and Community Development, advised members that code enforcement staff met with the Department of Agriculture's invasive species staff on Rodney Road and they provided very clear guidance on how to eradicate the bamboo, which is a very labor intensive process. Staff determined that it was important to address this correctly and it would be extremely costly to contract for this service. Mrs. Townshend stated that staff from the Public Works Department would be working both internally and with the City's contractor for vegetation management to develop a time line for cutting and painting the bamboo with a chemical that will eradicate it over the course of two (2) years, as estimated by the Department of Agriculture. She stated that this was expected to start within the next month or so.

In response to Mr. Hare regarding payment for the eradication, Mrs. Townshend stated that the City would initially pay; however, staff would track all charges and bill them to the property owner and place them as a lien against the property, as is done with demolition or grass cutting charges.

Ms. Maucher asked if the City would recoup any of the carrying cost of the expense. Responding, Mrs. Townshend stated that the carrying cost would not be recouped, only the out-of-pocket amount.

Downtown Dover Business Improvement District (BID) Budget and Assessment (Tax) Rates for Fiscal Year 2016-2017

Mr. Scott Koenig, City Manager, reviewed the Business District Improvement (BID) Assessment (Tax) Rates for Fiscal Year 2016-2017. He indicated that Appendix D - Downtown Dover Business Improvement District, Article III - Establishment of the Downtown Dover Business Improvement

District, Section 9(f) of the Code requires that the BID budget be submitted to City Council for approval on or before the first Council meeting in May each year. Mr. Koenig advised members that the proposed revenue for the BID for FY 2017 is $48,800, with equal expenses for administration. Mr. Koenig reviewed the BID Tax Calculation Worksheet, noting that the proposed % Revenue Raised numbers were prescriptive and were developed based on discussions with Deputy City Solicitor William Pepper. Mr. Koenig indicated that the rate change for Zones 1 and 2 was -1%. He explained that, in order for all numbers to equalize correctly, the Zone 3 rate would increase by 7.8%; however, 41 parcels were associated with this zone. Mr. Koenig stated that this would put the City in compliance with the Code and allow Staff to develop the draft budget for presentation to Council.

Mr. Koenig reviewed the Business Improvement Boundary Zones map.

Mr. Hosfelt asked if businesses located in the BID are assessed an additional tax. Responding, Mr. Koenig confirmed that the businesses are taxed in excess of the normal property tax, noting that the business owners had attended public hearings in the past and endorsed the BID.

Mr. Slavin asked whether action taken on this matter would preclude members from bringing this item up for discussion and making amendments during the budget hearings. Responding, Mr. Koenig stated his belief that Council had complete authorization to amend going forward; however, it had been important to introduce this matter ahead of time so that there would be support to include these numbers in the budget.

Mr. Slavin noted his longstanding criticism of this concept and advised that he planned to bring this matter up for a thorough discussion during the budget hearings. He expressed his opinion that it had been a good start-up issue; however, 25 years later it was a disincentive.

Mr. Neil moved to recommend approval of the Business Improvement District (BID) Budget and Assessment (Tax) Rates for Fiscal Year 2016-2017, as recommended by Staff. The motion was seconded by Ms. Maucher and unanimously carried.

Proposed Ordinance #2016-10 Amending Chapter 2 - Administration, Article IV - Officers and Employees, Division 8 - Deferred Compensation Plan (Sponsors: Cole and Koenig)

During the Council Committee of the Whole/Legislative, Finance, and Administration Committee meeting of April 26, 2016, this item was deferred due to time constraints.

Mr. Koenig reminded members that changes were made to the deferred compensation plan under the Dover Organization of Employees (DOE) contract, noting that this contract is the governing document with respect to DOE employees. As previously discussed, he reiterated that there is language in the Employee Handbook that extends improvements to the deferred compensation plan to non-bargaining employees. Mr. Koenig stated that the generic changes to Proposed Ordinance #2016-10 address this discussion. He advised that the City Manager's Office was also requesting that the changes in the Proposed Ordinance and modifications to the deferred compensation plan be extended to non-bargaining employees. Mr. Koenig reminded members that there are approximately

41 positions that would be affected by the proposed changes and the implementation costs would be in the $20,000 to $60,000 range.

Mr. Koenig stated that the most recent consideration by the Committee included a discussion about capping the percentage of the City's contribution for employees who earn more than $100,000. He noted that the impact of a cap was illustrated in the salary spreadsheet provided. Mr. Koenig advised that, if the cap were set at $100,000, five (5) employees would be affected. He requested that there not be a cap for any employees, that the non-bargaining group be treated equally to the DOE group going forward, and that Council not cap the matching percentage, which would escalate from 6% to 9% over the next couple of years. Mr. Koenig stated that the reason for his recommendation was that, at some point, the City would be recruiting for the positions that were capped and competitiveness could become an issue. In addition, if these positions were capped, the percentage of payroll required from the City for employees in the General Employee Pension Plan, as well as police officers in the State pension plan, would well exceed the amount for the benefits extended to the capped employees in the deferred compensation plan.

Mr. Koenig reminded members that the General Employee Pension Plan is now closed; therefore, all new hires, excluding police officers, will be in the deferred compensation plan, which is a matching plan. The current match is a minimum contribution of 3% and a maximum of 6%, and this would increase over time to a 6% minimum and 9% maximum. Mr. Koenig recommended adoption of Proposed Ordinance #2016-10 and that no changes be made to the Employee Handbook so that this benefit is extended to non-bargaining employees covered under the deferred compensation plan.

Mr. Sudler moved to recommend approval of staff's recommendation, seconded by Mr. Cole.

Mr. Anderson expressed his belief that there should be a dollar limit based not on how much an employee is earning but on how much the City is contributing. He stated that the amount discussed was reasonable and he could not support the recommendation without this amendment.

Mr. Sudler called for the question, seconded by Mr. Cole. The motion failed by a roll call vote of six (6) no (Lewis, Neil, Shevock, Cole, Anderson, and Hare) and five (5) yes (Sudler, Maucher, Hutchison, Slavin, and Hosfelt).

Mr. Hare expressed concern about young employees who start working for the City of Dover and are told that they must put 6% of their pay into a 401(k). He felt this could be a lot of money to those who have young families. Mr. Hare suggested that 6% not be mandatory and that this amount be left at perhaps 3% and increased to 6% possibly after 10 years of employment. He believed that this should be the employee's choice. Mr. Hare agreed with Mr. Anderson that there should be a cap, such as $10,000; however, he was more concerned about the mandatory contribution.

Having been formerly both a city and state employee, Mr. Neil expressed sympathy for the employees; however, he commented that current interest rates were only 1% or 1.5% and that many of his constituents were senior citizens. Mr. Neil felt that a 9% match would be a penalty on the City for years to come. He stated that the match could be changed if there was a sudden glut of money coming into the City; however, there was not a need to fight with the budget to make things work

for the people of the City. It was Mr. Neil's opinion that if the City was going to get good people, they would be attracted by the work conditions. He believed that the additional money would not make a difference; it would be the character of the people hired. Mr. Neil felt that those who were wise would take the 9% maximum, and he thought this was too much because the financial environment was still terrible at this time.

Mr. Cole stated his understanding that the DOE contract had already been signed. Mr. Koenig confirmed that the contract had been signed and noted that the contract was prescriptive and the minimums would escalate from 4% to 5% on July 1, 2016 and to 6% one (1) year later.

Responding to Mr. Cole, Mr. Koenig clarified that the issues under discussion were Proposed Ordinance #2016-10 and whether to extend the same escalation table to non-bargaining employees.

Mr. Cole stated his understanding that only five (5) positions were being considered for a cap because the other positions with salaries of $100,000 were police positions. In response, Mr. Koenig explained that when this matter was last considered there was a proposed cap, which he opposed because it would be limited to only five (5) people, himself included. These employees would be able to earn up to a certain income, and the City would match up to 9% and then cap its contribution at that point.

Mr. Koenig stated that he had not heard previous discussions about employees who are lower in the pay scale being unable to meet the 6% minimum. He advised that the 6% minimum would go into effect on July 1, 2017, so there would be time to adjust. Mr. Koenig advised that when new employees are hired, staff advises them of their commitments in their offer letters so they can make informed decisions.

Mr. Koenig advised that there was also an issue of fairness. In his estimation, the percentage of payroll for police lieutenants and captains would likely exceed the 9% discussed because the City pays into a State fund. Mr. Koenig stated that, according to Mrs. Mitchell, the pension fund for police officers is fully funded and has just the normal cost associated with the benefit.

Mr. Koenig indicated that the deferred plan is the retirement vehicle that the City had selected going forward for all new hires in the City. He did not feel it fair to exclude the higher earners from the same percentage being extended to all others because it would create a different proportional benefit when moving up the scale, and he requested that it not go forward that way.

Mr. Hare reiterated his concern about younger employees, noting that this would be a large contribution for a young family. He stated the desire to start with a minimum contribution of 3% and escalate over time, perhaps by 0.5% per year to reach 6% within possibly six (6) years. Mr. Hare noted that contributing 6% might be offered to employees as an option.

In response to Mr. Hosfelt, Mr. Koenig stated that what Mr. Hare proposed would not apply to the DOE union agreement, which had been set, but would instead apply to the 42 non-bargaining positions that are unrepresented. Mr. Koenig reiterated that he had not heard discussion about Mr. Hare's concerns until this meeting.

The motion to recommend adoption of Proposed Ordinance #2016-10 and that no changes be made to the Employee Handbook so that this benefit is extended to non-bargaining employees covered under the deferred compensation plan was carried by a roll call vote of seven (7) yes (Sudler, Shevock, Maucher, Cole, Hutchison, Slavin, and Hosfelt) and four (4) no (Lewis, Neil, Anderson, and Hare).

Evaluation of Trial Period for Council Committee of the Whole Meetings (Council Resolution No. 2015-16)

During the Regular City Council meeting of November 23, 2015, members approved the recommendation of the Legislative, Finance, and Administration Committee to commence the Committee of the Whole meeting format during the first meetings in January and try it for a few months, and if members decide to adopt the format as one (1) of the protocols for the next Council year, that this be done during the annual meeting.

Mr. Hutchison stated that having all nine (9) members of Council serve as members of the Committee of the Whole in an open meeting over the last several weeks had allowed for open discussion and dialogue shared by members of Council and civilian representatives. He noted that, under this format, Council members serve not only as members of the Committee but also have a vote, which was unlike the previous system where only three (3) members of Council were voting members of a committee. Mr. Hutchison felt that Council was finally moving in the right direction and urged all members to support this change.

Mr. Lewis stated that, although this change was good for some, it was not good for all, noting that not everyone is retired or has a nine-to-five job. He advised that he works for the State of Delaware as an essential employee and working different shifts prevents him from attending all of the committee meetings. Mr. Lewis advised members that when Mr. Hutchison brought this idea to his attention, he explained the position he was in. He stated that as this matter goes forth, he would have to hold a press conference or write a letter to the editor informing his constituents that he would be unable to attend all of these committee meetings. Mr. Lewis reminded members that this change was imposed after the election and was coming into play now. He stated his belief that it seemed that the majority of people were in support of it; however, he stated that Mr. Cole had also indicated that he had some job related conflicts.

Mr. Slavin informed members that when Mr. Hutchison first brought the idea forward, he did not think it was a good idea but agreed to try it. He now apologized to Mr. Hutchison, stating that he thought the trial format had resulted in a much deeper understanding of issues across Council, which had been lacking. Mr. Slavin thanked Mr. Hutchison for bringing this matter forward, stating that he would move to extend it when the time came to make a motion.

Mr. Hosfelt stated that there had been deep, thoughtful discussion at the Committee level, but expressed concern that this discussion does not occur at the Council meetings since items are placed on the consent agenda. He noted that television cameras are present at the Council meeting, which is often the only way the public can hear what Council is doing. Mr. Hosfelt indicated that he would rather have the cameras present during committee hearings so that the public can hear the thoughtful discussions rather than moving through the consent agenda and issues very quickly. He felt that

people want to hear what their elected representatives have to say and their thoughts on the issues. Mr. Hosfelt was unsure if this could be worked out with Comcast, noting that it may be a matter of having Council Committee of the Whole meetings on Monday evenings and Council meetings on Tuesdays. Mr. Hosfelt noted that it might be better to hold the Committee meetings before the Council meets.

Mr. Anderson stated that he liked the trial format, which engages everyone, and that the idea should continue. He expressed concern about meeting on Tuesday nights and on two (2) evenings in a particular work week, which causes schedule conflicts with his job. Mr. Anderson stated that he sets his schedule for Mondays and would like to discuss the particular evening in the future. He indicated that he was not opposed to continuing the concept, noting that it had been a net benefit that he was willing to keep regardless.

Mr. Sudler stated that he could relate to both sides of the discussion, acknowledging that the trial format does cut into the job time frames for those who are not retired, such as himself. He noted that the format gives a more in-depth understanding and dialogue, which he liked. Mr. Sudler stated that members were aware when they agreed to serve on Council that it would be a sacrifice, and he felt they were either willing to make the sacrifice or not. Mr. Sudler noted that there would be inconveniences, as when executive sessions are held, and he is unable to attend some meetings due to job responsibilities. He felt that it all boiled down to what was important to members, stating that perhaps those who cannot handle the time commitment should not be councilmen. Mr. Sudler stated that dedication, sacrifice, and determination are what it takes to run the City. He advised that he would support continuing this format, stating the need to be well informed and engaged to make the best decisions for his constituents.

Mr. Neil stated that he was sympathetic to Mr. Lewis and Mr. Cole with respect to their regular jobs; however, Mr. Neil felt the trial format gave him a better view of everything that is happening within the City. He indicated that he would bring up at the Council meeting any matter that he disagrees with at the committee level. Mr. Neil stated that he appreciated being able to get a total feel for what is happening within the City and to be a part of that process. Mr. Cole stated that he had discussed this matter with his supervisor, who was very understanding, and that this was something that he could be on board with going forward.

Mr. Anderson pointed out that when members signed on to serve they signed on to certain understandings and time commitments and not necessarily these changes. Council had decided to experiment with these changes, and he did not believe that was an issue of anyone's dedication. He believed that there must be discussion about whether the change is needed. Mr. Anderson noted that Council would be changing to the same format used by a body that receives four (4) times the pay that Council receives, and this change was costing some people on Council money without any changes in compensation. Mr. Anderson stated this was an issue of whether Council would change the rules after everybody had signed on. He indicated that this could be done; however, it was something that should be done carefully. Mr. Anderson stated that the timing should be discussed, whether or not it would be on a separate evening and, if so, which evening. He indicated that he was not asked if this day of the week would work when it was picked. Mr. Anderson questioned whether or not there should be discussion about the best way to execute it. He stated that he was for the new

format but wanted to talk about how and when it would be done and expressed his hope that this would be done in the near future, although he was unsure if it needed to be settled at that meeting. Mr. Anderson felt each Council person should be consulted.

Mr. Sudler recalled that Mr. Hutchison had presented to the Legislative, Finance, and Administration Committee what may or may not take place, it was voted on, and the majority agreed. Mr. Sudler disagreed that there had not been discussion on that matter and felt Mr. Anderson's comment was unfair.

Mr. Neil expressed interest in hearing from the civilian members of the standing committees as to whether they had gained value from the change, noting that they are the unelected people who sacrifice their time to offer their wisdom.

Ms. Maucher stated that she found it very informative to understand how the City works. She noted that she had been serving a one (1) year term on a committee and did not have the experience of hearing perspectives from sitting through other committees, although she typically comes at 6:00 p.m. and observes the committee before hers. The only issue that Ms. Maucher had was the switch of the nights from Mondays to Tuesdays. She indicated that the mid-term shift was a little awkward; however, it worked out well and she was able to commit to Tuesdays for the rest of the term.

Mr. Shevock fully agreed with the change, noting that the full Council had not previously been present at committee meetings. He indicated that, previously, when the committee made a decision on something and it went forward, it seemed to be completely re-discussed at the next Council meeting. Mr. Shevock agreed with Mr. Sudler that when members sign on to help an organization, as the civilian members had done, they must put in their full time and interest.

In reference to Mr. Anderson's comment that no one had asked him about Tuesday nights, Mr. Slavin noted that the action form reviewed at the Council meeting of November 9, 2015 stated that meetings of the Council Committee of the Whole would be held on Tuesday evenings, which was approved unanimously by Council.

In regard to the attendance issue, Mr. Slavin stated his impression that attendance by Council, civilian committee members, and the public had been better than the attendance at separate committee meetings held at different times across the calendar. He commented that the public now did not need to know where various committee meetings were held. Referring to Mr. Hosfelt's concern about consent items on the Council agenda that were not receiving a full vetting, Mr. Slavin stated that items are placed on the consent agenda at the discretion of the committee chair during agenda meetings, and if chairs want to have particular items on the floor, they can simply ask not to have these items on consent. Mr. Slavin noted that every member of Council also has the right to pull items off the consent agenda at every meeting before the consent agenda is approved, which would allow for more complete vetting of issues while the television cameras are on, and that right had not been taken away from anyone by this format.

Mr. Lewis did not disagree that members knew what they were getting into when they signed on; however, he reiterated that the rules had changed, which affects some people. When members filed for election, the meetings were on the calendar for the second and fourth Mondays of each month, and committee meetings were generally held on Mondays, generally before the Council meetings.

Mr. Hutchison reminded members that under the old system, only three (3) members of Council served on each of the committees. He attended all of those meetings and, for the most part, the only members of Council who attended were those who were members of the committee. Mr. Hutchison understood the issues related to Council members' jobs; however, he pointed out that every member of Council was present for the current committee meeting, allowing for open discussion with representation for the whole City, and he felt the benefit of this approach far outweighed the other system. When looking at the issues being faced every day with the City, he felt it was absolutely critical to receive input from everyone.

Mr. Hare agreed that the trial format was good; however, he indicated that there had been suggestions about when meetings would be held, noting that meetings could be held every Monday. He personally liked the current Monday-Tuesday night format, which allowed for the following week to be free.

Mr. Slavin moved to recommend extending the Council Committee of the Whole format on Tuesday evenings through May 31, 2017, seconded by Mr. Hutchison.

Mr. Anderson asked that Council and committee members be surveyed for the best night for Council Committee of the Whole meetings and indicated that he would concur with the motion if it did not specify a night. Mr. Slavin stated that the motion specified Tuesday night. Mr. Anderson expressed his hope that a survey regarding the night would be done in the future.

The motion to recommend extending the Council Committee of the Whole format on Tuesday evenings through May 31, 2017 was carried with Mr. Anderson and Mr. Lewis voting no. *(City Clerk's Office Note: Proposed Resolution No. 2016-05* ***(Attachment #2)*** *amending Resolution No. 2015-06 will be presented to Council for consideration.)*

Request of Fire Department - Engine #7 Replacement

Members were advised that, in accordance with the Capital Improvement Program (CIP) for Fiscal Year 2016/2016, the Robbins Hose Company was requesting the replacement of Engine #7, a 1997 Pierce Dash Engine. This engine will be 20 years old in 2017 and was originally on a 15-year replacement program; however, the City of Dover and previous Fire Chiefs agreed to push back the replacement to assist the City with funding other projects during the economic fall out. Engine #7 had served the Robbins Hose Company and the citizens of Dover well; however, due to its age, there had been extended down times for maintenance due to parts availability, which reduces fire protection for the Citizens of Dover. Specifications for a new engine were created based on the current apparatus with a few fire suppression and safety upgrades. The proposal for the specifications came in at $609,584, which is $7,084 over the City's projected budget (CIP) of $602,500. The financing of this apparatus over ten years (2017-2026) would translate into a loan payment of approximately $73,400. The difference of $7,084 would have to be added, increasing

the total amount to $609,584. The replacement of Engine #7 is needed to provide uninterrupted and continual guarantee of five (5) engines in service to maintain and meet the Robbins Hose Company's Insurance Services Office (ISO) requirements, which sets the insurance ratings for property owners throughout the City of Dover and allows the Fire Department to respond to multiple emergencies throughout the City simultaneously. This will also allow the Department to maintain the highest level of readiness and safety for firefighters and residents of the City of Dover. The Fire Department has a working relationship with Pierce manufacturing and planned to deal with them on the purchase.

Fire Chief Carleton Carey, Jr., Dover Fire Department, offered to answer any questions regarding the request.

In response to Mr. Neil regarding how many miles were on the 18-year-old Pierce Dash Engine #7, Chief Carey indicated that it had 36,000 miles. Mr. Neil, referencing the Operational and Administration Analysis, noted that Table 5-5: Proposed Fire Apparatus Replacement Schedule on page 37 recommended that the unit remain in service for as long as 23 years if it has less than 120,000 miles on it. He stated this was one (1) of his principal concerns. Mr. Neil commented that the report was extremely favorable to the Fire Department and gave them a tremendous pat on the back. He noted that the report had additional recommendations in terms of the first response unit being three (3) engines, one (1) ladder truck, and two (2) command vehicles and in terms of two (2) station houses, and the Fire Department had enough equipment to cover that. Mr. Neil advised that the report had indicated that there should be a method of financing the trucks going forward and a formula on Page 37 describes what has to happen. He stated that members had not looked at this report as a Council, and budget hearings were coming up. Mr. Neil felt it would be necessary to look at whether the engine needs to be replaced at this time based on this report. Referring to a memorandum from Mr. Scott Koenig, City Manager, dated May 4, 2016, regarding the replacement of Engine # 7 - Robbins Hose Company ***(Attachment #3)***, Mr. Neil stated that the City Manager had requested that this matter be delayed. Mr. Neil also wished to delay because Mr. Hare had been working on a proposal to attempt to obtain help from some of the many 501(c)(3) organizations in the City that the City supports with fire and police protection, which would be a consideration as far as financing. Mr. Neil felt that this matter should be delayed until Council looks at the report, which contains a lot of serious recommendations, including moving dispatchers to Kent County. He stated that his recommendation was not a slap on the department that does a marvelous job. Mr. Neil felt that the City would not be at risk if no action was taken on this matter tonight.

Mr. Sudler questioned if Chief Carey had reviewed the section of the report referenced by Mr. Neil. Responding, Chief Carey stated that he had read the report twice. Mr. Sudler questioned what he could tell his constituents regarding why Council should approve the truck replacement three (3) years ahead of the schedule in the report. Responding, Chief Carey stated that the Fire Department would receive less money for the truck if it was sold three (3) years later and all of the money received from the sale of the truck will go toward equipment for the new truck. He explained that the City buys only the truck and equipping an engine can easily cost from $75,000 to $100,000. Chief Carey indicated that Robbins Hose Company would have to put approximately $75,000 toward the new engine, noting that this purchase would be a little cheaper than the purchase in two (2) years because air bottles had recently been purchased, which would save $25,000.

In response to Mr. Sudler regarding whether Chief Carey still strongly urged Council to support the Department's recommendation after hearing Mr. Neil's concerns, Chief Carey stated that he did. He indicated that only the Mayor and one (1) member of Council had talked to him about the report. Chief Carey stated that Robbins Hose Company did not recommend this report but would do whatever needed to be done and would have their recommendations when the time comes.

Based on research that he had done, Mayor Christiansen advised that NFPA standards state that the life expectancy of Class A fire apparatus is 15 years. He noted that it is not based only on mileage but on the engine hours.

Responding to Mayor Christiansen, Chief Carey stated that he did not know the number of engine hours on Engine #7, noting that there was no monitor on this engine.

Mayor Christiansen stated that the standards of a 15-year life span for an engine and 17 years for a ladder truck were the norm across the country. He stated that he served on the committee that put together Engine #7 and Rescue #1 when they were purchased in 1997, and he was a member of Council and a junior officer in the Dover Fire Department. Mayor Christiansen advised that the exterior of the truck looks good; however, after a certain amount of time they become worn and less reliable. He advised that the report stated that the Fire Department could operate with a certain number of pieces of equipment, which Mayor Christiansen took to task because he knew the operation and the responsibility that the Department has for its own fire district and for others.

Mayor Christiansen questioned if this engine could be put in service for any great length of time if one (1) of the front line engines were to go down. Responding, Chief Carey stated that he must do what must be done to run the Department when help is needed. He explained, for example, that a month ago there was a truck that would not start at Station No. 2. There was an engine with a flat tire on its rim and the two (2) pumpers were out of service. Chief Carey advised that, fortunately, there were no fire calls at that time and an engine from Station No. 1 was taken to Station No. 2 to support that side of town.

Mayor Christiansen questioned if it was reasonable to say that the need had been identified above and beyond what the report stated. Chief Carey stated that there had not been much maintenance on the truck during the last three (3) years. When they replace this truck, Engine #3 would be sitting in Engine #7's spot. He indicated that this was almost like a spare, so that when an engine goes down, which happens frequently, another engine is moved over. For example, they had spent nearly $38,000 in maintenance on Engine #3 alone in almost two (2) years. Chief Carey noted that Engine #7 had not been that expensive because it had been sidelined and they had been fortunate with it. When they do have to run it, it is the first piece.

Responding to Mayor Christiansen regarding six (6) month or annual maintenance of apparatus, Chief Carey stated that regular maintenance is performed on all apparatus and is up to date for this year.

Mayor Christiansen questioned if this was in addition to preventive maintenance performed by the dispatchers and if they document all service on the trucks. In response, Chief Carey explained that

the certified maintenance is not done in-house; however, the dispatchers check the air bottles, lights, and tire pressure on a daily basis and make sure that the trucks start and the air pressure is holding so they are ready to roll out the door. He stated that the dispatchers are the backbone, helping out so that members of the Department can go home and live their lives.

Mr. Hutchison questioned if the Department had a replacement plan in place for fire apparatus and a corresponding financial plan. Responding, Chief Carey stated that there is a plan in place and there was also a plan 20 years ago when he was serving as Fire Chief. He indicated that he had met with Mr. Koenig and Mrs. Donna Mitchell, Controller/Treasurer, so that a future plan could be developed.

Mr. Hutchison questioned when the next apparatus would need to be replaced. Responding, Chief Carey indicated that they should start another replacement next year after this truck was purchased. He advised that two (2) engines were purchased in 2003. Chief Carey explained that there had been a set five (5) year plan for engine replacement so that when one (1) was paid off, the other was ordered and the payment plan rolled over to the next truck. He stated that this was how it used to work with the City and the Fire Department. Chief Carey stated that this plan was no longer in place and he was unsure why, noting that this had changed during the 20 year span since he was last Chief. He had explained to Mr. Koenig and Mrs. Mitchell that the specialized pieces, the two (2) ladder trucks and rescue truck, would cost more than $1M.

In response to Mr. Hutchison as to whether the City had a finance plan for the Robbins Hose Company, Mrs. Mitchell stated that the Fire Department supplied her with a schedule for when they want to replace trucks and the estimated cost of each apparatus. Because the City uses loans, Mrs. Mitchell set up an amortization schedule for each apparatus and laid it out in a spreadsheet. She indicated that there is a plan in the Capital Improvement Plan (CIP) for five (5) years; however, the truck payment actually goes out 10 years. Mrs. Mitchell stated that all the trucks that were coming up were included, noting that there was one (1) next year and another two (2) years after that. Mrs. Mitchell indicated that she would provide Mr. Hutchison with a copy of the payment plan.

Mr. Sudler expressed his appreciation for the Fire Department, stating his belief that if they say they need apparatus, regardless of the report, the City should give it to them. He commented that the Fire Department's time frame of one (1) year was very close to the three (3) years indicated in the report and noted that members of the Department were waking up in the early morning hours to put out fires for loved ones and businesses in the City.

Mr. Sudler moved to support the Dover Fire Department's request. The motion failed for lack of a second.

Mr. Neil stated that the comprehensive Operational and Administration Analysis was to act as a guideline, and the Proposed Apparatus Replacement Schedule indicated first line service for 18 years or 100,000 miles and five (5) years or 120,000 miles for reserve status. He stated that Engine #7 was in reserve status and was being looked at for trade-in value. With the budget coming up and the request from the City Manager for delay, Mr. Neil felt this matter should be delayed until members consider what this report is, what they would do, and how it fits in with the fiscal year coming up. He reiterated that the City was also looking at possibly getting help from another source.

Mr. Hosfelt recalled that there had been discussion relating to Chief Carey returning to give a briefing on the public safety study and questioned if this had been arranged. Responding, Mr. Koenig stated that it had not yet been arranged; however, it could be discussed at the agenda meeting.

Mr. Slavin stated that the City was still waiting for the draft of the report pertaining to the police. Mr. Koenig explained that the text of the draft companion police report had been received, was being reviewed, and comments must be sent back to the consultant before it can be finalized by the consultant.

In response to Mr. Hosfelt, Mr. Koenig stated that the draft police side of the report had been received by himself and Chief Bernat, who were reviewing it for text issues or factual mistakes. Their comments will soon be sent back to the consultant to finalize this portion of the report and submit the final report to Council. Mr. Koenig advised that the same process was implemented with the fire and EMS study. The consultant had submitted the final report, which had been posted to the website; however, no discussion had convened with Council at this point.

Responding to Mr. Hosfelt regarding the timetable for receiving the final report, Mr. Koenig projected that the police side would be finalized within the next 30 days; however, members would not be able to hear from the consultant before the budget discussion. He indicated that, at one point, the discussion had been to potentially review the reports in early to late June.

Mr. Anderson stated that if the discussion was to replace the engine in year 15 or 16 years of 23 years, he would be in favor of stretching the engine out longer; however, with the time frame being so close, he tended to agree with Mr. Sudler. He stated that, traditionally, discussions of this type of capital project are rolled into the budget discussion and he questioned the proper format to refer this matter to the budget discussion. In response, Mr. Koenig indicated that this would be part of the FY 17 budget discussion because the purchase of this vehicle was not budgeted in FY 16. He explained that this equipment takes approximately a year to be fabricated; however, the FY 17 budget originally had more than $74,000 in debt service associated with this vehicle. In March or April, staff advised Council that there was a $1M gap in the General Fund. That proposed purchase had been cut from the draft budget to close that $1M gap. Mr. Koenig stated his understanding of the Fire Department's request; however, he disagreed from the managerial side because the Fire Department's 15-year schedule is not supported by manufacturer documentation or in the Operational and Administration Analysis that will be discussed in the future. He indicated that he was not ready to approve a $600,000 purchase since there was a gap in the budget that needs to be closed.

Mr. Anderson questioned if Mr. Koenig was looking at a delay of another year or so. Responding, Mr. Koenig felt that this was part of what Council needed to deliberate as they get into the budget discussions.

In response to Mayor Christiansen regarding the payment and amortization schedule arrangement with the fire apparatus dealer, Mrs. Mitchell indicated that she had laid out an amortization schedule

for approximately $603,000 with a 10-year payback, which would be approximately $74,000 per year.

Mr. Neil moved to table the discussion of replacing Engine #7 until the budget discussions. The motion was seconded by Mr. Lewis and carried with Mr. Sudler voting no.

Mr. Hutchison commented that the Mayor and Council had always been there to support the volunteer fire service, which is a first-class operation. In fairness, due to the timing, Mr. Hutchison felt it was critical on the part of the Mayor, Council, City Manager, and staff to take the time to look at the budget and go through the process. He thanked Chief Carey for what they do and asked that they bear with the City.

Progress Report on the Youth Advisory Committee's Reporting of Their Minutes

Mr. Anderson stated that the Youth Advisory Committee's (YAC's) progress was positive and that it had been a priority of the new chair to make sure that the records are well kept. The secretary left the Committee and they now have a rotating secretary. Referring to the memorandum from Chairwoman Rebecca Anderson dated April 6, 2016, RE: Minutes Action Plan, Mr. Anderson stated that there is a recommendation for a contract person and a budget request of approximately $1,000 in the next fiscal year's budget so that there would not be a burden on the City Clerk's Office. He felt that the Committee should be treated as every other City committee, noting that no City committees takes their own minutes. Mr. Anderson stated that this was a very important legal responsibility and thought it would be a good idea to have this done by someone who is experienced in that regard.

Mr. Hare questioned if the City Clerk had been receiving the minutes. Responding, Mrs. Traci McDowell, City Clerk, stated that the Clerk's Office had received minutes for the last two (2) meetings but not the outstanding minutes for the previous meetings.

Noting that Mr. Anderson had requested staffing funds for the YAC, Mayor Christiansen questioned if the City Clerk's Office would be capable of handling this responsibility. Responding, Mrs. McDowell stated that the Clerk's Office currently had a backlog of minutes and a new person had just come on staff. She advised members that the Clerk's Office had never done minutes for the YAC, noting that when former Councilwoman Sophia Russell restarted the YAC in 2008, the Clerk's Office had done two (2) sets of minutes until officers were installed. Mrs. McDowell explained that the YAC selected a member who attended the meetings, kept records, did the minutes, and submitted them to the adult advisor at that time. It was Mrs. McDowell's belief that minutes were supposed to be a learning experience, noting that there are high school students who are pursuing this kind of field, and she felt that was the intention to have the youth do their own minutes, since they function as a youth advisory group for the government.

In response to Mr. Lewis, Mr. Hare stated that the YAC minutes were subject to Freedom of Information Act (FOIA) laws.

Mr. Lewis stated his recollection that when he served on the Dover Human Relations Commission (DHRC), an outside contractor was hired to complete minutes and he asked if this still applied.

Responding, Mrs. McDowell stated that when the DHRC was recently reconstituted she and then Council President Bonar discussed the Clerk's Office staffing the commission. She stated that the Clerk's Office would complete the minutes, attend the meetings, and provide guidance so that they would stay on track. At that time, a proposed ordinance stated that the DHRC would meet quarterly. Mrs. McDowell advised that before the ordinance was adopted, it was amended to allow the DHRC to meet whenever they wished. She advised that the DHRC had met monthly since being reconstituted and had met more often than monthly. Mrs. McDowell stated that DHRC minutes are extremely long, as are the minutes for the Council Committee of the Whole. She explained that one (1) hour of meeting time takes four (4) hours to transcribe; therefore, a three (3) hour meeting is more than one (1) day's work.

Mr. Anderson advised that part of the YAC's proposal would take care of some of the minutes backlog and explained that the tapes do exist. He stated that the YAC had also requested training, which would be an essential element if they were to take their minutes. Mr. Anderson felt that this would be a positive, one (1) time investment. Mr. Lewis concurred that the youth members should be trained, specifically if they are bound by FOIA regulations.

Mr. Slavin stated that the YAC is bound by FOIA and right now the City is knowingly in violation of FOIA repeatedly for this issue. He expressed his opinion that government grows slowly and $1,000 dollars here and there adds up to real money. Mr. Slavin advised that youth had been asked to come forward and give their ideas about how to make the City better and the structure used was one based on how adults do business, not how youth comes up with ideas. His experience dealing with youth is that they are a lot brighter and more nimble, and coming to a place like City Hall on a weeknight evening and having to meet in this format had proven to be a barrier in getting those ideas. Mr. Slavin felt that the City was tripping over issues like composition, noting that YAC members cannot meet out their terms or get to the meetings, and there are not quorums or minutes, and, in the interim, the City is not getting the ideas that are wanted. Mr. Slavin stated that he planned during budget considerations to propose that the City look at a different initiative that would involve going to key departments where the public interacts with City government, such as Police, Fire, Parks and Recreation, and the Dover Public Library and require those departments to have focus groups with youth through the year and report back to Council with the ideas they have gathered. Mr. Slavin did not see it as the role of City government to train youth on how to be in government, stating that this is what the YMCA Youth in Government program, Boys and Girls State, and civics classes are for. He felt that the City was duplicating these efforts. In regard to the minutes training, Mr. Slavin stated his concern that this would not be a one (1) time cost because there would be new members on the Committee and continuous training would be involved. He expressed his belief that these are the things that add cost to government, although this was not a great cost. Mr. Slavin suggested widening the lens and thinking about the outcome wanted from involving youth with the government. He felt there was a better way to get to that outcome than to ask them to behave like adult members.

Mr. Hare advised that he had been to one (1) of the YAC meetings and they had no one to take notes and no quorum and they still held their meeting. Responding, Mr. Anderson indicated that this was not true. Mr. Hare stated that members may not have held the meeting, but they remained in the room for a while.

Mr. Anderson stated that, compared to most City committees, he was quite pleased with the youth and their commitment. He advised that, of all the regular meetings they held, there was only one (1) where there was not a quorum. Mr. Anderson noted that one (1) member kept saying that they were coming and they did not. They eventually left the YAC.

Mr. Slavin stated that this was not known because there were no minutes of any meetings. In response, Mr. Anderson advised that there were several sets of minutes from older meetings, although there was a period where they were missing. Mr. Anderson indicated that the Chair's memorandum requested help in transcribing one (1) particular meeting and the recommendation in the memo was very positive and should be adopted. He indicated that there had been enormous community engagement with Restoring Central Dover, Bayhealth Medical Center, the Downtown Dover Partnership, the Parks and Recreation Department, and Kent County Tourism during the last several months under the current leadership. Mr. Anderson felt that going backwards all of a sudden would be a complete waste of time and totally ridiculous.

Mr. Hare questioned if the YAC had taken on these initiatives and gone to these entities. Responding, Mr. Anderson indicated that there was partnership with each of those entities. With Bayhealth there would be a summer program for cardio-pulmonary resuscitation (CPR), babysitting, and the like for the youth. In response to Mr. Hare regarding funding, Mr. Anderson stated that Bayhealth and Restoring Central Dover's committee would be picking up the cost.

Mr. Hare stated that this was the first he had heard of this, noting that the YAC was supposed to make recommendations to Council before they do it. Responding, Mr. Anderson stated that the YAC were enabled to plan and execute events, noting that there would be no cost for the taxpayer. Mr. Anderson stated that broader things that engage the City are brought forward and the YAC was supposed to recommend advocacy items for the youth.

Mr. Hare stated that he did not want to have 14-to-16-year-old children planning and making executions on behalf of the City without advising Council.

Mr. Neil stated that he would like to see the minutes, stating his presumption that they existed and could be produced. Responding, Mr. Anderson stated they were on the City website.

Mr. Neil stated the desire for minutes so that members could study what the YAC had done, noting that this would have been helpful for this particular discussion. Responding, Mr. Anderson stated that these items were mentioned in the annual report, which passed on consent agenda unanimously.

Mr. Cole questioned why members were trying to put a square peg in a round hole. He stated that there were youth who wanted to be involved and suggested looking at how to make this work moving forward. Based on his 18 years of education, Mr. Cole stated that kids want to do things and it was a matter of how to guide this.

Mr. Lewis concurred with Mr. Cole and stated that the City was being proactive for the kids and this was a positive thing for today's society. He stated that he would hate to see the YAC dissolve; however, he believed that it needed some structure and guidance.

Mayor Christiansen asked that Mr. Anderson and the YAC memorialize the partnerships that were mentioned in writing, as well as their meetings and conversations, so that Council could review them and help the YAC move forward in the direction needed. Mayor Christiansen stated that he did not want to see another situation such as the New Year's Eve celebration issue. He noted that there is great advantage for the YAC and its potential energy, but stated the need to provide Council some sense of direction on where they are going so that things would be in hand if Council needs to approve their decisions.

Mr. Slavin expressed concerns regarding another round of obligations made by the YAC for the City to be involved in activities with very little knowledge of what the activities are and their scope. He indicated that he was more concerned that it appeared that the youth were being taught that the Freedom of Information Act is optional, noting that it is not and never had been.

Mr. Slavin moved to recommend that the Youth Advisory Committee be suspended until all minutes of the missing meetings are approved by Council and until Council can discuss the matter thoroughly. The motion was seconded by Mr. Sudler and carried with Mr. Anderson voting no.

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

Meeting adjourned at 8:01 p.m.

PARKS, RECREATION, AND COMMUNITY ENHANCEMENT COMMITTEE

The Parks, Recreation, and Community Enhancement Committee met with Councilman Anderson presiding.

AGENDA ADDITIONS/DELETIONS

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

Presentation - Tiny Home Village Concept (Sue Harris)

Ms. Sue Harris, 241 Pine Street, reviewed a presentation entitled "Promoting Independence, Cooperation, and Respect for Each Other and the Environment - Port Hope Delaware Inc." Ms. Harris thanked members for welcoming herself and her co-coordinator, Ms. Cathi Kopera, to present their plans for their vision of a new affordable housing concept, a tiny house village for the homeless. Ms. Harris advised members that their desire was to make members aware of the tiny village concept, noting that the biggest piece of the project would be related to the land. She advised that there was nothing written that would allow for this type of project; therefore, it would have to be made to work wherever possible. Ms. Harris advised members that if such developments are well managed, maintained, and self-governed by a board of directors, they are an asset rather than a

detriment to neighborhoods and she expressed her hope that this would happen somewhere around Delaware soon.

Mr. Neil questioned if there would be lavatories and food facilities. Responding, Ms. Harris stated that the plans for their village would include bathrooms and kitchens in the units. She stated that a lot of villages have a community house instead.

Mr. Neil stated that, from his experience in vocational rehabilitation, there is a mental aspect and some of the people can be very resistant to doing anything that they do not want to do; therefore, there should be a screening process. He stated that there should also be a neighborhood process since there would be those who would not want such a project in their neighborhood. Mr. Neil felt that this concept would be difficult to sell.

Ms. Harris agreed; however, she stated her opinion that it made more sense to do something rather than nothing, noting the need and the ability to save the towns money.

Mr. Neil advised that the State had passed a common interest community law which applies to communities such as condos and co-ops, and that there is an ombudsman. He indicated that the tiny village would also be a common interest community and suggested they consider an ombudsman because there are problems that groups cannot agree upon.

Ms. Harris stated that they would start by talking with all those who would be involved to learn what they need to do and work through each difficulty one (1) step at a time. She felt that if this could be done elsewhere, it could be done here.

Mr. Lewis advised that he personally supported this initiative 100%, stating this issue was close to his heart and he had been volunteering to help the homeless since the age of 15. He expressed his admiration for Ms. Harris and Ms. Kopera in trying to help clean up homelessness in the City, noting that the City has a homeless problem.

Ms. Harris commented that some had suggested buying tickets for the homeless and sending them back to where they came from; however, most of the homeless were born, grew up, and went to school here, noting that one (1) specific homeless individual had been a chemist for Dupont.

Mrs. Harris advised members that she serves on a committee that is working on legislation relating to land banking. She stated that New Castle County benefitted from land bank legislation recently passed in Delaware and it was her hope that Kent County and the City of Dover would take a look at this concept. Ms. Harris provided members with a press release dated April 27, 2015 related to Land Bank legislation, Senate Bill No. 66, and House Bill 287 ***(Attachment #4)*** and Kent County property information ***(Attachment #5)***.

Mr. Caldwell stated that he had the opportunity to see a tiny home village in Madison, Wisconsin, and was highly impressed with that community. He explained that area residents were somewhat reluctant about the concept, not knowing what was going to take place. Mr. Caldwell indicated that there was no police presence and they did not have a single problem. He stated that there was no

drinking or loud music, the area was kept clean, and some of the homeless were able to find jobs, remarking that the Dover community probably needs a lot of help in that area. Mr. Caldwell indicated that, based on his observations, a tiny community of homes can be very impressive. He noted that there would be resistance to the homeless but expressed a desire to help them, stating that when he sees people with bags walking the streets of Dover, he knows they have a problem. Mr. Caldwell felt that it would be very valuable to have an example of a tiny community in Delaware, like the village in Wisconsin.

In response to Mr. Caldwell, Ms. Harris advised members that they had already been asked by Sussex County to build a village there.

Mr. Anderson stated that affordable housing is one (1) of the goals of the City's Comprehensive Plan as well as Housing and Urban Development (HUD) grants. He expressed his hope that Ms. Harris would work with staff and in the future the City would be able to adapt a Planned Neighborhood Design to accommodate a tiny home village. It was Mr. Anderson's opinion that this needed to happen because people had been regulated into homelessness in an effort to manipulate the market. He stated that the current average wage required for the average rent, using income guidelines, is approximately $16 per hour; however, the average renter is earning less than $12 per hour; therefore, the average wage does not meet the average rent. Mr. Anderson indicated that a serious problem is being created, market-based solutions must be allowed for, and this concept was one (1) possibility. He expressed his hope that there would be further discussion of this issue.

Community Development Block Grant (CDBG) Program Quarterly Update (January, February, and March)

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

Mr. Anderson suggested that members refer any questions to Mrs. Ann Marie Townshend, Director of Planning and Community Development, or Mrs. Tracey Harvey, Planner I.

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

Meeting adjourned at 8:31 p.m.

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

Meeting adjourned at 8:31 p.m.

Timothy A. Slavin
Council President

TAS/TM/js/dd
S:\AGENDAS-MINUTES-PACKETS-PRESENTATIONS-ATT&EXH\Committee-Minutes\2016\05-10-2016 CCW.wpd

Attachments

Attachment #1 - Operational and Administration Analysis
Attachment #2 - Proposed Resolution No. 2016-05
Attachment #3 - Memorandum from Mr. Scott Koenig, City Manager, dated May 4, 2016, regarding the replacement of Engine # 7 - Robbins Hose Company
Attachment #4 - Press release dated April 27, 2015 - Land Bank Legislation, Senate Bill No. 66 and House Bill No. 287, provided by Ms. Sue Harris
Attachment #5 - Kent County property information

Operational and Administrative Analysis
Dover Fire Department
Dover, Del.
Final Report – March 2016



FIRE/EMS OPERATIONS

CENTER FOR PUBLIC SAFETY MANAGEMENT

CPSM
Center for Public Safety Management, LLC

475 K Street, NW, Suite 702
Washington, DC 20001
www.cpsm.us – 716-969-1360

Exclusive Provider of Public Safety Technical Assistance for the
International City/County Management Association

ICMA
Leaders at the Core of Better Communities

The Association & The Company

International City/County Management Association (ICMA)

The International City/County Management Association (ICMA) is a 100-year-old, nonprofit professional association of local government administrators and managers, with approximately 9,000 members spanning thirty-two countries.

Since its inception in 1914, ICMA has been dedicated to assisting local governments in providing services to their citizens in an efficient and effective manner. Our work spans all of the activities of local government — parks, libraries, recreation, public works, economic development, code enforcement, Brownfields, public safety, etc.

ICMA advances the knowledge of local government best practices across a wide range of platforms including publications, research, training, and technical assistance. Its work includes both domestic and international activities in partnership with local, state, and federal governments as well as private foundations. For example, it is involved in a major library research project funded by the Bill and Melinda Gates Foundation and is providing community policing training in Panama working with the U.S. State Department. It has personnel in Afghanistan assisting with building wastewater treatment plants and has had teams in Central America providing training in disaster relief working with SOUTHCOM.

The **ICMA *Center for Public Safety Management (*ICMA/CPSM*)*** was one of four Centers within the Information and Assistance Division of ICMA providing support to local governments in the areas of police, fire, EMS, emergency management, and homeland security. In addition to providing technical assistance in these areas we also represent local governments at the federal level and are involved in numerous projects with the Department of Justice and the Department of Homeland Security. In each of these Centers, ICMA has selected to partner with nationally recognized individuals or companies to provide services that ICMA has previously provided directly. Doing so will provide a higher level of services, greater flexibility, and reduced costs in meeting members' needs as ICMA will be expanding the services that it can offer to local governments. For example, The Center for Productivity Management (CPM) is now working exclusively with SAS, one of the world's leaders in data management and analysis. And the Center for Strategic Management (CSM) is now partnering with nationally recognized experts and academics in local government management and finance.

Center for Public Safety Management, LLC (CPSM) is now the exclusive provider of public safety technical assistance for ICMA. CPSM provides training and research for the Association's members and represents ICMA in its dealings with the federal government and other public safety professional associations such as CALEA. The Center for Public Safety Management, LLC maintains the same team of individuals performing the same level of service that it has for the past seven years for ICMA.

CPSM's local government technical assistance experience includes workload and deployment analysis using our unique methodology and subject matter experts to examine department organizational structure and culture, identify workload and staffing needs, and identify and disseminate industry best practices. We have conducted more than 200 such studies in 36 states and 155 communities ranging in size from 8,000 population (Boone, Iowa) to 800,000 population (Indianapolis, Ind.).

Thomas Wieczorek is the Director of the Center for Public Safety Management. Leonard Matarese serves as the Director of Research & Program Development. Dr. Dov Chelst is the Director of Quantitative Analysis.

CPSM Project Contributors

Thomas J. Wieczorek, Director
Leonard A. Matarese, Director of Research and Program Development
Michael Iacona, Senior Manager for Fire and EMS
John Brown, CPSM Associate
Peter Finley, CPSM Associate
Dennis Kouba, Editor

Contents

Tables vi
Figures vii
Section 1. Executive Summary 1
Recommendations 2
Section 2. Scope of Project 7
Section 3. Organization and Management 8
Governance and Administration 8
Dover Fire Department 14
Robbins Hose Company No. 1 16
Organizational Structure 16
Personnel Management/Rank Structure 19
Section 4. Analysis and Planning Approaches 22
Community Risk Analysis 22
Strategic Planning/Long-Range Planning 22
Standards of Cover 23
Fire Risk Analysis/Target Hazards 24
Section 5. Operational Response Approaches 27
Dover Response Matrix/Response Protocols 30
Staffing and Volunteer Deployment 33
Apparatus and Fleet Maintenance 33
Fleet Maintenance 38
Fire Response 39
EMS Response and Transport 45
Workload Analysis/Fire Loss 50
Fire Loss 52
Service Relationship with Kent County 53
Mutual Aid 54
Emergency/Nonemergency Response 54
Section 6. Response Time Analysis 58
Measuring Response Times 59
Dover Fire Department Response Times 60
Station Locations 63
Assessment of Fire Station Locations 63
Section 7. Measurement and Self-Assessment 69
Performance Measurement 69
Hazard Analysis 72

Fire Preplanning/Company Inspections 73
Accreditation 75
ISO 75
Section 8. Essential Resources 78
Fire Prevention, Code Enforcement, Public Education, and Investigations 78
Education and Training Programs 80
Internal Communications 83
Emergency Management/COOP/Hazard Mitigation 83
Emergency Communications Center (ECC) 85
Section 9. Data Analysis 87
Introduction 87
Methodology 87
Aggregate Call Totals and Dispatches 88
Calls by Type 88
Calls by Type and Duration 90
Average Calls per Day and per Hour 91
Units Dispatched to Calls 93
Workload by Individual Unit—Calls and Total Time Spent 95
Runs and Deployed Time – All Units 95
Workload by Unit 96
Analysis of Busiest Hours 99
Overlapping Calls 100
Response Time 101
Response Times by Type of Call 101
Response Times by Hour 104
Response Time Distribution 106

Tables

TABLE 3-1: Comparison of Personnel Costs 19
TABLE 5-1: Staffing and Response Time Guidance from NFPA 1720 29
TABLE 5-2: Fire Pumper Life Expectancy by Type of Jurisdiction 34
TABLE 5-3: Dover Fire Department Apparatus Inventory 35
TABLE 5-4: Call Workload by Unit 36
TABLE 5-5: Proposed Fire Apparatus Replacement Schedule 37
TABLE 5-6: Call Types 42
TABLE 5-7: Calls by Type and Duration 43
TABLE 5-8: Actions Taken Analysis for Structure and Outside Fire Calls 44
TABLE 5-9: PrimeCare Statistics, June 2015-September 2015 47
TABLE 5-10: 2015 Mutual Aid EMS Units Dispatched into Dover 47
TABLE 5-11: Annual Runs and Deployed Time by Call Type 51
TABLE 5-12: Call Workload by Unit 52
TABLE 5-13: Fire Loss 53
TABLE 5-14: Number of Units Dispatched to Calls 56
TABLE 6-1: Average Response Times of First Arriving Unit, by Call Type (Minutes) 61
TABLE 6-2: 90th Percentile Response Times of First Arriving Unit, by Call Type (Minutes) 62
TABLE 7-1: The Five GASB Performance Indicators 70
TABLE 9-1: Call Types 88
TABLE 9-2: Calls by Type and Duration 90
TABLE 9-3: Number of Units Dispatched to Calls 93
TABLE 9-4: Annual Runs and Deployed Time by Call Type 95
TABLE 9-5: Call Workload by Unit 96
TABLE 9-6: Total Annual Runs by Call Type and Unit 97
TABLE 9-7: Daily Average Deployed Minutes by Call Type and Unit 98
TABLE 9-8: Frequency Distribution of the Number of Calls 99
TABLE 9-9: Top 10 Hours with the Most Calls Received 99
TABLE 9-10: Average Response Times of First Arriving Unit, by Call Type (Minutes) 102
TABLE 9-11: 90th Percentile Response Times of First Arriving Unit, by Call Type (Minutes) 102
TABLE 9-12: Average and 90th Percentile Response Times of First Arriving Unit, by Hour of Day 105
TABLE 9-13: Number of Total Calls by First Arriving Units 106
TABLE 9-14: Cumulative Distribution Function (CDF) of Response Time of First Arriving Unit 107
TABLE 9-15: Actions Taken Analysis for Structure and Outside Fire Calls 109
TABLE 9-16: Fire Loss 110

Figures

FIGURE 3-1: City of Dover FY 2016 Organizational Chart 9
FIGURE 3-2: Proposed Fire Department Organizational Structure 13
FIGURE 3-3: City of Dover Map with Fire Station Locations 15
FIGURE 3-4: Dover Fire Department FY 2015 Organizational Chart 17
FIGURE 5-1: Low-Risk Response–Exterior Fire Attack 28
FIGURE 5-2: Moderate-Risk Response–Interior Fire Attack 29
FIGURE 5-3: Calls by Type 42
FIGURE 5-4: Dover EMS Incidents 2001-2014 46
FIGURE 5-5: Number of Dover Fire Department Units Dispatched to Calls 56
FIGURE 6-1: Fire Propagation Curve 59
FIGURE 6-2: DFD Station Locations and Travel Times (red = 240 seconds) 65
FIGURE 6-3: DFD Station Locations and Travel Times (green = 360 seconds) 66
FIGURE 6-4: DFD Station Locations and Travel Times (blue = 480 seconds) 67
FIGURE 6-5: DFD Fire Runs 68
FIGURE 9-1: Calls by Type 89
FIGURE 9-2: Average Calls per Day, by Month 91
FIGURE 9-3: Calls by Hour of Day 91
FIGURE 9-4: Number of Dover Fire Department Units Dispatched to Calls 93
FIGURE 9-5: Average Response Times of First Arriving Unit, by Call Type 101
FIGURE 9-6: Average Response Time of First Arriving Unit, by Hour of Day 104
FIGURE 9-7: Number of Total Calls by First Arriving Units 106
FIGURE 9-8: Response Time Distribution — First Arriving Unit 108

Section 1. Executive Summary

The Center for Public Safety Management, LLC (CPSM) was retained by the City of Dover to conduct a comprehensive analysis of its fire department operations, including the department's deployment practices, workload, organization structure, training, performance measures, prevention activities, and interactions with mutual aid partners. Specifically, CPSM was tasked with providing recommendations and alternatives regarding fire department operations, staffing levels, financial efficiencies, and alternative modes of operation.

During the study, CPSM analyzed performance data provided by the Dover Fire Department (DFD) and also examined firsthand the department's operations, including its working relationship with the Volunteer Association (formally the Robbins Hose Company No. 1), which provides fire protection in the community. Fire departments tend to deploy resources utilizing traditional approaches, which are rarely reviewed. To begin the review, project staff asked the city for certain documents, data, and information. The project staff used this information/data to familiarize themselves with the department's structure, assets, and operations. The provided information was also used in conjunction with information collected during an on-site visit to determine the existing performance of the department, and to compare that performance to national benchmarks. These benchmarks have been developed by organizations such as the National Fire Protection Association (NFPA), Center for Public Safety Excellence, Inc., (CPSE), and the ICMA Center for Performance Measurement.

Project staff conducted a site visit on **November 3-5, 2015** for the purpose of observing fire department and agency-connected support operations, interviewing key department staff, and reviewing preliminary data and operations. Telephone conference calls as well as e-mail exchanges were conducted between CPSM project management staff, the city, and the DFD so that CPSM staff could affirm the project scope, and elicit further discussion regarding this operational analysis.

DFD is a highly skilled and progressive organization that is composed almost entirely of volunteer personnel. The city and the volunteer personnel with whom CPSM interacted are truly interested in serving the city to the best of their abilities. One outstanding issue facing DFD is the interaction between the Volunteer Association and city government. Intertwined in this association is the working relationship with PrimeCare, the private ambulance transport provider contracted by the city to provide EMS transport. In addition, the collaboration between the fire and police dispatch centers is an integral component of ensuring the highest levels of protection. As service demands increase and DFD is required to provide increased response activities, the necessity for strong collaborations and seamless service delivery will also continue to expand. This workload and the potential for expanding call volume is not, however, insurmountable and CPSM will provide a series of observations and recommendations that we believe can allow DFD to become ***more efficient*** and ***smarter*** in the management of its emergency and nonemergency responsibilities.

Recommendations

The DFD provides an excellent and extremely cost-effective service to its citizens, visitors to the area, and local businesses. The department is well respected in the community and by city leadership. The City of Dover, the state capital, has maintained its relationship with the Volunteer Association (formally the Robbins Hose Company No. 1) since 1882. The working relationship observed between the city and the Volunteer Association is impressive and truly commendable.

Forty-nine recommendations are listed below and in the applicable sections within this report. The recommendations are based on best practices derived from the NFPA, CPSM, ICMA, the U.S. Fire Administration, the International Association of Emergency Managers (IAEM), and the Federal Emergency Management Agency (FEMA).

These recommendations have been grouped on the basis of our perceived prioritization for implementation. We have identified three groupings: ***Initial Phase*** Implementation, ***Second Phase*** Implementation and ***Third Phase*** Implementation. CPSM recommends that the First Phase recommendations be implemented within the first six (6) months after formal acceptance of the report. The Second Phase would be implemented next and we recommend this take place within six-(6) months to eighteen (18) months after acceptance. The Third Phase would then follow and we anticipate an implementation schedule that would occur from two (2) to five (5) years after formal acceptance.

Initial Phase Recommendations
The City of Dover should create a full-time position of Emergency Services Manager and transfer the day-to-day oversight of the fire department and the other closely related emergency services and support functions under this position. We recommend that this new position be a direct report to the City Manager.
The City of Dover and the Volunteer Association should enter into a contractual agreement that specifies the terms and conditions involved in the delivery of fire services.
The Emergency Services Manager should be assigned the administration of the contract with PrimeCare and should coordinate the emergency management activities for the City of Dover.
The City of Dover and the Volunteer Association should specify those city personnel policies that apply to members of the Volunteer Association and place these provisions in the service agreement.
The City of Dover should facilitate the development of a strategic plan for the Dover Fire Department which focuses on the department's long-term needs and anticipated service demands.

The Fire Chief and/or the duty officer, when dispatched to an incident, should respond with their assigned command vehicle to the incident scene and assume the role of incident commander.
The DFD should standardize its response to a single unit to automatic fire alarm soundings and other nonemergency situations (when these are unconfirmed as a true emergency).
The DFD should limit its fleet of primary response apparatus to three engines, one ladder truck, and two command vehicles.
The DFD should build at least a portion of its training regimens and tactical strategies around the exterior or transitional attack when the fire scenario and the number of responding personnel warrant this approach.
The DFD should work with the Dover 911 Police Communications Center in an effort to classify and dispatch fire calls into emergency and nonemergency response categories.
The DFD should modify its response protocols in an effort to reduce the number of units responding to those calls that are screened sufficiently to determine that they are nonemergency in nature.
The DFD should institute a unified incident and activity reporting system for emergency response and other support activities carried out by all personnel.
Dover should request from ISO a reevaluation of its August 2015 review after making adjustments in its fire hydrant testing procedures and the transfer of fire dispatching to Kent County.
The City of Dover should include a requirement for residential fire sprinklers when it adopts the 2015 International Code Council International Fire Code.
The Dover Fire Department should require all new firefighters to meet the training qualifications of the National Fire Protection Association (NFPA) Standard 1001, *Standard for Firefighter Professional Qualifications for Firefighter I and II*.
The DFD training program should be revised in order to schedule weekly training meetings and drills throughout the year.
The DFD should revise the ongoing training requirements for all active members (including life-members) to ensure that skills and proficiency training is carried out to sufficiently ensure firefighter readiness and safety.

Second Phase Implementation
The City of Dover should reorganize the structure of fire department operations so that the supervision and management of the Dover Fire Department is unified and under the direction of the City Manager.
The city Fire Marshal and Fire Inspectors (Deputy Fire Marshals), along with fire code enforcement, plans review, and fire inspection duties, should be assigned under the supervision of the Emergency Services Manager.
All officer positions, including Captain, Assistant Fire Chief, Deputy Fire Chief, and Fire Chief, should be filled on the basis of firefighting/emergency services training, certifications, and experience, along with successful completion of a formal, openly competitive assessment process, including a practical skills evaluation.
The City of Dover should reassign the dispatching function at the Dover Fire Department and move all fire dispatching to the Kent County 911 Dispatch Center.
The City of Dover should reduce the number of full-time dispatchers from five to two, reclassify this position to a Fire Technician designation, and eliminate the Fire Chief's Assistant position.
The City of Dover, through the Emergency Services Manager, should review all selection, promotional, and personnel issues carried out by the Volunteer Association in order to ensure compliance with city regulations, and state and federal guidelines.
The City of Dover should revisit its current prohibition of allowing employees to respond as volunteer firefighters without docking their pay or requiring utilization of leave time.
The DFD should conduct a formal fire risk analysis that concentrates on its downtown areas, high-rise structures, and manufacturing and institutional occupancies.
The City of Dover should adopt an apparatus replacement schedule to serve as a guide for the financial planning and replacement of fire apparatus.
The City of Dover should adopt an apparatus replacement program that allocates annual funding that is earmarked for future apparatus purchases.
The city, under the direction of the new Emergency Service Manager, should be responsible for fleet maintenance and vehicle acquisition for the Dover Fire Department.
The DFD should undertake a concerted effort to develop a comprehensive set of performance measures that monitors its system performance and system outcomes. The process of developing these measures should utilize input from DFD members, the community, elected officials, and city administrators.

DFD should expand the responsibilities of the Fire Technician position to include inspection and code enforcement, including the prefire planning of key occupancies.
The Dover Fire Department should mandate that all officers participate in additional officer-related training each year in order to be eligible to retain their positions.
Dover should consider the re-assignment of the Fire Marshal's Office and its fire code enforcement duties under the Fire Department's Emergency Services Manager.
The DFD should develop an annual training budget that identifies the needed training for its membership and the associated costs for each element of the training program.
Under the direction of the Emergency Services Manager, the DFD should form a committee comprised of a cross-section of the department's membership to develop standard operating guidelines (SOGs).
The City of Dover should ensure that all Fire Department personnel are familiar with applicable city policies and that these are included in the annual training curriculum.
The City of Dover should ensure that the hazard mitigation efforts of Kent County are aligned with the needs of the city and should identify those key infrastructure and public outreach efforts necessary to protect all city residents.
The City of Dover should transfer its fire dispatching duties to the Kent County 911 Communications Center.

Third Phase Implementation
The city should consider the relocation of all Fire Department operations, including Fire Code Inspections/Enforcement, EMS transport, and the emergency management functions, to the main fire station at 103 S. Governors Ave.
The City of Dover should integrate its community risk analysis and hazard mitigation efforts with Kent County.
The DFD should conduct a formal Standards of Response Coverage analysis under the guidelines of the Commission on Fire Accreditation International (CFAI)
The DFD should develop a comprehensive, department-wide risk management plan as recommended in NFPA 1500.

The DFD should make it a priority to establish a formal pre-incident planning program with the goal of having an up-to-date preplan for every business and commercial occupancy (including schools, churches, etc.) within its response area.
The City of Dover should revise its performance criteria in future contracts with the ambulance provider, with specific guidelines relating to unit availability, turnout time, and overall response time, measured at the 90 percent fractile rates.
The City of Dover should amend its future ambulance contract to require that all ambulances operating within the city be staffed with a minimum of two (2) EMTs.
At the close of the current contract with PrimeCare, the City of Dover should consider issuing a national RFP for an ambulance provider for the city service area.
The city should consider the housing and deployment of ambulance units from the Dover fire stations.
The Dover Fire Department should consider CPSE accreditation in the future.
Personnel seeking to become an officer should be required to start at the rank of captain and serve in each successive rank for a minimum period of time before seeking a higher office.
The City of Dover should develop Continuity of Operations Plans (COOP) for each department and align these plans with an overall Continuity of Government Plan.

Section 2. Scope of Project

The scope of this project was to provide an independent review of the Dover Fire Department (DFD) so that city officials, including officials of the Volunteer Association, could obtain an external perspective of the city's fire and EMS delivery system. This study provides a comprehensive analysis of the Dover Fire Department, including its organizational structure, workload, staffing, deployment, training, fire prevention, emergency communications (911), and planning and public education efforts. City officials often attempt to understand if their fire department is meeting the service demands of the community, and commission these types of studies to measure their departments against industry best practices. In this analysis CPSM provides recommendations where appropriate, and offers input on a strategic direction for the future.



Key areas evaluated during this study include:

- Fire department response times (using data from the city's computer-aided dispatch system and the city's records management system).
- Deployment and staffing.
- Organizational structure and managerial oversight.
- Fire and EMS unit workloads.
- DFD support functions (training, fire prevention/code enforcement/911 dispatch).
- Essential DFD facilities, equipment, and resources.
- Budget and financial accountability.

Section 3. Organization and Management

Governance and Administration

The City of Dover is located in Kent County in central Delaware. It is the capital City of Delaware, a distinction it has held continuously since 1781. It is also the county seat of Kent County. The city is the host to Dover Air Force base and is home to Delaware State University, Wesley College, Wilmington University, Delaware Technical and Community College, and Dover Downs International Speedway. Dover is approximately ninety (90) miles south of Philadelphia, Penn.; fifty-three (53) miles south of Wilmington, Del.; and ninety (90) miles east of Washington, D.C. The city is one of only four (4) state capitals not served by an Interstate highway. Its primary highway connection is Delaware Route 1, a limited access toll road that connects the city to points north and south.

According to the U.S. Census Bureau, Dover had an official 2010 population of 36,047 and an estimated July 2014 population of 37,355,[1] making it the second-most populous city in the state. The city encompasses an area of 23.15 square miles, and has a population density of 1,557 persons per square mile.[2] While its population is significantly less than that of Wilmington, Dover encompasses a larger area than any other city on the Delmarva Peninsula.[3] In contrast to most major cities in the Northeast United States, Dover is continuing to grow economically, in population, and in land area.[4] The city's major employers are the State of Delaware, Dover Air Force Base, BayHealth/Kent General Hospital, Dover Downs, and the institutions of higher learning.[5] There are also several manufacturing facilities, each with more than 390 employees.[6] Retail sales are also cumulatively a major source of employment.

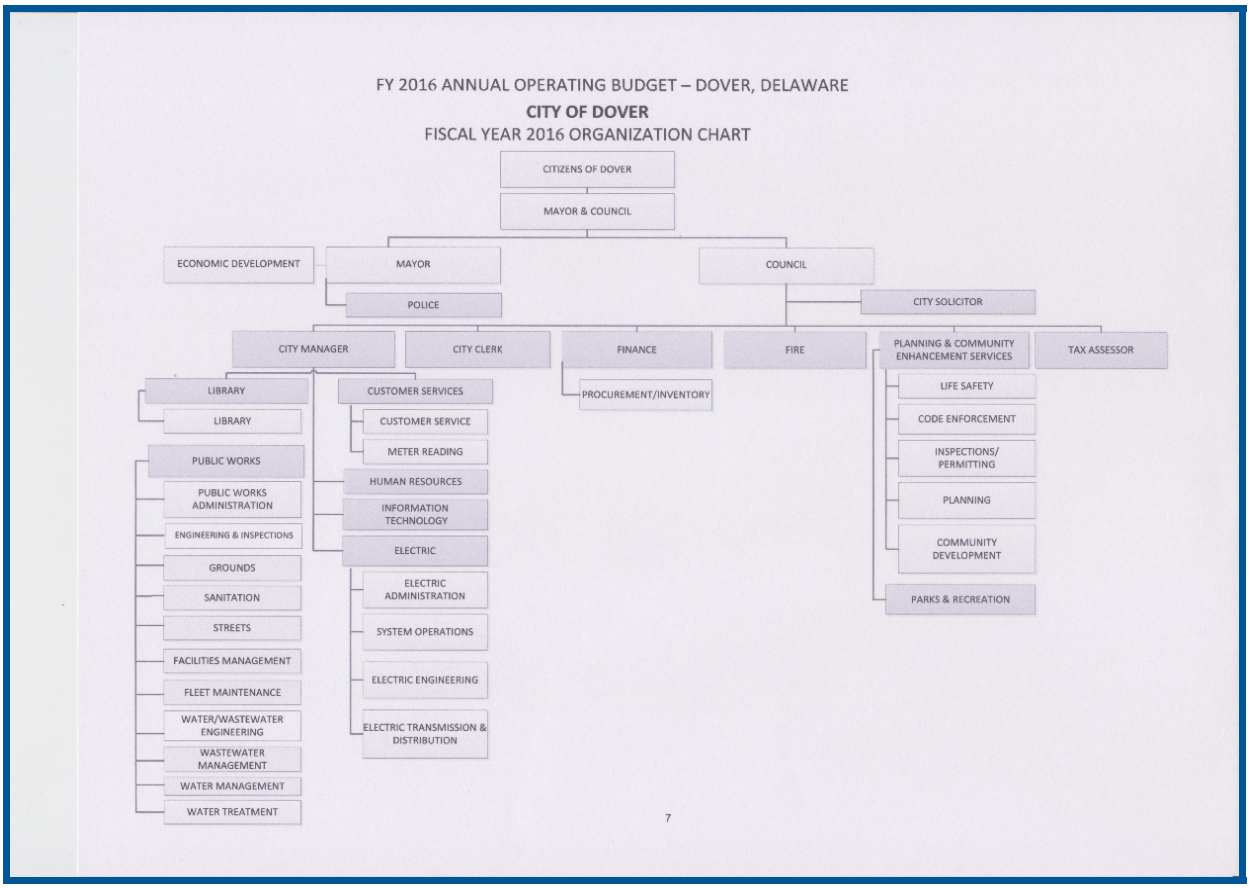
Dover operates under a hybrid form of municipal government utilizing a modified council-city manager system. The governing body is composed of a full-time Mayor and nine (9) part-time council members. Two (2) members of the council are chosen from each of the city's four (4) council districts; the ninth member of council is elected at large, as is the Mayor. All elections are nonpartisan. The Mayor and members of Council serve staggered terms of four (4) years. The City Council annually elects one (1) of its members to serve as the Council President. Together, the Mayor and City Council are the collective legislative and policy-making branch of the government.

The City Council appoints the City Manager, Tax Assessor, City Clerk, City Controller, City Solicitor, and City Planner, all of whom report directly to the Council. The Volunteer Association (Robbins Hose Company), which by city charter provides fire protection to the city, elects its Fire Chief and other officers subject to approval by the Council. The Fire Chief also reports to the City Council. The

[1] http://factfinder.census.gov/faces/nav/jsf/pages/community_facts.xhtml, December 14, 2015
[2] http://quickfacts.census.gov/qfd/states/10/1021200.html, December 14, 2015
[3] City of Dover, Delaware web site, December 14, 2015
[4] City of Dover, Delaware web site, December 14, 2015
[5] https://imageserv11.team-logic.com/mediaLibrary/134/Kent_County_Major_Employers_2010_1.pdf, December 14, 2015
[6] https://imageserv11.team-logic.com/mediaLibrary/134/Kent_County_Major_Employers_2010_1.pdf, December 14, 2015

Mayor, whom the city charter identifies as the city's CEO, appoints the Police Chief, who reports directly to him/her. Per the charter, the City Manager is the chief administrative officer and provides financial oversight; however, as was noted, the finance officer is appointed by, and reports directly to, the council. The manager oversees public works, human resources, electric, information technology, customer services, and the library.

FIGURE 3-1: City of Dover FY 2016 Organizational Chart



In most communities with a council/manager form of government the City Manager is responsible for the day-to-day administration and operations of the city while the elected officials are responsible for policy direction and fiscal oversight. In Dover's hybrid system the manager has limited control of city operations. The Mayor and City Council both have appointment powers and direct supervision over a significant portion of the city's day-to-day operations. In the case of the Fire Department, CPSM has observed that the current oversight of operations appears disjointed. The Fire Chief and line officers are elected by the Volunteer Association membership and the election results are confirmed by City Council. Budgetary oversight and personnel matters are under the supervision of the City Manager; however, the Leadership of the Volunteer Association maintains significant oversight of Fire Department operations.

The Volunteer Association, as a separate entity, functions independent of municipal operations and the Association's structure of organization, training, selection processes, and disciplinary practices

are not under the purview of either the city's elected officials or the City Manager. There are, however, several city employees who are employed by the fire department (Dispatchers and the Assistant to the Fire Chief) who operate under city personnel policies and fall under the supervision of the City Manager. Fire Inspectors who are responsible for enforcing fire code and life safety permitting processes are also city employees, but they work under the supervision of the Director of Planning and Community Services. We believe that this overly complex arrangement creates the very real potential for ambiguous or conflicting direction. Revisions should be considered.

Recommendation: The City of Dover should reorganize the structure of fire department operations so that the supervision and management of the Dover Fire Department is unified and under the direction of the City Manager.

Compounding this management issue is the fact that the Fire Chief is elected on an annual basis by the Volunteer Association and then approved by the City Council. He/she has direct control and oversight of the department's field operations. Since the Fire Chief is elected on an annual basis there is the possibility for a lack of continuity in management and administrative oversight of the department. In addition, there are no specific qualifications, training, or supervisory experience required to be selected Fire Chief.

The City of Dover provides significant annual funding for the operation of the Fire Department and provides annual payments to the Volunteer Association. The duties for operating and managing the various functions of the Fire Department are extensive and the impacts of these decisions create significant liabilities for the city. These liabilities are in the areas involving workplace issues, discrimination, and disparate treatment with regard to age, gender, nepotism, race, or ethnicity. In addition, there are broad financial components of this oversight that require transparency, equal access, and proper accounting practices. Our analysis did not reveal any illegal or unethical practices; however, there is concern that improved oversight is warranted.

Recommendation: The City of Dover should create a full-time position of Emergency Services Manager and transfer the day-to-day oversight of the fire department and the other closely related emergency services and support functions under this position. We recommend that this new position be a direct report to the City Manager.

The duties and responsibilities of the Emergency Services Manager will be significant, with the oversight of the fire department, emergency management, EMS, fire prevention, public education, fleet maintenance, and capital planning. However, the primary objective would be to manage and administer the relationship between the Volunteer Association and its interaction with the City of Dover.

In 2009, a report by the public accounting and management firm of Haggerty and Haggerty was commissioned by City Council. In the report a number of findings and recommendations were made regarding improved oversight of the Fire Department. Ultimately, a joint committee composed of City of Dover and representatives of the Volunteer Association negotiated a nine-point agreement

that addressed financial issues and the overall working relationship between the two parties. In our interviews with various stakeholders there was a wide divergence of opinion on whether this agreement resolved the various concerns, and if the agreement is still being adhered to. It is apparent, however, from CPSM's perspective that a formal, written agreement is warranted. This agreement should specify the terms and conditions around which the city and the Volunteer Association should operate jointly in providing fire services.

Recommendation: The City of Dover and the Volunteer Association should enter into a contractual agreement that specifies the terms and conditions involved in the delivery of fire services.

CPSM believes that this agreement should be fully encompassing and should provide detailed guidance in the working relationship between the city and the Volunteer Association. We further recommend that the newly appointed Emergency Services Manager be responsible for the administration of this agreement and be the direct point of contact between the city and Volunteer Association. We would recommend the following components be defined in this agreement:

- Relationship between the city and the Volunteer Association.
- Annual budget allocations and reporting requirements.
- Reporting relationship between the Fire Chief and the Emergency Services Manager.
- Minimum training and selection criteria for new volunteer personnel.
- Professional qualifications, promotional processes, and on-going training requirements for existing volunteers.
- Safety practices, safety equipment, and PPE.
- Deployment, emergency response, and on-scene operational practices.
- Incident reporting and other report requirements.
- The management of the fire department apparatus, including purchasing, maintenance, and ownership.
- Use of fire facilities and associated rental charges.
- Working relationship with PrimeCare.
- Working relationship with Kent County.
- Service response designation and relationship with mutual aid responders.

Included in this agreement should be the delineation of the responsibilities of the Emergency Services Manager and his/her relationship with the Volunteer Association in the delivery of services. This would include:

- Managing the day-to-day administrative operations of the fire department and providing the Fire Chief with additional operational support when needed

    - The Fire Chief, as chosen by the membership of the Volunteer Association, would retain the responsibility for emergency scene management and incident control; however, he/she would report directly to the Emergency Services Manager.
- Overseeing EMS operations and managing the EMS contract.
- Overseeing the operations of the Fire Marshal's office.
- Serving as the OEM coordinator, or, at a minimum, overseeing the OEM function and its operations.
- Managing the Fire Department fleet.
- Ensuring adherence to training requirements and recordkeeping.
- Reviewing incident reports and following up on incomplete or inaccurate reporting.
- Maintaining proper workplace behavior and the supervision of fire department employees.
- Maintaining financial records.
- Long- and short-term planning for Fire Department operations, facilities, and equipment.

Emergency medical transport in the city is provided, under contract, by a private third-party entity. The current provider is PrimeCare Medical Transport. The PrimeCare contract is administered by the city's Coordinator of Public Affairs. This individual also has oversight of the city's Office of Emergency Management functions. CPSM believes that both the administration of the EMS contract with PrimeCare and the oversight of the city's emergency management activities should fall under the duties assigned to the Emergency Services Manager.

Recommendation: The Emergency Services Manager should be assigned the administration of the contract with PrimeCare and should coordinate the emergency management activities for the City of Dover.

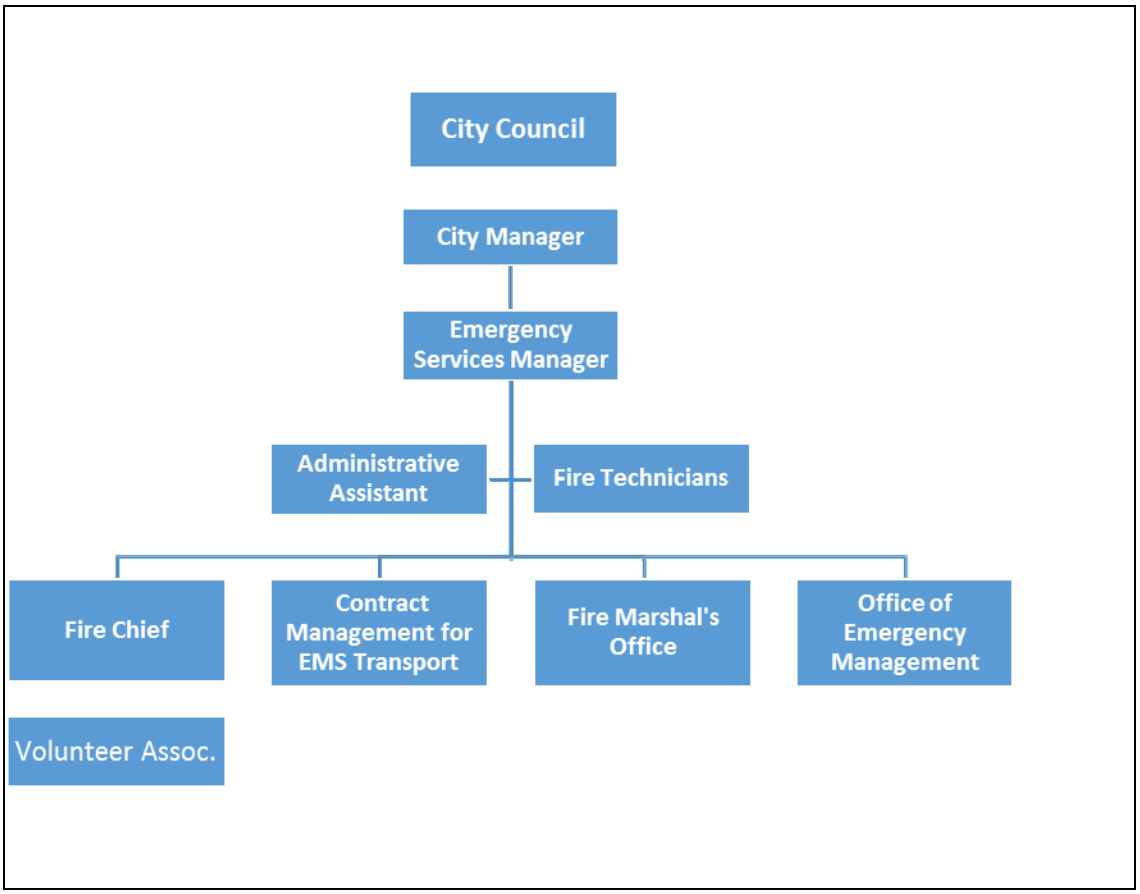
The Coordinator for Public Affairs has managed the city's responsibilities involving PrimeCare and emergency management in a very professional and proficient manner. It is strongly recommended that this individual work closely with the Emergency Services Manager in transitioning these duties. CPSM also recommends that this individual continue to play an active role in both activities and possibly assume an alternate or deputy manager status in these key duties.

The Fire Marshal's office is currently located in the Planning and Community Development Department. CPSM believes that this is a Fire Department function and should fall under the purview of the new Emergency Services Manager. It is important, however, that the Fire Marshal's duties continue to have close ties and coordination with the Planning and Community Development Department.

Recommendation: The city Fire Marshal and Fire Inspectors (Deputy Fire Marshals), along with fire code enforcement, plans review, and fire inspection duties, should be assigned under the supervision of the Emergency Services Manager.

As noted above, the current appointment of key fire officials (Fire Chief and Fire Marshal) requires approval by the Dover City Council. Under the proposed restructuring we are not recommending that these changes modify the current City Charter provisions that guide this oversight. Instead CPSM recommends that the City Manager be involved and develop his/her recommendations in these key areas of oversight, which then are presented to City Council for approval. This would include the recommended appointment of Fire Chief and Fire Marshal. In addition, the City Manager would negotiate the agreements and their respective stipulations with both the Volunteer Association and PrimeCare and present these recommendations to City Council for approval. However, once approval is achieved, it then becomes the responsibility of the City Manager and the Emergency Services Manager to administer these agreements in accordance with the direction of the city council.

FIGURE 3-2: Proposed Fire Department Organizational Structure



In addition to the revisions in the organizational structure of the Fire Department and associated support activities, CPSM believes that it is also beneficial to house all fire department operations at a central location in the main fire station. We propose that those personnel operating from this location include: the Emergency Services Manager, the Fire Marshal, Fire Inspectors, Fire Technicians, and other support personnel. This will require Volunteer Association approval and agreement regarding the stipulations involving space allocation, building maintenance, utilities, and rental charges. We believe that the proposed service agreement between the city and the Volunteer

Association is the best mechanism to negotiate these terms and should be built into the written agreement. CPSM also recommends that PrimeCare operations be moved to the main fire station. This will facilitate a closer alignment between the Fire Department and PrimeCare and will provide the ability for direct oversight of PrimeCare activities by the Emergency Services Manager.

> ***Recommendation: The city should consider the relocation of all fire department operations, including Fire Code Inspections/Enforcement, EMS transport, and the emergency management functions to the main fire station at 103 S. Governors Ave.***

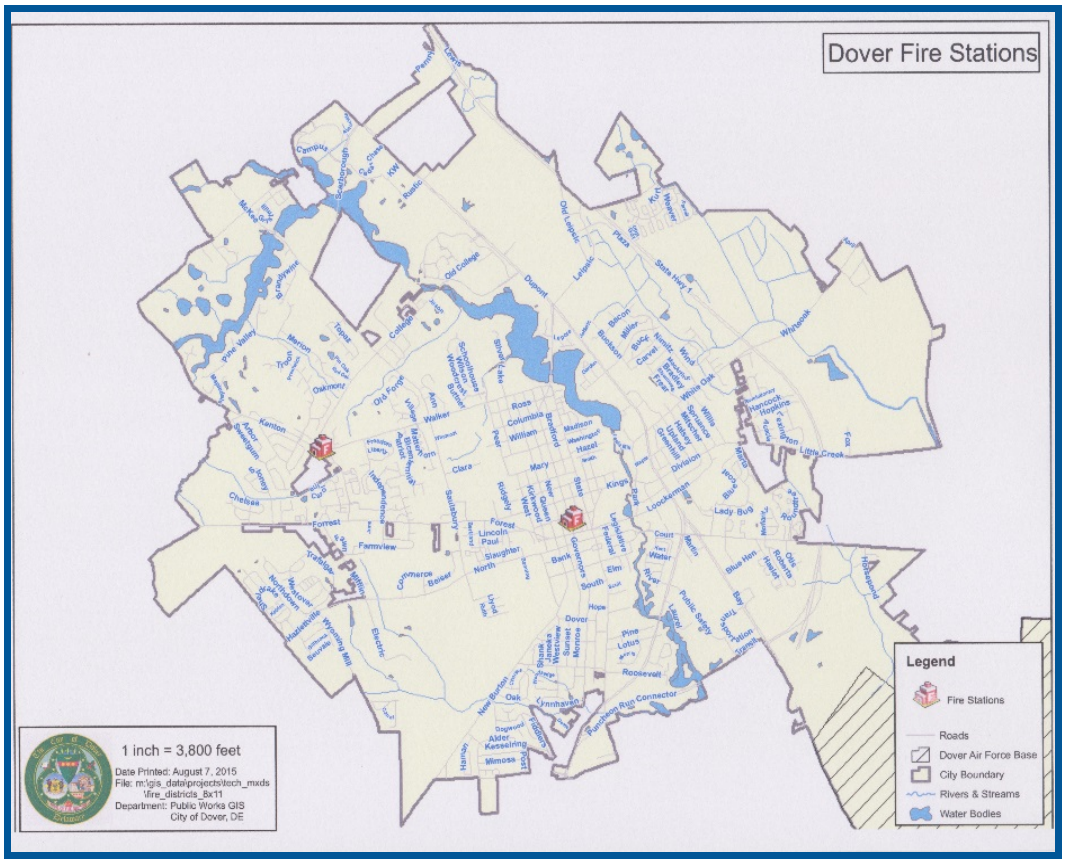
As the city and the Volunteer Association move toward a closer alignment of their working relationship, it is critical that all fire department activities are housed at a common location. The regular movement of personnel in an out of this structure will identify the structure as a fully operational government facility and this will assist in maintaining the security at this location. In addition, this very large structure provides ample space to host Fire Department administrative services, Volunteer Association activities, an EMS dormitory, and apparatus space. This facility also provides opportunities to house and operate the city's Emergency Operations Center when needed.

Dover Fire Department

The Dover Fire Department is operated and staffed by the Volunteer Association (formally the Robbins Hose Company No. 1). The designation of Robbins Hose Company as the city's official fire company is specified in the city charter and the city code. The Volunteer Association is an autonomous organization, and provides fire protection and emergency response within the corporate limits of the City of Dover along with some contiguous areas of Kent County.

DFD Station 1 is located at 103 S. Governors Ave. in downtown Dover. Engines 4, 6, and 7, Ladder 2, Rescue 1, Brush 9, and Marine 1 are deployed from this station. This facility also houses the Volunteer Association's administrative offices, a fire dispatch center, meeting areas, and a fire museum. Station 2 is located at 911 Kenton Rd., and houses Engines 2 and 3, Ladder 1, Utility 1, and a foam trailer. Members of the Volunteer Association generally respond to the station nearest their residence. The location of the city's fire stations and the municipal boundaries are illustrated in Figure 3-3.

FIGURE 3-3: City of Dover Map with Fire Station Locations



All members of the DFD are volunteer. The department's membership roll shows an active roster of approximately eighty (80) personnel. As with most volunteer organizations, the number of active volunteers continually fluctuates as new members join while other leave or move on. The Volunteer Association has been showing a net gain in its active members of approximately five (5) to six (6) new members annually. Based on our experience studying departments across the country, we can say that the city is fortunate to have a very healthy volunteer organization that appears to be effective in its recruitment and retention efforts.

The City employs five (5) full-time Fire Dispatchers, and several part-time dispatchers (alternates), who provide dispatch and communications services for the department. There is one (1) dispatcher on duty at Station 1 at all times. Dispatchers at Station 1 work a rotating schedule that consists of four (4) days on followed by three (3) days off. One (1) full-time dispatcher is also assigned at Station 2 and works four (4) ten (10)-hour days. This individual may move to Station-1 as a fill-in if one of the other dispatchers is on leave. The part-time dispatchers are utilized to fill in as necessary. The city also employs a Fire Chief's Assistant who provides administrative and noncombat operational support to the Fire Chief. This person in essence handles the day-to-day administrative needs of the department. While the position has traditionally been full time, at the time of our assessment it was only being filled on a part-time basis of twenty-nine (29) hours per week. The

Fire Chief's Assistant is designated as the supervisor for the Fire Dispatchers, though these personnel often receive work assignments and direction from volunteer personnel.

Robbins Hose Company No. 1

The Robbins Hose Company was organized as a volunteer fire company in November 1882 by seventeen citizens of Dover. The company was granted an act of incorporation by the Delaware Legislature on January 25, 1883. The company has remained the sole firefighting force for the city ever since and this relationship has been designated in both the city charter and city codes. Despite trends nationwide that have strained the ability of the volunteer fire service to protect larger communities, the Dover Fire Department has remained fully volunteer for 132 years. In fact, the city and company pride themselves on being the only state capital that is protected by a fully volunteer fire department. Although today the company is more often referred to simply as the Dover Fire Department, the traditional fire company structure which is part of its heritage is still very active in all facets of its operations.

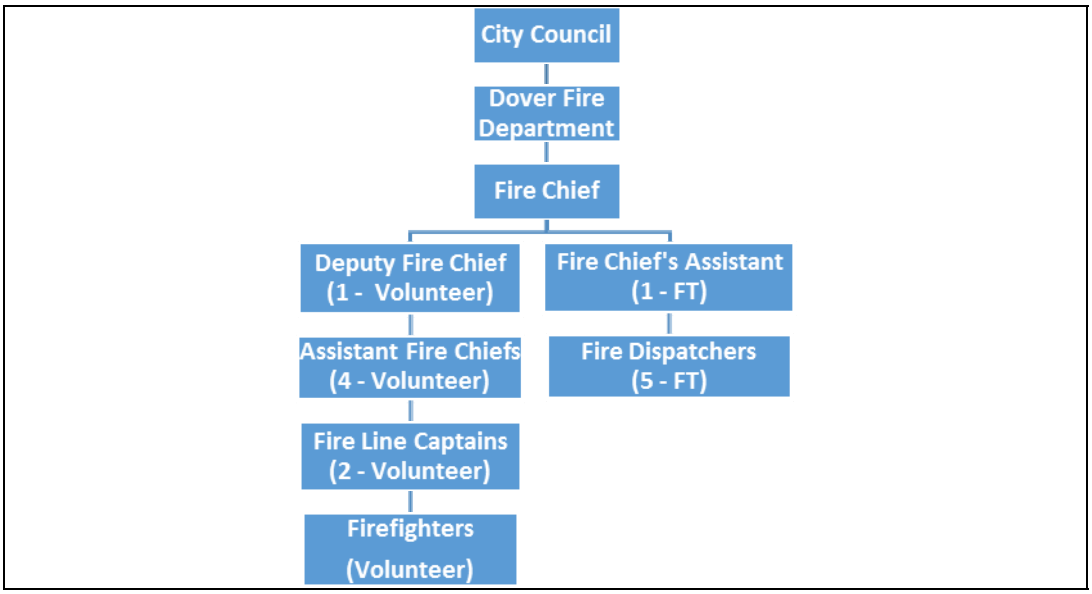
The business aspects of the fire company are overseen by a nine (9)-member board of directors whose members are elected by the company membership. On the administrative side of the company the membership also elects a fire company president (who also serves as an ex-officio member of the board), vice president, secretary, treasurer, and three (3) trustees. The trustees serve two-year (2) terms while the remainder of the officers serve one-year (1) terms. The company membership also directly votes for the members of the apparatus and maintenance committee, the rules committee, fund drive committee, and the fire recorder. There are also twenty-four (24) various committees whose members are appointed by the fire company president.

On the operations side the fire company membership elects the Fire Chief, Deputy Fire Chief, four (4) Assistant Fire Chiefs, and two (2) fire line Captains. All of these personnel also serve one-year (1) terms. As with many volunteer fire companies the administrative/social officers and board of directors and trustees, while not directly involved in emergency operations, wield significant influence and control over all aspects of the company's operations. Ultimately, if there was a major disagreement between the Fire Chief and the company President, the company President's decision would prevail.

Organizational Structure

The Dover Fire Department utilizes a traditional, although rather linear, organizational structure. The department is led by a Fire Chief who is an active responder. He is assisted by a Deputy Fire Chief who serves as the second in command and in charge of fire suppression operations. There are four (4) Assistant Chiefs, first assistant through fourth assistant, and two (2) fire line Captains. Personnel who are certified as Firefighter III are deemed to be qualified to serve as an officer on apparatus. The hierarchical relationships and the job functions encompassed in this structure does not appear to be well defined and it was difficult to determine any differences in assignments or responsibilities among chief officers and company officers.

FIGURE 3-4: Dover Fire Department FY 2015 Organizational Chart



All officers are elected annually by the membership of the department. There is not a promotional process to determine if the personnel being nominated through the company's election process are qualified to hold their respective positions. Officers are only required to have completed the four mandatory training classes that are required to receive the Class III Fire Fighter grade. Officers are not required to possess or demonstrate any skills in advanced firefighting tactics, knowledge of building construction, fire codes, code enforcement, fire pump practices, operational scene management, incident command, or firefighter safety. There is no requirement that personnel have a progression in their assignments, nor have previous experience as an advanced firefighter, company officer, or chief officer. Most of those personnel who serve as officers were simply recruited by others to run for a position to which they were ultimately elected.

> ***Recommendation: All officer positions, including Captain, Assistant Fire Chief, Deputy Fire Chief, and Fire Chief, should be filled on the basis of firefighting/ emergency services training, certifications, and experience, along with successful completion of a formal, openly competitive assessment process, including a practical skills evaluation.***

CPSM believes that the testing and selection process for the various ranked positions within the Fire Department's organizational structure is the responsibility of the Volunteer Association to manage. It is necessary, however, to include in the contractual agreement between the city and the Volunteer Association specific language that requires the Association to make these selections through an openly competitive testing processes that utilizes nationally recognized skills requirements and experience for the affected positions. The contract should also provide the city with the ability to review these processes and that detailed recordkeeping be kept regarding these selections.

As was previously noted, the City of Dover employs five (5) full-time and several part-time fire dispatchers who are assigned to work at the fire department. This dispatchers work in tandem with the city's 911 Police Dispatch Center; when a fire call is received by the 911 center it is passed to the fire dispatch center, which sends out a page to the volunteers and monitors the response and on-scene communications involving fire department personnel. However, the primary workload for the fire dispatchers is the maintenance of vehicles and station equipment along with the custodial duties for the two fire stations. CPSM believes that the assignment of duties for Fire Dispatchers is justified and appears effective. The Fire Dispatchers are charged with keeping the equipment and vehicles in a full state of readiness. They clean the facilities and provide general maintenance on the vehicles and equipment. This allows the volunteers to respond to incidents and focus on training and skills development. During fire calls the dispatcher supports scene activities via radio communications and coordinates personnel deployment. The current arrangement is not, however, the most efficient utilization of these personnel and CPSM recommends that this arrangement be modified.

Recommendation: The City of Dover should reassign the dispatching function at the Dover Fire Department and move this dispatching function to the Kent County 911 Dispatch Center.

The current dispatch operations provided by the Dover Fire Department appear redundant and inefficient. The same service can be provided by Kent County from a much more technologically advanced center, with professionally trained personnel. By using a single center to process calls, CPSM believes that this will reduce the number of times calls are transferred between agencies and will expedite the emergency response process. The Kent Center is modern and well-staffed and more technologically advanced than either the city's police or fire communications centers. The Kent Center is located in the City of Dover, which would enable direct interaction with managerial and line officers when needed. This center currently dispatches all other volunteer companies in the county, along with PrimeCare. The center has the ability to screen calls and prioritize the assignment of units to best match the nature of the call. The center also monitors all radio traffic for PrimeCare and other Mutual Aid Companies in the area. County officials with whom we spoke indicated that ***the 911 service is available to the city at no charge.*** The current workload anticipated with a move of fire dispatching services into the Kent Center could be handled without the need for additional personnel or equipment.

The city is currently expending in excess of $400,000 annually in personnel costs for the Fire Dispatchers and the part-time Fire Chief's Assistant. CPSM believes that by restructuring the organization of the Fire Department, moving dispatch operations to Kent County, reducing the number of Fire Dispatchers to two (2) full-time positions, and eliminating the Fire Chief's Assistant, there would be sufficient savings to fund the full-time Emergency Services Manager and a full-time administrative support position.

Recommendation: The City of Dover should reduce the number of full-time dispatchers from five (5) to two (2), reclassify this position to a Fire Technician designation, and eliminate the Fire Chief's Assistant position.

TABLE 3-1: Comparison of Personnel Costs

Current DFD Personnel Costs*			Proposed DFD Personnel Costs
Five (5) Dispatchers & Alternates, Fire Chief's Asst.-Salary & Benefits	$409,800		
		$80,000	1-Emergency Services Manager
		$33,000	1-Administrative Assistant
		$90,000	2-Fire Technicians
		$20,000	Fire Technicians/Alternates/OT
		$99,904	Employee Benefits (@44.8%)
TOTALS	**$409,800**	**$322,904**	

*Note: Does not include any payments to the Volunteer Association or for Fire Prevention staff.

When reclassifying the position of Fire Dispatcher to Fire Technician, CPSM proposes to eliminate the dispatching duties for these personnel and to expand their role in support of volunteer operations. Their primary jobs will continue to be the maintenance of fire apparatus, equipment, and fire station facilities and grounds. It is proposed that the two (2) full-time Fire Techs work four 10-hour days so that one (1) fire technician is on duty every day of the seven (7)-day week and on one (1) day each week, two (2)would be scheduled to work. In addition, CPSM proposes that $20,000 in additional funding be available to maintain alternates who would cover for the Fire Technicians during scheduled absences or to supplement staffing during higher workload periods, special events, training, etc. However, with the elimination of the dispatching duties, the Fire Techs can support the Fire Marshal's office in developing detailed preplans on target hazards and other commercial, industrial, and multifamily residential occupancies throughout the city. They will be responsible for producing these documents into viable prefire planning documents that would be available to responding personnel and kept on the apparatus. In addition, they could be involved in the training of these materials to the volunteer personnel during weekly training session. CPSM does not believe the new role of Fire Technician is a 24/7 operation, but instead can be accomplished on a modified 40-hour schedule with two (2) full-time positions and alternative support. We propose that the Fire Tech position be placed under the supervision of the Emergency Services Manager to assist the Emergency Services Manager in various duties involved in the oversight of fire department operations.

The Fire Chief's Assistant is responsible for many of the administrative duties within the fire department. By creating the Emergency Services Manager and the Administrative Assistant positions, the duties of the Chief's Assistant duties will be assumed by these new positions and this will eliminate the need for the Fire Chief's Assistant position.

Personnel Management/Rank Structure

Fire Department rules, regulations, and procedures should work in tandem with and be consistent with the overarching ordinances, rules, regulations, and policies that have been adopted by the City of Dover. Though volunteer personnel are not employees of the city, they operate under the authority and supervision of city government. As such, employee workplace policies involving

discrimination, sexual harassment, utilization of government funds for purchasing, freedom of information, Internet and computer usage (including social media), and smoking (on city premises or in vehicles) are typically guided by the governing body and applied across-the-board to all employees, including volunteer members. The city should provide training and familiarization concerning these policies and the supervisory oversight to ensure that these policies are being followed.

Recommendation: The City of Dover and the Volunteer Association should specify those city personnel policies that apply to members of the Volunteer Association and include these provisions in the service agreement.

CPSM recommends that a clear delineation of those city personnel policies that apply to the members of the Volunteer Association be communicated in writing. It should be the responsibility of the Emergency Services Manager in collaboration with the Fire Chief to supervise this effort.

The Volunteer Association also has a personnel committee. The committee is primarily responsible for processing applications for new volunteer members of the association. Once an application is received the chairperson of the committee performs a background check on the applicant; however, they are not fingerprinted to determine if there is a criminal history, which is a state requirement. The applicant is then sent for a medical evaluation and drug testing. The Volunteer Association has recently added a social media review component to the screening process. If the potential member successfully passes all screening, the chairperson and three additional members interview the candidate. This is a commendable effort for a volunteer organization, and which CPSM considers a best practice. Once the candidate is accepted into membership in the Volunteer Association they are assigned to the orientation officer to initiate and oversee their training.

The Volunteer Association has an internal affairs committee comprised of the President, Vice President, and Fire Chief. Other members can be appointed as necessary. The committee is tasked with investigating complaints or allegations of wrongdoing against members and recommending appropriate disciplinary action. Though these processes are valid and intended to provide the necessary oversight of the selection process and performance issues, CPSM believes that a governmental review of these activities is warranted.

Recommendation: The City of Dover, through the Emergency Services Manager, should review all selection, promotional, and personnel issues carried out by the Volunteer Association to ensure compliance with city regulations, and state and federal guidelines.

CPSM realizes that there is separation between city government and the inner workings of the Volunteer Association. However, it is incumbent upon the city to ensure that the actions of the Volunteer Association are in compliance with local, state, and federal guidelines. It should be the primary responsibility of the Emergency Services Manager in conjunction with the Fire Chief to make sure that this oversight takes place and that proper recordkeeping is maintained.

Under current city policy, employees are not permitted to respond as part of the Volunteer Association without taking personal leave for any working hours missed. Employees are permitted to be members of the Association, but are restricted in their ability to respond to emergencies. CPSM believes that there are a number of employees who have a desire to participate fully and should be permitted to do so. There is always a needed balance that must be maintained when employees assume secondary roles apart from their primary employment duties. Clear guidelines must be provided as to when it is appropriate to respond to emergencies and when it is not. In addition, worker's compensation issues may arise if an employee is injured or loses time from their primary work responsibilities because of injuries sustained in a volunteer firefighting status. In addition, the city and the employee must establish an overtime exclusion for those volunteer activities that may take place after the employee's normal working hours. Notwithstanding these considerations, CPSM believes that the city should discontinue the limitation on releasing employees who are active firefighter volunteers for responding to emergencies during business hours.

> ***Recommendation: The City of Dover should revisit its current prohibition on allowing employees to respond as volunteer firefighters without docking their pay or requiring utilization of leave time in providing this service.***

The key to a vibrant and competent volunteer fire service is directly related to its ability to recruit and maintain a viable complement of personnel. Dover has been fortunate in its recruiting effort but as national trending indicates, this capacity will be tested in the years ahead. There must always be a balance in regulating the abilities of employees to maintain dual roles and this is particularly difficult when the additional duties involve emergency response. Good communications between the employee and their supervisor regarding when it is appropriate to respond and when it is not is essential. There must be an ability to train and to participate in fire department activities without a financial hardship or reduction in leave time. Similarly, the employee must understand the limitations involved in this effort and that the ultimate priority is their primary work. The process must be guided by written policy and good common sense. Ultimately the number of participants will not be significant; however, CPSM believes that the expansion of the talent pool will have far more beneficial impacts than complications.

Section 4. Analysis and Planning Approaches

Community Risk Analysis

In an effort to reduce the nation's mounting natural disaster losses, the U.S. Congress passed the Disaster Mitigation Act of 2000 (DMA 2000) to provide new and revitalized approaches to mitigation planning. Section 322 of DMA 2000 emphasizes the need for state and local entities to closely coordinate mitigation planning and makes the development of a hazard mitigation plan a specific eligibility requirement for any local government applying for federal mitigation grant funds. These funds include the Hazard Mitigation Grant Program (HMGP) and the Pre-Disaster Mitigation (PDM) program, both of which are administered by the Federal Emergency Management Agency (FEMA). Communities with an adopted and federally approved hazard mitigation plan thereby become prepositioned and more apt to receive available mitigation funds before and after the next disaster strikes.

In 2015, the Kent County Department of Public Safety, Emergency Management Division, facilitated an update to the Kent County Multi-Jurisdictional Hazard Mitigation Plan, which includes the City of Dover. Kent County is vulnerable to a wide range of natural hazards, including flooding, drought, tropical storms and hurricanes, and winter storms. It is also vulnerable to a variety of human-caused hazards, including chemical releases, spills, or explosions associated with the fixed storage or mobile transport of hazardous materials. These hazards threaten the life and safety of county residents, and have the potential to damage or destroy both public and private property and disrupt the local economy and overall quality of life.[7]

The 2015 Plan Update was conducted in coordination with the Federal Emergency Management Agency (FEMA) and the Delaware Emergency Management Agency (DEMA) to ensure that it meets all applicable DMA 2000 planning requirements. A Local Mitigation Plan Review Tool, included in the Plan Update, provides a summary of FEMA's current minimum standards of acceptability and notes the location within the plan where each planning requirement is met.

> ***Recommendation: The City of Dover should integrate its community risk analysis and hazard mitigation efforts with Kent County.***

Strategic Planning/Long-Range Planning

The development of a comprehensive fire protection and prevention strategic plan involves three key steps:

- ***First:*** To generate an assumption of what the community will look like at the end of the planning process.

[7] Kent County Multi-Jurisdictional Hazard Mitigation Plan, 2015 Update (Draft)

- ***Second***: The department needs to assess realistically the strengths and weaknesses of the existing fire protection system to include codes, standards, and ordinances relating to fire prevention efforts, public safety education programs, and emergency response capability.
- ***Third:*** To project the needed capabilities and capacity of the fire protection system and its fire department component as the community changes.

This process helps to ensure that an adequate level of resources, including staffing and equipment, are allocated to meet the community's needs for the services delivered by the Fire Department as efficiently as possible. A strategic plan also assists the department in matching resources with available revenues.

Defining clear goals and objectives for any organization through a formal strategic planning document establishes a resource that any member of the organization, or those external to the organization, can view and determine in what direction the organization is heading, and as well as how the organization is planning to get there.

In a strategic plan, it is essential that clear and achievable goals and objectives for each program area are developed. Each program area must then (1) define its goals; (2) translate the goals into measurable indicators of goal achievement; (3) collect data on the indicators for those who have utilized the program; and (4) compare the data on program participants and controls in terms of goal criteria. Objectives should be SMART, an acronym that stands for **s**pecific, **m**easurable, **a**mbitious/attainable, **r**ealistic, and **t**ime-bound. Additionally, these goals should link back to fiscal planning goals.

The Dover Fire Department does not have a comprehensive strategic plan that focuses on the future, provides clear departmental direction, and defines resources that support the strategy for fire protection.

> ***Recommendation: The City of Dover should facilitate the development of a strategic plan for the Dover Fire Department that focuses on the department's long-term needs and anticipated service demands.***

Standards of Cover

A Standards of Cover is a document that is fully compliant with industry best practices in the field of deployment analysis. The evaluation and analysis of data is based on nationally recognized guidelines and criteria, including recognized National Fire Protection Association (NFPA) standards, ISO schedules, any federal and state mandates relative to emergency services, and generally accepted practices within emergency services. All methodology used in a Standards of Cover analysis of a department should follow the methodology described in the "Standards of Response Coverage, 5th Edition," published by the Commission on Fire Accreditation International (CFAI).

CFAI defines the process, known as "deployment analysis," as written procedures which determine the distribution and concentration of fixed and mobile resources of an organization. The purpose for completing such a document is to assist the agency in ensuring a safe and effective response force for fire suppression, emergency medical services, and specialty response situations in addition to homeland security issues. CFAI further defines "Standards of Response Coverage as being those adopted, written policies and procedures that determine the distribution, concentration, and reliability of fixed and mobile response forces for fire, emergency medical services, hazardous materials, and other forces of technical response."

The City of Dover has not developed a Standards of Cover document in accordance with CFAI guidelines.

> ***Recommendation: The City of Dover should conduct a formal Standards of Response Coverage analysis under the guidelines of the Commission on Fire Accreditation International (CFAI).***

Fire Risk Analysis/Target Hazards

The City of Dover is fortunate to have a dedicated force of volunteers who provide 100% of the city's firefighting needs. If a full-time force of paid personnel were utilized, CPSM estimates that these costs could exceed $3 million to $4 million annually. The "professional volunteer fire department" in the City of Dover works well and has been effective in serving this community for many years. This arrangement is extremely cost effective and is considered by CPSM to be a best practice, and it should be fully supported and maintained.

Regardless of the type of organization that serves a given community, it is inherent upon a community's leadership to ask the fundamental question of whether the level of risk in their jurisdiction is commensurate with the type of protective force that is currently being deployed. To this end, a fire risk assessment and hazard analysis process should be utilized in an effort to provide a more objective assessment of the community's level of risk.

A fire risk analysis utilizes a "***fire risk score,***" which is a rating of an individual property on the basis of several factors, including;

- The needed fire flow.
- The probability of an occurrence based on historical events.
- The consequence of an incident in that occupancy (to both occupants and responders).
- The cumulative effect of such occupancies and their concentration in the community.

Plotting the rated properties on a map will provide a better understanding of how the response matrix and staffing patterns can be used to provide a higher concentration of resources for worse-

case scenarios or, conversely, fewer resources for lower levels of risk.[8] The community fire risk assessment may also include determining and defining the differences in fire risk between a detached single-family dwelling, a multifamily dwelling, an industrial building, and a high-rise building by placing each in separate category. Further, an overall community risk profile can be linked to historical response time data. That analysis can then be used to establish response time baselines and benchmarks.

Community risk and vulnerability assessment are essential elements in a fire department's planning process. The City of Dover has not completed a comprehensive community risk and vulnerability assessment. According to a National Fire Protection Association (NFPA) paper on assessing community vulnerability, fire department operational performance is a function of three considerations: resource availability/reliability, department capability, and operational effectiveness.[9] These elements can be further defined as:

> ***Resource availability/reliability:*** The degree to which the resources are ready and available to respond.
>
> ***Department capability:*** The ability of the resources deployed to manage an incident.
>
> ***Operational effectiveness:*** The product of availability and capability. It is the outcome achieved by the deployed resources or a measure of the ability to match resources deployed to the risk level to which they are responding.[10]

The process of identifying target hazards and preplanning suppression and rescue efforts are basic preparedness efforts that have been key functions in the fire service for many years. In this process, critical structures are identified on the basis of the risk they pose. Then, tactical considerations are established for fires in these structures. Consideration is given to the activities that take place (manufacturing, processing, etc.), the number and types of occupants (elderly, youth, handicapped, imprisoned, etc.), and other specific aspects relating to the construction of the facility or any hazardous or flammable materials that are regularly found in the building. ***Target hazards*** are those occupancies or structures that are unusually dangerous when considering the potential for loss of life or the potential for property damage. Typically, these occupancies include hospitals, nursing homes, high-rise, and other large structures. Also included are arenas and stadiums, industrial and manufacturing plants, and other buildings or large complexes.

The City of Dover has a number of target hazards within its service area. Target hazards automatically receive an upgraded "box alarm" response assignment, each specifically tailored to the unique risks and hazards. The Dover Fire Department clearly designates the types and number of apparatus to be deployed to each target hazard.

---

[8] *Fire and Emergency Service Self-Assessment Manual,* Eighth Edition, (Center for Public Safety Excellence, 2009), 49.
[9] Fire Service Deployment, Assessing Community Vulnerability: From http://www.nfpa.org/assets/files/pdf/urbanfirevulnerability.pdf.
[10] National Fire Service Data Summit Proceedings, U.S. Department of Commerce, NIST Tech Note 1698, May 2011.

The city's target hazards include:

Luther Towers, located at 430 Kings Highway has 258 one bedroom and 33 efficiency (studio) apartments in four buildings. Luther Towers and Luther Village of Dover are operated under the guidelines established by the U.S. Department of Housing and Urban Development Section 202/8 programs. Luther Towers and Luther Village are apartment campuses for seniors 62 and older.

NRG Energy sells electricity to the mid-Atlantic region, which feeds into the City of Dover transmission/distribution system. The combined heat and power plant was constructed by General Foods in 1984, later acquired by Kraft Foods and then sold to Stat Oil in 1996 and finally purchased by NRG in 2000. NRG added two units to the facility to better support the local Kraft Foods plant, the Procter & Gamble plant, and the City of Dover.

The Garrison Oak Technology Park is home to The Garrison Energy Center, a 309-megawatt combined-cycle electric generating facility built to enhance reliability for Delaware and the regional power market. The energy center will accommodate the addition of another 309 megawatts of generation capacity should market conditions warrant.

Kraft Foods has operated a major plant in Dover since at least 1969, originally a General Foods plant. The plant is owned by Kraft Foods Group, one of the daughter companies of the Kraft Foods breakup. It makes Jell-O, Stove Top dressing mix, Baker's Chocolate, Country Time powdered mix, Crystal Light, and Kool-Aid.

Proctor and Gamble is an American multinational consumer goods company headquartered in Cincinnati, Ohio, founded by William Procter and James Gamble. Its products include cleaning agents, and personal care products. The Dover facility known as Proctor and Gamble Dover Wipes is classified as an industrial plant; it manufactures 40 percent of the baby wipes products sold in the United States, Canada, and Puerto Rico.

Dover Mall is a climate-controlled indoor mall with more than eighty-five (85) stores ranging from jewelry to apparel, appliances to cellular, and footwear to sporting goods. Large stores include Macy's, JC Penney, Boscov's, Sears, Old Navy, and Hollister Co.

> ***Recommendation: The DFD should conduct a formal fire risk analysis that concentrates on the downtown areas, high-rise structures, and manufacturing and institutional occupancies.***

Section 5. Operational Response Approaches

Many agencies incorporate the use of pre-fire plans to provide a response and tactical strategy for those more critical or complex occupancies in the community. The community risk and vulnerability assessment evaluates the community as a whole, and with regard to property, measures all property and the risks associated with that property and then segregates the property as either a high, medium, or low-hazard, which are further broken down into varying degrees of risk. According to the NFPA *Fire Protection Handbook*, these hazards are defined as:

> **High-hazard occupancies:** Schools, hospitals, nursing homes, explosives plants, refineries, high-rise buildings, and other high life-hazard or large fire-potential occupancies.
>
> **Medium-hazard occupancies:** Apartments, offices, and mercantile and industrial occupancies not normally requiring extensive rescue by firefighting forces.
>
> **Low-hazard occupancies:** One (1)-, two (2)-, or three (3)-family dwellings and scattered small business and industrial occupancies.[11]

The operations necessary to successfully extinguish a structure fire, and do so effectively, efficiently, and safely, requires a carefully coordinated, and controlled, plan of action. Certain operations such as venting ahead of the advancing interior hose line(s) should be carried out with a high degree of precision and timing. Multiple operations, frequently where seconds count, such as search and rescue operations and trying to cut off a rapidly advancing fire, must also be conducted simultaneously. If there are not enough personnel on the incident initially to perform all of the critical tasks, some will, out of necessity, be delayed. This can result in an increased risk of injury, or death, to building occupants and firefighters, and, increased property damage. Figures 5-1 and 5-2 illustrate the critical tasks and resource deployment typically utilized on low-risk incidents and moderate-risk structure fires. Understanding the community's risk greatly assists fire department management planning for and justification of staffing and apparatus resources.

[11] Cote, Grant, Hall & Solomon, eds., *Fire Protection Handbook* (Quincy, MA: National Fire Protection Association, 2008), 12.

FIGURE 5-1: Low-Risk Response–Exterior Fire Attack

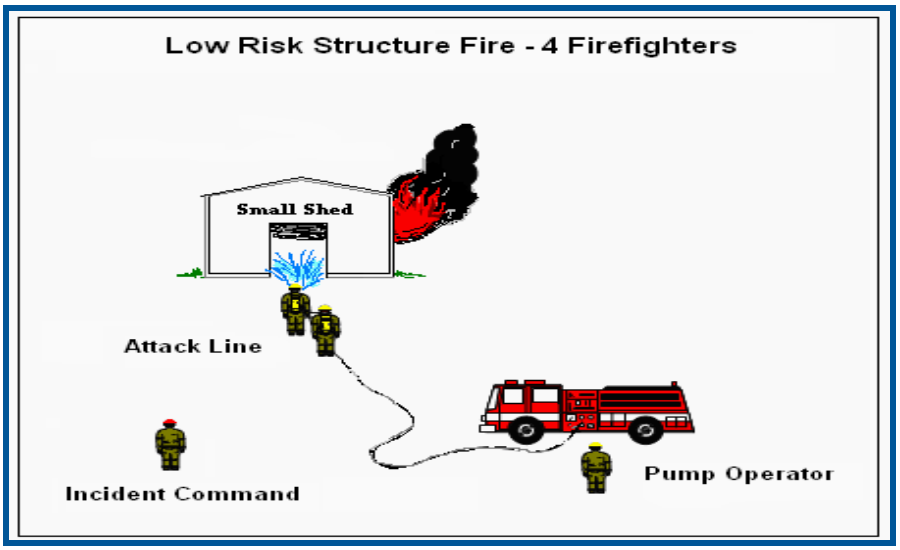
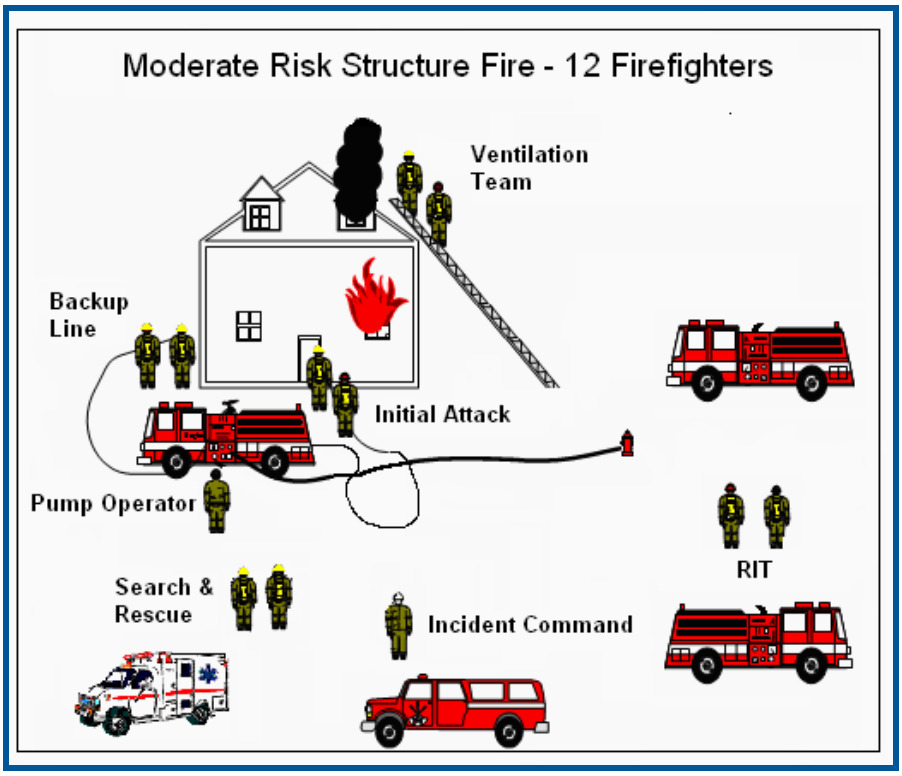


Figure 5-2 represents critical task elements for a moderate-risk structure fire. Some jurisdictions add additional response resources to meet and in some cases exceed the specifics of national benchmarking, such as National Fire Protection Association (NFPA) 1720, *Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Volunteer Departments,* 2014 Edition. DFD often utilizes mutual aid to assemble the necessary staffing to manage its larger incidents.

FIGURE 5-2: Moderate-Risk Response–Interior Fire Attack



NFPA 1720 (paragraph 4.3.2) is a guide that can be used by the authority having jurisdiction (AHJ) to determine staffing and response time objectives for structural firefighting. This guidance is based on a low-hazard occupancy such as a 2,000 square foot, one (1) - or two (2)-story, and single family structures without basement or exposures.

TABLE 5-1: Staffing and Response Time Guidance from NFPA 1720

Demand Zone	Demographics	Minimum Staff to Respond	Response Time (minutes)	Meets Objective (% of time)
Special risks	AHJ	AHJ	AHJ	90
Urban	>1000 people/mi.	15	9	90
Suburban	500 - 1000 people/mi.	10	10	80
Rural	< 500 people/mi.	6	14	80
Remote	Travel distance > 8 mi.	4	Dependent upon travel distance	90

Note: Dover is an urban community with a population density of 1,557 people per square mile.

In addition to examining risks faced in the community at large, a department should examine the cumulative risks it places on its responding personnel. The National Fire Protection Association's *Standard for a Fire Department Occupational Safety and Health Program* (NFPA 1500) recommends the development of a separate risk management plan for the daily operations of the department.[12] This standard of safety establishes the parameters by which the department should conduct all activities during emergency and nonemergency operations. The intent is for all members of the department to operate within this standard or plan of safety and not deviate from this process.

Recommendation: The DFD should develop a comprehensive, departmentwide risk management plan as recommended in NFPA 1500.

At the time of this study the DFD had a limited number of formal prefire/incident plans. As with many other aspects of a department that is staffed with volunteer personnel, it is difficult to manage a process of this type. It is envisioned that this process can be addressed with the addition of the Fire Technician position and the assignment of these personnel to carry out this task.

Recommendation: The DFD should make it a priority to establish a formal pre-incident planning program with the goal of having an up-to-date preplan for every business and commercial occupancy (including schools, churches, etc.) within its response area.

Prefire/incident plans should be reviewed regularly and tested by periodic table-top exercises and on-site drills. In addition, the department should develop a plan to make prefire/incident plans accessible on mobile data terminals (notebook/laptop computers) on all fire apparatus for use en route to an incident and while on scene.

Dover Response Matrix/Response Protocols

The Dover Fire Department self-dispatches all incidents after being forwarded the 911 call from the 911 Police Dispatch Center. Incidents are generally classified as crew calls, station calls, or general alarms. ***Crew calls*** are incidents that are generally handled with one (1), or perhaps two (2), units. This includes minor incidents such as fire investigations, vehicle fires, or trash fires. Crew calls are dispatched from the nearest station, Monday through Friday from 6:00 p.m. to 6:00 a.m. and 24 hours on Saturdays and Sundays. If there is no response to a crew call after eight (8) minutes, the incident is re-dispatched as a general alarm for both stations and all personnel.

Station calls are incidents that are handled by a crew that is in station at the time the call is received without the incident being toned out as a crew call or general alarm. Station calls can cover a wide range of incident types and are initiated at the discretion of an officer in the station at the time the call is received.

[12] Robert C. Barr and John M. Eversole, eds., *The Fire Chief's Handbook*, 6th edition (Tulsa, OK: PennWell Books), 270.

General alarms are incidents to which the entire department is dispatched. These can be incidents that started as a crew call that did not generate a response. However, the majority of general alarms involve structural fire incidents including alerts from automatic fire alarm systems. A station call can be substituted for a general alarm at the discretion of an officer if warranted. If there is no response to a general alarm dispatch after eight (8) minutes the incident is re-dispatched along with the nearest mutual aid company unless an officer directs otherwise.

The department utilizes a response matrix that indicates the numbers and type of units that respond to a specific type of incident. The department's response areas (which includes areas outside of the City of Dover) are broken down into quadrants and unit assignments are designated for each quadrant. The normal Dover response to a single family dwelling fire is:

- Station 1 – One (1) engine, One (1) ladder, One (1) rescue
- Station 2 – Two (2) engines, One (1) ladder

If the officer requests to have a ***box alarm assignment*** then the dispatcher contacts Kent County for mutual aid resources. DFD has "Box Alarms" established for six (6) of its largest target and/or life hazard occupancies. These box alarms are utilized only when an actual fire is confirmed by on-scene personnel.

In an effort to reduce the high number of false fire alarms originating from Delaware State University and Wesley College, DFD has established a verification process from college security before a response is initiated. If security does not respond within seven (7) minutes from the receipt of the alarm, an activation of the volunteers is generated. This practice has been implemented in the last year and CPSM recognizes this as a ***best practice*** that should be continued.

The department has two (2) command vehicles. One (1) is assigned to the Fire Chief and the other is utilized by the department duty officer. Each officer in the department rotates through the duty officer assignment and in this capacity he/she must be available to respond to incidents as a ranking officer or for minor incidents to conduct an investigation before paging out the alarm. On most incidents the Fire Chief or the duty officer respond to a station and ride the apparatus rather than responding directly to the scene in their command vehicle. Typically, command is responsible for the incident size-up, scene safety, determining if additional resources are needed, and making assignments for the incoming units. When operating as a company officer and engaged in the tactical components of the incident, the command officer is not able to perform the necessary oversight of the incident and provide the necessary scene management. In many cases this is not a problem, as the situation is minor and the coordination of multiple resources is not required. However, on larger events it is critical that the command officer be apart from the tactical units and are able to manage the entire incident.

> ***Recommendation: The Fire Chief and/or the duty officer, when dispatched to an incident, should respond to the incident scene with their assigned command vehicle in order to assume the role of incident commander.***

Scene management and the incident command process are critical to the orderly execution of an emergency incident. It is essential that every incident have a designated incident commander and that a command post be formally established and clearly identifiable among the various responding units. The incident management process is a universally adopted management tool that is utilized in all events and is particularly critical when there are multiple agencies responding. It is critical that all company officers (captains) and chief officers are fully trained and utilize the incident command process in managing emergency events.

CPSM has also observed some inconsistencies in the number of units responding to the various types of emergency incidents. We observed two (2) automatic fire alarms that were received during our site visit. The first incident was for an alarm sounding in a large manufacturing facility. It was believed that the building was fully sprinklered, but it is a facility of significant size where a potential fire would be challenging. There was no corresponding call confirming smoke or actual fire. At the time of the incident there was a crew in Station 1 and the incident was handled as a station call, with a single engine and the Fire Chief responding. The judgement utilized in screening this call and reducing the level of response appeared sound and we believe good judgement was used in managing and adjusting the response to meet the need. The following day an alarm was received for a fire alarm in a single family dwelling. Again, there was no corroborating call confirming or observing smoke or fire. Since there were no personnel in station at the time a general alarm was dispatched. The response to this much smaller structure was two (2) engines and two (2) ladders. This level of response appeared unnecessary, thus creating an inconsistency in the manner in which the calls were handled.

Part of the Fire Department risk management assessment process is deciding what resources are necessary, and appropriate, for response to each type of incident. There should also be consistency in dispatch and response. Any time that emergency vehicles activate their warning lights and sirens it increases their chances of being involved in a vehicle accident. This risk increases as multiple volunteer personnel respond to their stations in their personal vehicles. This is coupled with the fact that many fire responses are not actual fires or true emergencies. Organizations today are attempting to limit the number of apparatus responding, and limit those responses to a cold response (no lights and sirens and following normal traffic patterns) as much as possible.

> ***Recommendation: The DFD should standardize its response to a single unit to automatic fire alarm soundings and other nonemergency situations (when these are unconfirmed as a true emergency).***

If there are no indications that the call is a true emergency, the responding unit should proceed in a cold response to investigate.

Staffing and Volunteer Deployment

The City of Dover and the Volunteer Association have fared well in maintaining a suitable and reliable workforce. However, with the changing nature of our society the leaders of both the City of Dover and Volunteer Association will need to monitor and be aware of any subtle changes that begin to occur in their operations.

With an active membership roster of approximately eighty (80) personnel the DFD would seem to have enough personnel to provide adequate protection to the city. Association records indicate that on average, fourteen (14) personnel are responding on general alarms. This level of response is excellent and well within the recommendations of NFPA 1720. This level is also well-suited for the call activities and service demands currently presented in the community.

Under Association guidelines, apparatus are supposed to respond with a minimum of four (4) personnel on board. Ideally this consists of a driver, officer and two (2) personnel certified at the FF III level. However, when necessary FF IIs are permitted to respond. The absolute minimum staffing is identified as three (3) personnel. Apparatus with fewer than three (3) personnel would not normally be allowed to respond. This is a very high staffing level and in our observation consistent with many of the more urbanized, career organizations across the nation.

The City of Dover has been extremely fortunate in its association with the Volunteer Association and its ability to maintain and recruit a viable volunteer fire fighting force. ***CPSM recognizes this effort and commends the leadership of the Volunteer Association in its service to the community.***

Apparatus and Fleet Maintenance

Apparatus purchase and maintenance is an integral part of any fire department and requires sound financial planning. As fleets age, it is logical to conclude that reliability is lessened and repair costs increase. There are two (2) proven ways to mitigate the long- and short-term costs associated with vehicle repairs and replacement. The primary way is to have a regimented preventive maintenance (PM) program that places each vehicle on a regular maintenance cycle. The other method is to have a realistic apparatus replacement plan so that when a vehicle has outlived its usefulness it is replaced and removed from service.

NFPA 1901 Appendix D, which sets "Guidelines for First-Line and Reserve Fire Apparatus," has changed and adapted over the years to reflect the changes in industry standards. It states:

> *"The length of that life depends on many factors, including vehicle maintenance, engine hours, quality of the preventive maintenance program, quality of driver training program, whether the fire apparatus was used within the design parameters …there are fire apparatus with 8 to 10 years of service that are simply worn out. There are also fire apparatus…that have excellent maintenance, and that have responded to a minimum number of incidents that are still in serviceable condition after 20 years.*

…the care of fire apparatus while being used and the quality and timeliness of maintenance are perhaps the most significant factors in determining how well a fire apparatus ages."[13]

In a 2004 survey of three-hundred-sixty (360) fire departments in urban, suburban, and rural settings across the nation, Pierce Manufacturing reported on the average life expectancy for fire pumpers.[14] The results are shown in Table 5-2.

TABLE 5-2: Fire Pumper Life Expectancy by Type of Jurisdiction

Demographic	First-Line Service	Annual Miles Driven	Reserve Status	Total Years of Service
Urban	15 Years	7,629	10 Years	25
Suburban	16 Years	4,992	11 Years	27
Rural	18 years	3,034	14 Years	32

Note: Survey information was developed by Added Value Inc. for Pierce Manufacturing in, "Fire Apparatus Duty Cycle White Paper," Fire Apparatus Manufacturer's Association, August 2004.

The city's fire apparatus fleet is represented in Table 5-3. In most organizations we review the typical apparatus replacement schedule anticipates the useful working life of fire engines to be fifteen (15) years in frontline service followed by five (5) to seven (7) years in a reserve status (a useful life expectancy of 20 to 22 years). Ladder trucks typically have a longer life expectancy—twenty (20) years in frontline service and five years in reserve. This is because in most systems ladders are utilized less than first-line fire pumpers and their service time is a bit longer. Today's fire engines are expected to travel a total of 100,000 to 120,000 miles, with proper maintenance, before needing replacement. The Dover Fire Department operates with seven (7) engines, two (2) aerial ladder trucks, one (1) heavy rescue vehicle, six (6) utility vehicles (including two (2) command, two (2) brush, and two (2) pickup trucks), one (1) boat, and one (1) foam trailer.

[13] NFPA-1901 *Standard for Automotive Fire Apparatus-2016 Edition, Sect. D.2*
[14] Fire Apparatus Duty Cycle White Paper, Fire Apparatus Manufacturer's Association. August 2004.

TABLE 5-3: Dover Fire Department Apparatus Inventory

Unit ID	Year	Manufacturer	Type	Age
Ladder 1	2011	Pierce	Rear mount aerial	5 years
Ladder 2	2005	Pierce	Tower Ladder	11 years
Engine 2	2008	Pierce	Pumper	8 years
Engine 3	2003	Pierce	Pumper	13 years
Engine 4	2005	Pierce	Pumper	11 years
Engine 6	2003	Pierce	Pumper	13 years
Engine 7	1997	Pierce	Pumper	18 years
Brush 1	2013	RTV Kubota	Brush Vehicle	3 years
Brush 9	2001	Ford F-350	4x4 Pick-Up truck	15 years
Rescue 1	1997	Pierce	Heavy Rescue Vehicle	18 years
Marine 1	1990	Polar Kraft	Flat Bottom Boat	25 years
Foam 46-13	2004	CNMI	Foam Trailer	12 years
Car 1	2015	Chevrolet SUV	Chief's Vehicle	1 year
Car 2	2015	Chevrolet SUV	Command Vehicle	1 year
Utility 1	2006	Ford	Pickup	10 years
Utility 2	1997	GMC	Pickup	18 years

It is CPSM's observation that the apparatus in the Dover system do not experience heavy call volume. In our analysis of call activity, Ladder 1 had the highest number of runs, 542 in the 12-month period evaluated. It is not uncommon in many suburban and urban communities to see fire apparatus respond to between 2,000 and 2,500 alarms and travel from 10,000 to 12,500 miles annually. CPSM estimates that the average, round-trip travel distance for calls in the Dover system is approximately four (4) miles. With this type of travel distance and the associated call volume, we estimate that Ladder 1 would travel approximately 2,200 miles annually. The three (3) other units with the highest response activity in this same time frame were Engines 2, 4, and 6. We estimate that these units will travel an estimated 1,200 to 1,800 miles annually. Given this amount of response activity we anticipate that fire engines in the Dover system should have an expected frontline service life of twenty 20-plus years. We estimate that a ladder truck's life-cycle would be comparable. Table 5-4 shows the workload by unit for the DFD fleet.

TABLE 5-4: Call Workload by Unit

Unit Type	Unit ID	Avg. Deployed Min. per Run	Total Annual Hours	Avg. Deployed Min. per Day	Total Annual Runs	Avg. Runs per Day
Brush	B1	17.0	3.4	0.6	12	0.0*
	B9	18.0	31.5	5.2	105	0.3
Engine	E2	27.8	199.4	32.8	431	1.2
	E3	29.0	63.8	10.5	132	0.4
	E4	27.2	164.4	27.0	363	1.0
	E6	25.7	120.7	19.8	282	0.8
	E7	32.7	20.7	3.4	38	0.1
Ladder	L1	26.1	235.8	38.8	542	1.5
	L2	26.0	50.6	8.3	117	0.3
Rescue	R1	33.7	58.3	9.6	104	0.3
Utility	U1	24.2	14.9	2.5	37	0.1
Other	Other	36.3	2.4	0.4	4	0.0*

* These units had so few runs that their average runs per day, rounded to the nearest one-tenth, appears to be zero

It is important to note that the current workload observed in Dover is considerably lower than many agencies we observe in comparably sized communities. CPSM attributes this to the infrequency with which DFD units respond to EMS-related incidents. In most communities, EMS calls make up the predominant share of workload, in most cases accounting for as much as seventy-five (75) to eighty (80) percent of response activities. We estimate that if DFD units were providing first responder service for EMS calls, total response activities would double and possibly triple from what is currently occurring.

A critical determinant in developing a suitable apparatus replacement program is the decision on the size of the fleet that is utilized and ultimately maintained by the organization. As indicated above, DFD operates five engines and two ladder trucks as its first-line response units. In addition, there are a number of support and command vehicles that are available. It is our observation, however, that only four (4) DFD apparatus are utilized regularly in handling the current workload. As indicated in the table, there are four (4) primary apparatus that respond: Ladder 1, Engine 2, Engine 4, and Engine 6. This we believe is a product of the number of vehicles needed to transport the volunteers who assemble and the amount of equipment required to manage most incidents. A review of attendance records for personnel responding to fires during 2014 indicates that on average, fourteen (14) personnel responded to most incidents. For a volunteer organization, this is an excellent response level and considered a ***best practice*** by CPSM. However, given the workload in Dover and the level of risk indicated by historical events and the strength of the city's fire prevention efforts, we recommend that the city establish as its first-line fleet an initial response force of six (6) units, and a total response force of twelve (12) to sixteen (16) personnel.

Recommendation: The DFD should establish as its first response apparatus three (3) engines, one (1) ladder truck, and two (2) command vehicles.

In addition to the primary response fleet of three (3) engines, one (1) ladder, and two (2) command vehicles, Dover should maintain one (1) engine and one (1) ladder as reserve units. The assorted support vehicles should also be maintained and kept as part of the apparatus fleet. Given the proposed first-line fleet of three (3) engines, one (1) ladder, and the reserve units (one (1) engine and one (1) ladder), we would recommend a replacement schedule for this size fleet as shown in Table 5-5.

TABLE 5-5: Proposed Fire Apparatus Replacement Schedule

VEHICLE TYPE	FIRST LINE SERVICE	RESERVE STATUS	TOTAL SERVICE LIFE
Engines	18 yrs./or 100,000 mi.	5yrs./or 120,000 mi.	23 yrs./or 120,000 mi.
Aerial Ladders	20 yrs./or 100,000 mi.	7 yrs./or 120,000 mi.	25 yrs./or 120,000 mi.

As with any schedule or plan, the proposed apparatus schedule should serve as a guide for financial planning for apparatus replacement. If an apparatus is involved in a wreck or if there are frequent and unexpected repairs that are costly, the replacement plan may be accelerated so that a replacement is made before the scheduled time frame. Similarly, if on the basis of some type of financial constraint or if an apparatus is still operating well at the end of the replacement schedule, the proposed plan may be extended so that a particular apparatus is used beyond the expected replacement schedule. It is also wise to build into any replacement schedule other factors in addition to age of the apparatus and which will assist in this decision making. Vehicle miles or operating hours should be considered. In addition, the cumulative repair costs for a particular vehicle may be used in guiding the purchase of new apparatus. For example, if through the working life of an apparatus, the total repair costs exceed fifty (50) percent to seventy-five (75) percent of the vehicle cost, this may be factored into the decision to replace the vehicle.

Recommendation: The City of Dover should adopt an apparatus replacement schedule to serve as a guide for the financial planning and replacement of fire apparatus.

If DFD were to maintain a fleet of four (4) first-line apparatus and two (2) reserve units (four (4) engines and two (2)aerial ladders), this size fleet would have a replacement value of more than $4.3 million in 2016 dollars ($525,000 per engine and $1.1 million per aerial). Thus, a straight-line calculation utilizing a Twenty-three (23) year replacement schedule indicates a need to earmark approximately $187,000 annually for apparatus replacement. This number does not account for specialty apparatus, boats, staff, and utility vehicles. Dover does not have a formal replacement program for fire apparatus, and more importantly it does not have in place any ongoing funding or depreciation program for future expenditures. In the absence of this type of sinking fund, a community can be faced with major capital expenditures that are unexpected and not planned for.

Recommendation: The City of Dover should adopt an apparatus replacement program that earmarks annual funding for future apparatus purchases.

Fleet Maintenance

Fleet maintenance is vital to preserving the quality of fire apparatus and ultimately affects the performance of apparatus at emergency incidents. Unlike other tasks that can be scheduled for once a week, month, or year, apparatus checks should be performed daily. Taking the time to properly inspect and maintain fire apparatus will not only extend vehicle life, but it's also essential to the safety of the crew, department, and community.

The Dover Fire Department has a process in place to check vehicles on a regularly assigned basis by the Fire Dispatcher. Each vehicle has a checklist that involves the vehicle, hand tools, pumps, and aerial devices. When vehicle repairs are needed or periodic service maintenance is required, this function is carried out under the supervision of the Volunteer Association, specifically their apparatus and maintenance committee, and which is managed by the committee chairman.

Pumps and aerial devices are tested annually, in accordance with NFPA Standard 1901, by Atlantic Emergency Solutions at its Middletown, Del., service center. Atlantic Emergency Solutions delivers fire and emergency equipment to Virginia, Maryland, Delaware, the District of Columbia, North Carolina, and portions of West Virginia, serving as the primary Pierce Manufacturing dealer. Pierce is a premier manufacturer of fire apparatus in the U.S. known for the quality of its vehicles and customer service. Atlantic Emergency Solutions is a respected dealer and maintenance provider in the mid-Atlantic region, with ten (10) service centers strategically located for customer convenience. Currently, Atlantic Emergency Services provides both drive line and technical repair services to the Dover Fire Department fleet. Atlantic Emergency Services mechanics maintain Automotive Service Excellence (ASE) certifications as well as Emergency Vehicle Technician Certification. The Emergency Vehicle Technician Certification Commission, Inc. (EVT) is a nonprofit corporation dedicated to improving the quality of emergency vehicle service and repair throughout the United States and Canada. EVT is governed by a board of directors that represents emergency response agencies, emergency vehicle maintenance service associations, and the educational community.

The apparatus specification and purchasing process is managed by the Volunteer Association utilizing city funds. The Volunteer Association appoints an apparatus replacement committee to develop specifications and to develop the bid process. In any purchasing process that utilizes public funds it is imperative to maintain a system of competitiveness and equal access without any indication of favoritism or preference to an individual dealer or vendor. While many volunteer fire departments develop specifications for a particular apparatus manufacturer and purchase from their vendor of choice, this practice is generally not allowed in most local and state governments. It is essential that a request for proposal (RFP) and an invitation to bid (ITB) are developed to ensure the product or service provides the intended results, and that technical specifications are written in a way that provides fairness and competitiveness.

Due to the costs and the associated liabilities involved in fleet purchases and maintenance, CPSM recommends that the city, under the direction of the proposed Emergency Services Manager, be responsible for fleet maintenance and acquisition for the Dover Fire Department.

Recommendation: The city, under the direction of the new Emergency Services Manager, should be responsible for fleet maintenance and vehicle acquisition for the Dover Fire Department.

Though the ultimate decision making and authority should reside with the city, it is essential that the Volunteer Association be integrally involved in the fire department fleet functions. For this reason it is recommended that the city utilize a committee group to provide guidance and recommendations to the Emergency Services Manager in carrying out the purchase, maintenance, and disposal of the fire department apparatus and equipment.

Fire Response

Dover is a small- to medium-sized city with a service population of about 37,000 people. As a state capital, and a community that hosts a number of well-attended special events, it is not uncommon to see population spikes and a corresponding increase in service calls. However, the fire service demand in the city is still relatively light. In the one (1)-year time frame analyzed by CPSM, the Dover Fire Department responded to a total of 991 alarms, of which 106 were structure fires and 69 were outside fires or grass fires. As mentioned earlier the city utilizes Kent County and a private ambulance provider for its EMS transports. The Dover Fire Department typically does not respond to EMS incidents unless there are extenuating conditions that would necessitate its response. Subsequently, on a daily basis the DFD responds to fewer than three (3) calls per day and in most cases these are service calls or minor incidents. On occasion there are the more significant incidents that require a substantial workforce to manage. This is the most difficult question that many communities face. They must ask themselves: What is the appropriate level of protection when considering the typical daily demand for service versus the infrequent larger event that requires a substantially higher response? Regardless of the size of the response force, it is still extremely difficult to determine the effectiveness of the initial response in limiting fire spread and fire damage. Many variables will impact these outcomes, including:

- The age and type of construction of the structure.
- The contents stored in the structure and their flammability.
- The presence of any flammable liquids, explosives, or compressed gas canisters.
- The time of detection, notification, and ultimately response of fire units.
- The presence of any built-in protection (automatic fire sprinklers) or fire detection systems.
- Weather conditions and the availability of water for extinguishment

Subsequently, in those situations in which there are extended delays in the extinguishment effort or the fire has progressed sufficiently upon arrival of fire units, there is actually very little that can be done to limit the extent of damage to the entire structure and its contents. In these situations suppression efforts will focus on the protection of nearby or adjacent structures with the goal being to limit the spread of the fire beyond the building of origin. This is often termed ***protecting exposures***. When the extent of damage is extensive and the building becomes unstable, firefighting tactics typically move to what is called a ***defensive attack***, or one in which hose lines and more importantly personnel are on the outside of the structure and their focus is to merely discharge large volumes of water until the fire goes out. In these situations the ability to enter the building is very limited and if victims are trapped in the structure, there are very few safe options for making entry.

Today's fire service is actively debating the options of interior firefighting vs. exterior firefighting. These terms are self-descriptive in that an ***interior fire attack*** is one in which firefighters enter a burning building in an attempt to find the seat of the fire and from this interior position extinguish the fire with limited amounts of water. An ***exterior fire attack*** is a tactic in which firefighters initially discharge water from the exterior of the building, either through a window or door and knock down the fire before entry in the building is made. The concept is to introduce larger volumes of water initially from the outside of the building, cool the interior temperatures, and reduce the intensity of the fire before firefighters enter the building. An exterior attack is most applicable in smaller structures, typically, one-story detached units which are smaller than 2,000 square feet in total floor area.

There are a number of factors that have fueled this debate, the first and most critical of which are staffing levels. As fire departments operate with reduced levels of staffing, and this staff arrives at the scene from greater distances, it is likely that a single fire unit with three or four personnel will only have the option of initiating an exterior attack. The U.S. Occupational Safety and Health Administration (OSHA) has issued a standard that has been termed the ***"Two-in-Two-Out"*** provision. This standard affects most public fire departments across the U.S., including DFD. Under this standard, firefighters who are engaged in ***interior structural firefighting*** and enter an area that is immediately dangerous to life or health (an IDLH atmosphere), must remain in visual or voice contact with each other and have at least two other employees located outside the IDLH atmosphere. This assures that the "two in" can monitor each other and assist with equipment failure or entrapment or other hazards, and the "two out" can monitor those in the building, initiate a rescue, or call for back-up if a problem arises.[15] There is a provision within the OSHA standard that allows two (2) personnel to make entry into an IDLH atmosphere without the required two back-up personnel. This is allowed when they are attempting to rescue a person or persons in the structure before the entire team is assembled.[16]

When using an exterior attack, the requirement of having the four (4) persons assembled on-scene prior to making entry would not apply. Recent studies by UL have evaluated the effectiveness of

[15] OSHA-Respiratory Protection Standard, 29CFR-1910.134(g)(4)
[16] Ibid, Note 2 to paragraph (g).

interior vs. exterior attacks in certain simulated fire environments. These studies have found that the exterior attack to be equally effective in these simulations.[17] This debate is deep-seated in the fire service and traditional tactical measures have always proposed an interior fire attack, specifically when there is a possibility that victims may be present in the burning structure. The long-held belief in opposition to an exterior attack is that this approach may actually push the fire into areas that are not burning or where victims may be located. The counterpoint supporting the exterior attack centers on firefighter safety. The exterior attack limits the firefighter from making entry into those super-heated structures that may be susceptible to either a floor or roof collapse. From CPSM's perspective, and given the uncertainties regarding response of volunteer personnel at any given time, there is at least some likelihood that a single crew of three or four personnel will encounter a significant and rapidly developing fire situation. It is prudent that the DFD build at least a component of its training and operating procedures around the tactical concept of the exterior fire attack when the situation warrants such an approach.

Recommendation: The DFD should build at least a portion of its training regimens and tactical strategies around the exterior or transitional attack when the fire scenario and the number of responding personnel warrant this approach.

The Dover Fire Department should be fully capable (and we believe is) of handling fires that are limited is size and intensity in single-family dwellings. This goal becomes more achievable when sufficient staffing is available, AND the fire department can arrive at the fire incident and take definitive action before the size of the fire intensifies.

CPSM analyzed the DFD's response activity from July 1, 2014 through June 30, 2015. During the study period, the department responded to 975 calls. CPSM analyzed calls and runs. A call is an emergency service request or incident. A run is a dispatch of a unit. As multiple units are often dispatched to a call, there are more runs than calls.

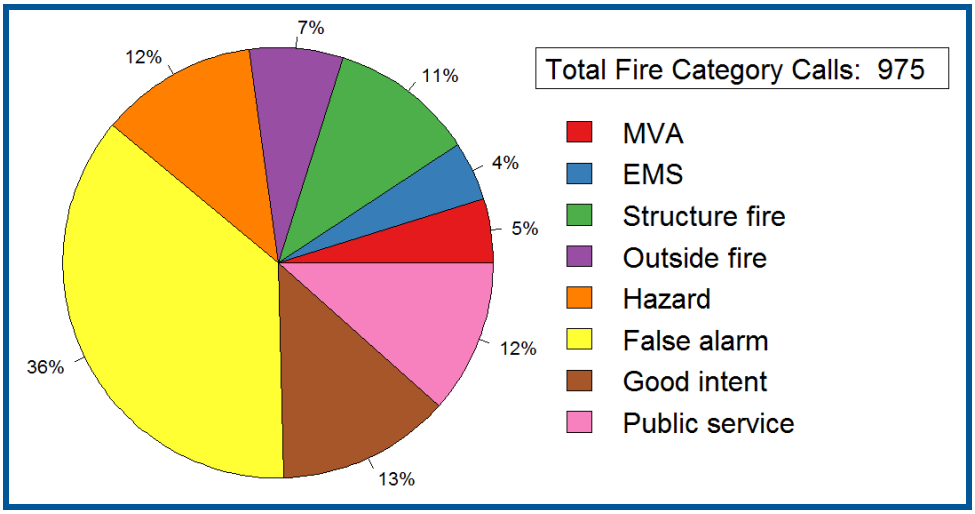
Table 5-6 and Figure 5-3 show the aggregate call totals for the twelve (12) month period evaluated, broken down by number of incidents, average calls per day, and the percentage of calls that fall into each call type category. While the Dover Fire Department does not provide ambulance services, it does respond to select emergency medical service (EMS) calls and motor vehicle accidents (MVAs) involving extrications and rescues. We include MVAs as a separate call type while we identify all other EMS-type calls grouped as simply "EMS." Actual fire calls (structural and outside) represent 17.6% percent of the overall calls (approximately 0.48 calls per day or one actual fire-type call every other day). Structure fires account for 10.7% of the incidents (approximately 0.29 per day, or one structure fire every 3.4 days). Hazard, false alarms, good intent, and public service calls represent the largest percentage of fire calls for service, which is also typical in CPSM data and workload analyses of other fire departments.

[17] "Innovating Fire Attack Tactics", U.L.COM/News Science, Summer 2013.

TABLE 5-6: Call Types

Call Type	Number of Calls	Calls per Day	Call Percentage
MVA	47	0.13	4.7
EMS	43	0.12	4.3
Structure fire	106	0.29	10.7
Outside fire	69	0.19	6.9
Hazard	115	0.32	11.6
False alarm	355	0.97	35.8
Good intent	127	0.35	12.8
Public service	113	0.31	11.4
Subtotal	**975**	**2.67**	**98.2**
Cancelled	16	0.04	1.6
Total	**991**	**2.72**	**100.0**

FIGURE 5-3: Calls by Type



Observations:

- Fire calls for the year totaled 975, averaging 2.7 per day.
- Structure and outside fires combined totaled 175 calls, averaging one call every 2.1 days.
- Structure fires (106 calls) accounted for 11 percent of total calls.
- Outside fires (69) accounted for 7 percent of total calls.
- False alarms (355) accounted for the largest percentage of calls at 36 percent.

In looking at the actual calls it is important to note that of the 975 incidents tabulated, a total of 885 were fire-related (that is, excludes MVA and EMS calls). Of these 885 fire-related incidents, only 175 (106 structure and 69 outside fires) were actual fires (20 percent). False alarms, public service,

good intent, and hazard calls make up the largest percentage of the fire-related calls, at more than 80 percent. This fact is critical when we look at the response patterns that are utilized for these minor or non-emergent responses.

Table 5-7 indicates the duration of calls by type and duration using four (4) duration categories: less than thirty (30) minutes, thirty (30) minutes to one (1) hour, one (1) to two (2) hours, more than two (2) hours.

TABLE 5-7: Calls by Type and Duration

Call Type	Less than One-half Hour	One-half Hour to One Hour	One to Two Hours	More than Two Hours	Total
MVA	33	12	2	0	47
EMS	38	4	1	0	43
Structure fire	54	37	8	7	106
Outside fire	48	19	2	0	69
Hazard	64	42	8	1	115
False alarm	324	29	2	0	355
Good intent	100	23	4	0	127
Public service	67	33	11	2	113
Subtotal	**728**	**199**	**38**	**10**	**975**
Cancelled	15	1	0	0	16
Total	**743**	**200**	**38**	**10**	**991**

Observations:

Overall

- 95 percent of calls (943) lasted less than one hour.
- Four percent of calls (38) lasted between one and two hours and 1 percent (10) lasted more than two hours.
- On average, 0.1 calls per day, or approximately one call every eight days, lasted more than one hour.

Structure Fires

- 86 percent of structure fires (91) lasted less than one hour; 8 percent (8) lasted between one and two hours; and 7 percent (7) lasted more than two hours.

Outside Fires

- 97 percent of outside fires (67) lasted less than one hour; 3 percent (2) lasted between one and two hours; and none lasted more than two hours.

False Alarms

- 99 percent of false alarms (353) lasted less than one hour, and 1 percent (2) lasted more than an hour.

Again, when we look at the nature of the 86 structure fire calls, only 15 involved call durations that exceeded one hour or more. This can be attributed to the magnitude of these events. Similarly, in the outside fire category, only two (2) of the sixty-nine (69) events had durations in excess of one (1) hour.

Table 5-8 summarizes the actions taken by the Fire Department at structure and outside fires. In this table it is important to note, specifically in the row referencing "extinguishment by fire service personnel," that only in 26 of the 106 structure fires and 45 of the 69 outside fires, was extinguishment done by fire service personnel. This again may indicate that on only a limited number of instances were fire extinguishment actions on the part of the fire department actually needed.

TABLE 5-8: Actions Taken Analysis for Structure and Outside Fire Calls

Action Taken	Number of Calls	
	Structure Fire	Outside Fire
Assistance, other	4	0
Extinguishment by fire service personnel	26	45
Fire control or extinguishment, other	11	10
Information, investigation & enforcement, other	3	3
Investigate	48	7
Investigate fire out on arrival	12	4
Notify other agencies.	2	0
Provide equipment	1	0
Remove hazard	2	0
Salvage & overhaul	6	2
Search & rescue, other	5	0
Ventilate	3	0
Total*	**123**	**71**

* Totals are higher than the total number of calls because some calls had more than one action taken.

Observations:

- A total of 26 structure fire calls were extinguished by fire service personnel, which accounted for 25 percent of structure fire calls in DFD's jurisdiction.
- A total of 45 outside fire calls were extinguished by fire service personnel, which accounted for 65 percent of outside fire calls in DFD's jurisdiction.

EMS Response and Transport

Emergency medical services (EMS) operations are an important component of the comprehensive emergency services delivery system in any community. Together with the delivery of police, fire, and emergency management, it forms the backbone of the community's overall public safety service network. When EMS activities are looked at as a percentage of overall service requests, it could be argued that EMS constitutes the most frequently utilized service request among a community's citizenry.

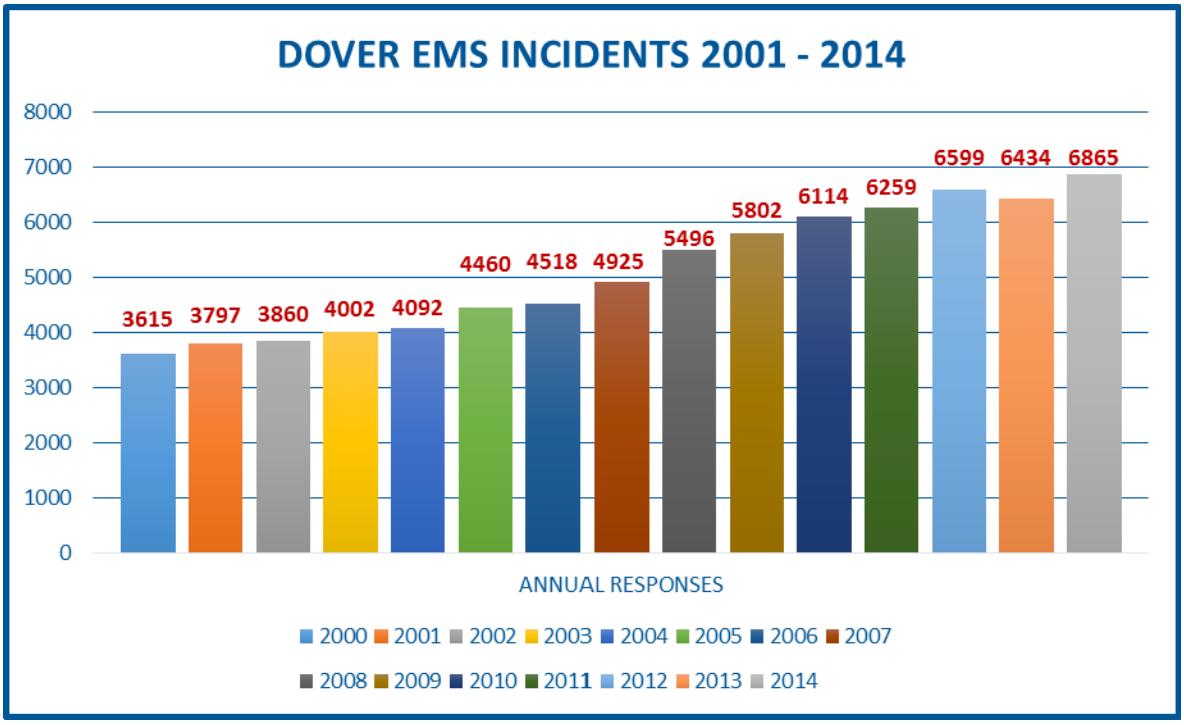
EMS in the City of Dover is provided under a two (2)-tier service delivery system for basic life support (BLS) and advanced life support (ALS). ALS is provided countywide by Kent County paramedics who utilize nontransport vehicles for response. BLS is provided under contract to the city by PrimeCare, a private and for-profit ambulance company. PrimeCare Medical Transport, LLC, has had the contract with the city for approximately ten (10) years. The most recent RFP for the ambulance contract was issued on January 8, 2015. The new contract, which is for a period of three (3) years with a provision for two (2) additional one-year renewal options, was approved and signed by the city on October 8, 2015; it was retroactive to April 1, 2015. The contract stipulates that the EMS service area is the boundaries of the Volunteer Association Fire District, which includes not only the corporate boundaries of the city (excluding Dover Air Force Base) but some contiguous areas of Kent County as well. The PrimeCare service contract is administered by the city's OEM coordinator.

PrimeCare staffs two (2) ambulances in the city from a leased facility at 601 Fulton St. One ambulance is staffed on a 24-basis throughout the year. The second unit is staffed seven (7) days a week from 7:00 a.m. to 11:00 p.m. Each ambulance is required to be staffed with one emergency medical technician (EMT-B) and a qualified driver. The ambulances are required to be maintained and equipped as required by the State of Delaware.

While not specified in the contract that we reviewed, CPSM was informed that the city pays PrimeCare a monthly stipend for providing this service. This stipend is based on a flat rate formula that pays on the basis of the number of calls and not on the basis of collections. In 2014, the payments were in excess of $237,500 and in the 10-month time frame between January-October 2015, the payments were just under $200,000. In fiscal year 2016 (July 2015–June 2016), the budget allocation for the PrimeCare stipend is approximately $238,000. In addition to this stipend, PrimeCare also bills the individual patient for transport services; however, collection rates and revenue figures were not available for our review.

In 2014, there were 6,865 EMS incidents in the City of Dover. This equates to an average of approximately 19.1 incidents each day. According to statistics provided by the Emergency Communications Division of the Kent County Department of Public Safety, from January through October of 2015, EMS incidents in Dover had totaled 6,259, or 20.8 per day. Since 2000 there has been a steady growth in the volume of EMS activity, up approximately 90 percent over this 15-year period. (Figure 5-4)

FIGURE 5-4: Dover EMS Incidents 2001-2014



The current contract with PrimeCare is very limited in its requirements regarding performance criteria, including unit availability. The contract includes a turnout time requirement that stipulates the ambulance unit must respond to calls within an average of one (1) minute (00:01:00) after receipt of the call. However, there are no other response time criteria in the current agreement. The average travel time in the time frame referenced above was six (6) minutes, thirty-two (32) seconds (00:06:32) after a turnout time of approximately forty-one (41) seconds (00:00:41). The Commission on Accreditation of Ambulance Services is an independent agency that publishes a series of standards for the ambulance service industry and it recommends that ambulances should achieve an eight (8) minute, fifty-nine (59) seconds (00:08:59) response time in 90 percent of all responses.[18] It should be noted that these reports are for PrimeCare units, when it is able to respond. When a PrimeCare unit is unavailable and a mutual aid unit responds, these times are excluded. We believe that if these incidents were calculated into the average response, the overall average would be significantly higher.

[18] The Commission on Accreditation of Ambulance Services (CAAS) is an independent commission that established a comprehensive series of standards for the ambulance service industry.

TABLE 5-9: PrimeCare Statistics, June 2015-September 2015

	JUNE 2015	JULY 2015	AUGUST 2015	SEPTEMBER 2015
Total 9-1-1 Ambulance Runs	641	669	645	672
Gone on Arrival/Cancelled	82	65	82	79
Transport Refusals	31	29	13	30
Standby at Scene	2	5	2	3
Average Turnout Time	00:00:40	00:00:40	00:00:44	00:00:41
Average Travel Time to Scene	00:06:46	00:06:27	00:06:25	00:06:31
Average Time on Scene	00:10:12	00:10:30	00:09:27	00:09:50
Average Time to the Hospital	00:06:40	00:07:05	00:06:31	00:06:34
Average Daily Responses	21	22	21	22
Average Daily Transports	17	18	17	18
Total Patients Transported	517	561	541	553

The number of times that PrimeCare units are unavailable and mutual aid EMS units are required to respond into Dover is exceedingly high. In the 10-month period from January 2015 through October 2015, there were 1,325 instances in which PrimeCare units were unavailable and a mutual aid request for an ambulance squad was required. This equates to an average of 4.6 instances each day; overall, 21.2 percent of all the EMS incidents in Dover so far this year were covered via mutual aid requests.

TABLE 5-10: 2015 Mutual Aid EMS Units Dispatched into Dover

January	February	March	April	May	June	July	August	September	October	Total
133	114	92	123	134	190	112	128	125	174	1,325

This has been an ongoing issue dating back several years and definitely prior to the signing of a new contract for EMS. In an effort to acknowledge the services of the mutual aid departments that come into Dover on a regular basis, the City of Dover has implemented a payment of $25.00 per call to those agencies providing assistance. On an annual basis this adds an additional $40,000 to the stipend paid by the city to maintain ambulance service.

> ***Recommendation: The City of Dover should revise its performance criteria in future contracts with the ambulance provider, with specific guidelines relating to unit availability, turnout time, and overall response time that is measured at the 90 percent fractile rate.***

Many municipalities include in their ambulance contracts a penalty provision in which fines and financial off-sets are required when performance criteria are not met. The city should consider the

addition of financial penalties against the ambulance provider in cases where critical performance criteria are not met.

The current contract with the city requires that each ambulance be staffed with a single EMT-B and a driver. The contract does not stipulate that the driver needs to have basic CPR, AED, and first aid training. While having only a single EMT on a career BLS unit may be permitted by Delaware regulations, it is certainly not the commonly accepted practice nationally and CPSM believes that both crew members should be EMTs. There are many reasons why two (2) EMTs are preferred, particularly in busy systems such as Dover. Chief among them is the need for both personnel to be actively involved in patient care for seriously ill or injured patients and the need to treat multiple patients simultaneously during incidents such as motor vehicle accidents.

Recommendation: The City of Dover should amend its future ambulance contract to require that all ambulances operating within the city be staffed with a minimum of two (2) EMTs.

EMS service demand in the City of Dover are significant and the level of care currently provided by PrimeCare appears lacking. The city is paying in excess of $275,000 annually to maintain the PrimeCare contract. CPSM believes that the current agreement with PrimeCare should be reconsidered. There is a substantial call volume in the Dover area and the potential to obtain a more competitive bid is likely if efforts are initiated to seek a national ambulance provider through a directed RFP process.

Recommendation: At the close of the current contract with PrimeCare, the City of Dover should consider issuing a national RFP for an ambulance provider for the city service area.

The most recent RFP for an ambulance provider only resulted in two qualified companies bidding for the contract. In the next RFP, the city should make a concerted effort to solicit bids from several of the national ambulance providers in an effort to enhance the competition and improve pricing. As part of this RFP the city should include a series of performance indicators and reporting requirements that will be part of the new contractual agreement. If a stipend is required it should be based on a performance indicator and after a thorough review of the ambulance provider revenues and collection efforts that justify the payment of a stipend and the amount.

The ability of a community to monitor and evaluate the effectiveness of its EMS delivery system is greatly dependent upon the availability of valid data and statistical analysis that measures system performance, including both clinical and financial outcomes. The city should require the contractor to provide detailed and periodic reporting as follows:

<u>Operational Reporting Requirements</u>

- Total responses.
- Total emergency transports.
- Total patients transported.

- Total responses and transport activity by ambulance unit.
- Total cancelled calls (prior to arrival).
- Frequency in which ambulance units are unavailable and the reason.
- Total patient refusals (treatment and transport).
- Distribution of responses by time of day and day of week.
- Distribution of incidents by location (ambulance service zones).
- Description of incidents by severity of injury/illness.
- Summary of patient complaints (situation found).
- Response time summary for all responses.
- Response time summary by ambulance service zones.
- Response time summary by ambulance unit.
- Frequency of simultaneous calls for service (citywide).
- Summary of mutual aid requests.
- Summary of call duration (transports and nontransports).
- Listing of equipment or vehicle breakdown/malfunctions.
- Listing and disposition of all patient complaints (regarding service).

Financial Reporting Requirements

- Total expenses and revenues.
- Total average charge per patient.
- Total average patient charge for medical supplies and disposable equipment.
- Total average patient charge for mileage.
- 30-, 60-, and 90-day accounts receivable.
- Distribution of payments by all payment groups (Medicare, Medicaid, private insurance, direct payment, and non-collectables/bad debt).
- Quarterly collection rate (percentage) for all ambulance billings.
- Total accounts written off as bad debt after 180 days attempted collections.

Miscellaneous Recordkeeping

- Deployment planning reports.
- Vehicle maintenance records.
- Continuing education and certification records documenting training compliance.

The ability to supervise the delivery of EMS transport services is a critical function of local government. As indicated by the alarm activity, thousands of residents interact directly with the ambulance service provider annually. Typically, when a private ambulance service is charged with providing these services, a municipal fire department is a coprovider of the service. This involvement creates an ongoing interaction and an indirect oversight of the process. In the system currently being utilized in Dover, this relationship does not exist because the volunteer fire service is largely uninvolved in EMS delivery. In an earlier recommendation, CPSM suggested the utilization of the Emergency Services Manager in the oversight of fire response and prevention activities. Similarly, it is our recommendation that the oversight of ambulance service delivery also be the responsibility of the Emergency Services Manager. With the proposal to institute a series of comprehensive performance criteria it is critical that an ongoing review of these performance indicators, combined with regular field evaluations, be enacted. Additionally, the city may consider the placement of the contracted ambulance units at the Dover fire stations. This would provide direct interaction with the Emergency Services Manager and draw the ambulance provider closer to fire operations.

Recommendation: The city should consider the housing and deployment of ambulance units from the Dover fire stations.

PrimeCare currently leases space for its operations in Dover. The ability to jointly house fire and ambulance operations at city facilities may create a financial incentive that would attract an outside vendor and reduce the need for a city stipend to supplement ambulance revenues.

Workload Analysis/Fire Loss

As indicated above, the fire-related call volume observed in Dover equates to 2.72 calls per day, with the majority of these calls being nonemergency in nature and public assists. Average elapsed time for a call is 26.7 minutes (from call receipt time to units returning to the station) and the total deployed time for all units is just over two and one-half (2.5) hours each day (158.8 minutes). The majority of all alarm activity (approximately 60 percent) occurs during the nine-hour period from 10:00 a.m. to 7:00 p.m. Our analysis shows that only on infrequent occasion does the Dover system experience overlapping or simultaneous alarms. There were 51 occasions in the twelve (12)-month period surveyed in which two calls occurred simultaneously. The average time of this overlap was 12.1 minutes.

When we examine the breakdown of call activity and the corresponding average deployed minutes per day for each call type (Table 5-11), we can evaluate the time Dover units are spending on the various call types. It is important to note that a total 966 hours of deployed time occurred in the period evaluated. This is the composite of all time logged for all runs by the various units responding. Of this amount, 251 hours (26 percent) were attributable to false alarm runs. If we look at the other categories of fire response activities that are typically nonemergency in nature (hazard, false alarm, good intent, and public service), it should be noted that 509.8 hours (approx. 62 percent) of all the time logged was attributable to these call types. This is of particular interest

because these are generally the call types that could be screened effectively in order to reduce the number of units responding and the mode of response (i.e., hot vs cold).

TABLE 5-11: Annual Runs and Deployed Time by Call Type

Call Type	Avg. Deployed Min. per Run	Annual Hours	Percent of Total Hours	Deployed Min. per Day	Total Annual Runs	Runs per Day
MVA	24.7	48.2	5.0	7.9	117	0.3
EMS	17.8	18.7	1.9	3.1	63	0.2
Structure fire	45.5	243.3	25.2	40.0	321	0.9
Outside fire	25.4	58.4	6.0	9.6	138	0.4
Hazard	28.8	125.4	13.0	20.6	261	0.7
False alarm	19.2	251.0	26.0	41.3	785	2.2
Good intent	24.0	109.9	11.4	18.1	275	0.8
Public service	34.6	104.5	10.8	17.2	181	0.5
Subtotal	**26.9**	**959.4**	**99.3**	**157.7**	**2,141**	**5.9**
Cancelled	15.3	6.6	0.7	1.1	26	0.1
Total	**26.7**	**966.0**	**100.0**	**158.8**	**2,167**	**5.9**

Observations:

- There were 2,167 runs in the year studied, resulting in a total of 966 hours of deployed time.
- On average, there were 5.9 runs per day, with an average of 2.6 hours of deployed time per day.
- Structure and outside fires resulted in 459 runs, with a total workload of 301.7 hours, equal to 32 percent of total DFD workload.
- Structure fires averaged 45.5 minutes of deployed time.
- Outside fires averaged 25.4 minutes of deployed time.

When we looked at the response activities among the various DFD units it was interesting to note that Ladder 1 was the busiest unit, responding 542 times, with 235.8 hours of annual total operating time. Typically, ladder trucks are the least utilized primary response vehicles. These vehicles are less maneuverable, their response times are slower, and because of their weight there is more wear and tear on these apparatus. As well, the frequency with which aerial devices are actually needed is very limited.

TABLE 5-12: Call Workload by Unit

Unit Type	Unit ID	Avg. Deployed Min. per Run	Total Annual Hours	Avg. Deployed Min. per Day	Total Annual Runs	Avg. Runs per Day
Brush	B1	17.0	3.4	0.6	12	0.0*
	B9	18.0	31.5	5.2	105	0.3
Engine	E2	27.8	199.4	32.8	431	1.2
	E3	29.0	63.8	10.5	132	0.4
	E4	27.2	164.4	27.0	363	1.0
	E6	25.7	120.7	19.8	282	0.8
	E7	32.7	20.7	3.4	38	0.1
Ladder	L1	26.1	235.8	38.8	542	1.5
	L2	26.0	50.6	8.3	117	0.3
Rescue	R1	33.7	58.3	9.6	104	0.3
Utility	U1	24.2	14.9	2.5	37	0.1
Other	Other	36.3	2.4	0.4	4	0.0*

* These units had so few runs that their average runs per day, rounded to the nearest one-tenth, appears to be zero.

Observations:

- Ladder 1 made the most runs (542 in total or 1.5 per day) and had the highest total annual deployed time (236 hours for the year or 39 minutes per day).
- Engine 2 made the second most runs (431 total or 1.2 per day) and had the second highest total annual deployed time (199 hours for the year or 33 minutes per day).

Fire Loss

In examining the fire incidents in more detail, it was determined that in fifty (50) of the total fire incidents, no fire loss was recorded. Loss amounts ranged from $100 to $100,000. The average loss amount was $9,869 and in only seven (7) incidents did we see a reported fire loss exceeding $20,000. When looking at fire loss comparisons nationwide for structure fires, NFPA estimates that in 2012 the average fire loss for a structure fire was $20,345.[19] When this is compared with the average fire loss in structure fires in Dover, which was $9,869, we see the Dover average loss is less than half the fire loss being experienced nationally. Although the fire loss in 2014-2015 was not exceptionally high, at any time a single fire can occur that results in millions of dollars in fire loss. However, one can determine from both the number of actual fires occurring in Dover and the average fire loss during these events, that the fire problem in Dover is not exceptionally high.

[19] Michael J. Karter Jr., *Fire Loss in the United States during 2012*, NFPA September 2013, 13.

TABLE 5-13: Fire Loss

Call Type	Calls	Total Loss	Average Loss
Structure Fire	35	$463,350	$13,239
Outside Fire	5	$23,100	$4,620
Good Intent	1	$250	$250
Hazard	9	$14,400	$1,600
Total	**50**	**$501,100**	**$10,022**

Note: This analysis only includes calls with recorded loss greater than 0.

Observations:

Overall

- 50 incidents had property loss, with an average loss amount of $10,022.
- Only seven incidents involved a loss amount exceeding $20,000.

Structure Fires

- Out of 106 structure fire calls, 35 had recorded loss, with total recorded loss value of $463,350 and average loss of $13,239.
- Five structure fires had under $500 in loss, and 20 had more than $500 but less than $10,000 in loss.
- The smallest loss was $100, and the largest loss was $100,000

Outside Fires

- Out of 69 outside fire calls, five had recorded loss, with total recorded loss value of $23,100 and average loss of $4,620.
- One outside fire had under $500 in loss, and the remaining four had more than $500 but less than $10,000 in loss.
- The smallest loss was $100, and the largest loss was $10,000.

Service Relationship with Kent County

The State of Delaware, because of its size, has only three (3) counties within the state. County governments work closely with cities, towns, and unincorporated communities in providing a range of county and municipal services. County governments also provide significant support to volunteer fire companies, which are the primary service providers for fire and EMS services in Delaware. Wilmington is the largest city in Delaware and the only municipality that operates a full-time career fire department. All other cities, towns, and fire protection districts are served by fully volunteer or paid-on-call fire departments.

The City of Dover is an incorporated municipality within Kent County. As the state capital, Dover has a critical working relationship with many state agencies that are located within city limits. The

Dover Fire Department works closely with the Kent County Department of Public Safety and the State of Delaware in providing fire protection to its residents, visitors, state buildings, and businesses. The Kent County Emergency Communications Center provides countywide 911 emergency call-taking, dispatching, and centralized communications services to seventeen (17) volunteer fire departments and fourteen (14) EMS agencies from a state-of-the-art facility. The City of Dover does not utilize Kent County Department of Public Safety for 911 services and instead operates its own dispatch system for its police and fire departments.

Mutual Aid

The Dover Fire Department is part of the statewide mutual aid system. Each participant of this system recognizes that "emergencies transcend political jurisdictional boundaries and that intergovernmental coordination is essential for the protection of lives and property and for best use of available assets both public and private."[20]

The City of Dover utilizes four (4) primary mutual aid partners: Cheswold, Little Creek, Hartly, and Camden-Wyoming. The mutual aid partners are dispatched by Kent County 911. In addition, two (2) of the partners have EMS ambulances that frequently respond to calls for service in Dover when PrimeCare units are not available. Mutual aid is used extensively in Dover and among the surrounding fire departments in Kent County. In the twelve 12-month period evaluated in our analysis there were a total of twenty-five (25) occasions in which a Dover unit provided assistance to a mutual aid partner. On approximately eighty (80) occasions, Dover received fire assistance from its neighboring partners. Many times this assistance took the form of a "stand-by" or "cover-up" response. In this scenario, the agency providing assistance would respond into the neighboring community and stand-by while the resident agency was tied up on an initial call. The surrounding Fire Chiefs reported that the mutual aid process was very effective and that there were no tactical, jurisdictional, or equipment/radio incompatibilities in the mutual aid process. Operational and tactical procedures are developed collaboratively by the Kent County Chief's Association in the form of standard operating procedures. The mutual aid system appears to be very functional and CPSM views this combined effort as a ***best practice*** that is commendable.

Emergency/Nonemergency Response

Another interesting trend CPSM continues to evaluate is the frequency of true emergency calls vs. nonemergency or public assist calls. Our findings nationally (from CPSM fire data reports) indicate that in many jurisdictions more than fifty (50) percent of all responses (fire, EMS, and other) are nonemergency in nature. This factor is critical when volunteer personnel are utilized and individuals are called in for a response and the call turns out to be a false alarm or something minor that could have been handled with a lesser response. In an effort to limit the response of multiple units, DFD has built into its response protocols the use of a "***Silent Alarm***" and the "***Duty Officer***

[20] Delaware Code §20, Chapter 32, Military and Civil Defense Intrastate Mutual Aid Compact.

Call." This is an excellent effort that CPSM recognizes as a ***best practice***. The Dover 911 Center and the Dover Fire Dispatch Center are very limited in their call screening efforts. In nearly all fire responses, units respond in a ***Hot*** mode, utilizing lights and sirens.

> ***Recommendation: The DFD should work with the Dover 911 Police Communications Center in an effort to reduce the number of responses that require units to respond with lights and sirens.***

Most fire responses, specifically those involving automatic fire alarm soundings, smoke investigations, smell of gas, and public service calls, are nonemergency and do not require a hot response. In most cases, an investigation of the situation is warranted and minimal personnel should be assigned. In looking at the fire responses that occurred in the twelve (12)-month period from July 2014 to June-2015, we found that more than 80 percent (710 incidents) were classified as either a hazard, false alarm, good intent, or public service call. CPSM believes that with proper screening, many of these responses could be handled as nonemergency responses.

Our analysis also found that on 35.6 percent of all responses, DFD responds a single unit. CPSM believes that this number is very low. Our experience with call activity in other communities indicates that upwards of 50 percent to 60 percent of all fire responses can be screened sufficiently to reduce the level of response. The ability to respond the fewest number of units and have these units respond in a "cold mode of response" (without lights and sirens and following traffic patterns) results in the maximization of resources and improved responder safety. Emergency response units that are responding with lights and sirens are more susceptible to traffic accidents. Accidents involving fire vehicles responding to emergencies are the second highest cause for line-of-duty deaths of firefighters.[21] It is estimated that more than 30,000 fire apparatus are involved in accidents when responding to emergencies each year in the U.S.[22] Responding fewer units and having these units respond in a nonemergency mode makes sense in terms of safety and efficiency.

[21] "Analysis of Firetruck Crashes and Associated Firefighter Injuries in the U.S." Association for the Advancement of Automotive Medicine. October-2012.
[22] Ibid.

FIGURE 5-5: Number of Dover Fire Department Units Dispatched to Calls

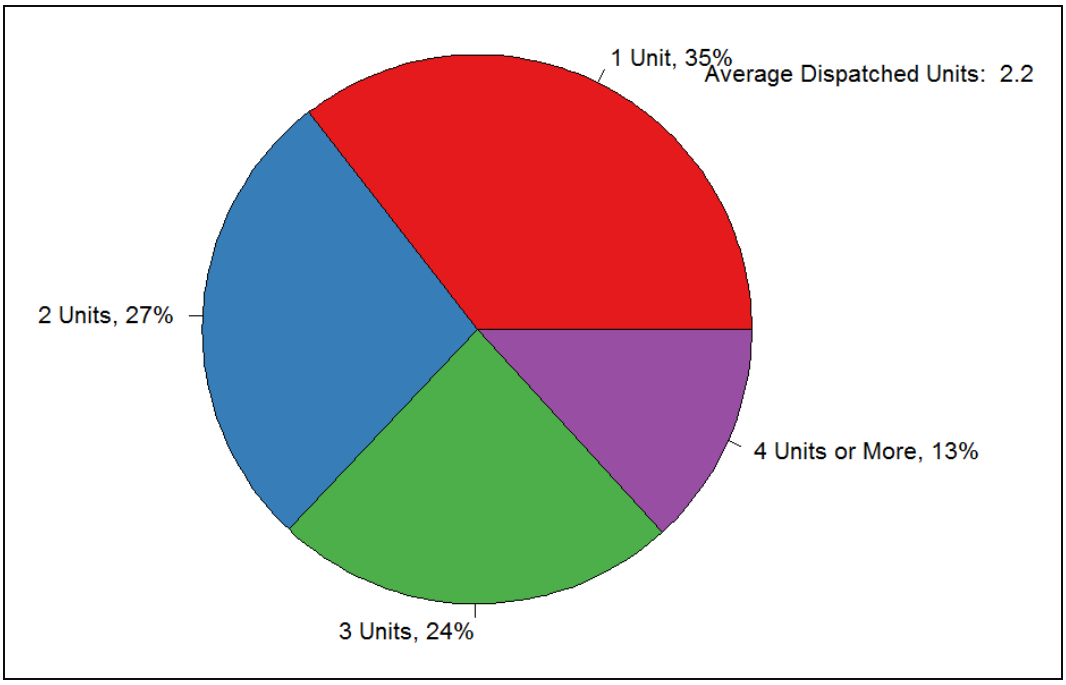


TABLE 5-14: Number of Units Dispatched to Calls

Call Type	Number of Units				Total
	One	Two	Three	Four or More	
MVA	10	11	19	7	47
EMS	30	7	5	1	43
Structure fire	20	19	27	40	106
Outside fire	31	18	13	7	69
Hazard	40	25	35	15	115
False alarm	96	130	95	34	355
Good intent	47	38	23	19	127
Public service	72	20	15	6	113
Subtotal	**346**	**268**	**232**	**129**	**975**
Cancelled	8	6	2	0	16
Total	**354**	**276**	**234**	**129**	**993**
Percentage	**35.6**	**27.8**	**23.6**	**13.0**	**100.0**

Observations:

Overall

- On average, 2.2 units were dispatched per call.
- One unit was dispatched 36 percent of the time, two units were dispatched 28 percent of the time, three units were dispatched 24 percent of the time, and four or more units were dispatched 13 percent of the time.

Structure Fires

- Three units were dispatched to structure fires 25 percent of the time, and four or more units were dispatched 38 percent of the time.

Outside Fires

- Three units were dispatched to outside fires 19 percent of the time, and four or more units were dispatched 10 percent of the time.

False Alarms

- Three units were dispatched to false alarms 37 percent of the time, and four or more units were dispatched 10 percent of the time.

Recommendation: The DFD should modify its response protocols in an effort to reduce the number of units responding to those calls that are screened sufficiently to determine that they are nonemergency in nature.

The ability to screen calls sufficiently at the dispatch level to determine their criticality is done on a daily basis in dispatch centers across the nation. In today's environment in which cellular telephones are carried by most everyone, it is very likely that during true emergencies multiple calls are received for the same incident. From this standpoint, the ability to upgrade a call from nonemergency to emergency can be done with little time delay if multiple or confirming calls are received.

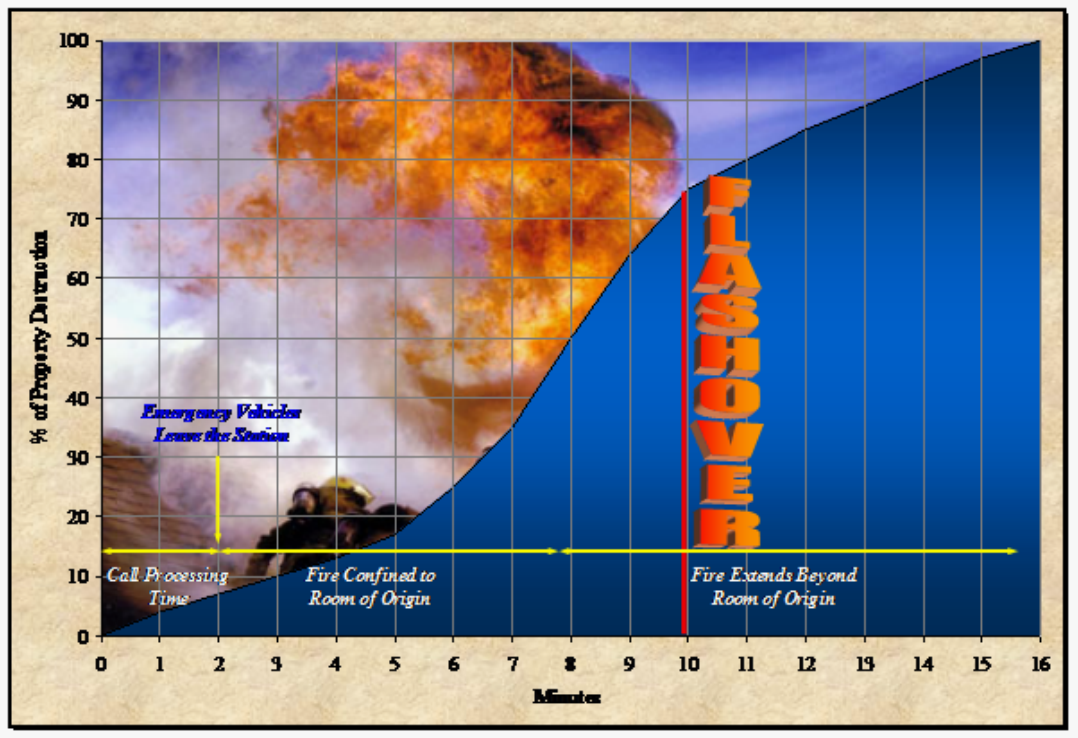
Section 6. Response Time Analysis

Response times are typically the primary measurement in evaluating fire and EMS services. Most deployment models have been built around a four-minute initial travel time for EMS and an eight-minute full-force travel time for fires. Though these times have validity, the actual impact of a speedy response time is limited to very few incidents. For example, in a full cardiac arrest, analysis shows that successful outcomes are rarely achieved if basic life support (CPR) is not initiated within four minutes of the onset. However, cardiac arrests occur very infrequently; on average they are 1 percent to 1.5 percent of all EMS incidents.[23] There are also other EMS incidents that are truly life-threatening and the time of response can clearly impact the outcome. These involve full drownings, allergic reactions, electrocutions, and severe trauma (often caused by gunshot wounds, stabbings, and severe motor vehicle accidents, etc.). Again, the frequencies of these types of calls are limited.

Regarding response times for fire incidents, the criterion is based on the concept of "flashover." This is the state at which super-heated gasses from a fire are released rapidly, causing the fire to burn freely and become so volatile that the fire reaches an explosive state. In this situation, usually after an extended period of time (often eight (8) to twelve (12) minutes after ignition but times as quickly as five (5) to seven (7) minutes), and a combination of the right conditions (fuel and oxygen), the fire expands rapidly and is much more difficult to contain. When the fire does reach this extremely hazardous state, initial firefighting forces are often overwhelmed, larger and more destructive fire occurs, and significantly more resources are required to affect fire control and extinguishment. Flashover has been observed to occur more frequently today as part of an increase in quantities of plastic- and foam-based products into homes and businesses. These materials ignite and burn quickly and produce extreme heat and toxic smoke. Figure 6-1 illustrates the flashover phenomenon and its potential impact on firefighters and fire extinguishment as the fire propagation curve.

[23] Myers, Slovis, Eckstein, Goodloe et al. (2007). "Evidence-based Performance Measures for Emergency Medical Services System: A Model for Expanded EMS Benchmarking." *Pre-hospital Emergency Care.*

FIGURE 6-1: Fire Propagation Curve



Another important factor in the whole response time question is what we term "detection time." This is the time it takes to detect a fire or medical situation and notify 911 to initiate the response. In many instances, particularly at night or when automatic detection systems (fire sprinklers and smoke detectors) are unavailable or inoperable, the detection process can be extended.

Measuring Response Times

There are no documented studies that have made a direct correlation between response times and outcomes in fire and EMS events. No one has been able to show that a four (4)-minute response time is measurably more effective than a six (6)-minute response time. The logic has been "faster is better" but this has not been substantiated by any detailed analysis. Furthermore, the ability to measure the difference in outcomes (patient saves, reduced fire damage, or some other quantifiable measure) between a six (6)-minute, eight (8)-minute, or ten (10)-minute response is not a performance measure often utilized in the fire service.

The level of protection in a community should be based on the specific needs of that community. So, in looking at response times it is prudent to design a deployment strategy around the actual circumstances that exist and the historical service demands that are occurring.

For the purpose of this analysis ***Response Time*** is a product of three components; ***Dispatch Time***, ***Turnout Time***, and ***Travel Time***.

- *Dispatch time* is the time interval that begins when the alarm is received at the initial public safety answering point (PSAP) or communications center and ends when the response information begins to be transmitted via voice and/or electronic means to the emergency response facility or emergency response units or personnel in the field.
- *Turnout time* is the time interval that begins when the notification process to emergency response facilities and emergency response personnel and units begins by an audible alarm and/or visual announcement and ends at the beginning point of travel time. The fire department has the greatest control over these first two segments of the total response time.
- *Travel time* is the time interval that initiates when the emergency response unit is actually moving in response to the incident and ends when the unit arrives at the scene.
- *Response time*, also known as ***total response time***, is the time interval that begins when the call is received by the primary dispatch center and ends when the dispatched unit arrives on the scene of the incident to initiate action.

For this study, and unless otherwise indicated, response times and travel times *measure the first arriving unit only*. The primary focus of this section is the dispatch and response time of the first arriving units for calls responded with lights and sirens.

According to NFPA 1710, *Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Career Departments, 2014 Edition*, the alarm processing time or dispatch time should be less than or equal to 60 seconds 90 percent of the time. While Dover's fire department itself is volunteer, its dispatch functions are not; therefore for the purposes of dispatch time, this standard may be considered an applicable benchmark.

NFPA 1720 is silent on initial unit response times. However, for fire departments serving an urban community it states the initial first alarm assignment (a total of fifteen (15) personnel for a single family residential structure) should be assembled on scene in 540 seconds (nine minutes) 90 percent of the time (including turnout time but not dispatch time). ***NFPA 1720 response time criterion is a benchmark for service delivery and not necessarily a CPSM recommendation.***

Dover Fire Department Response Times

This section focuses on dispatch and response time analysis for the first arriving DFD unit. We typically focus on emergency calls where the department would respond with lights and sirens—also known as a ***hot response***. The DFD does not record the priority of a call in its records management system, so all eligible calls were included in this analysis. CPSM used 940 calls in creating this analysis. We excluded calls in which units were canceled en route, administrative calls, and calls in which the data were incomplete or inaccurate. We included first arriving units with complete unit dispatch time, unit en route time, and unit on-scene arrival time.

For the DFD calls analyzed the average dispatch time was 1.3 minutes. The average turnout time was 3.3 minutes. The average travel time was 3.5 minutes. The average DFD response time for EMS calls was 5.8 minutes. The average response time for structure fire calls was 7.8 minutes. The average response time for outside fire calls was also 7.8 minutes. The average total response time was 8.1 minutes.

TABLE 6-1: Average Response Times of First Arriving Unit, by Call Type (Minutes)

Call Type	Dispatch Time	Turnout Time	Travel Time	Response Time	Sample Size
MVA	2.0	1.8	3.2	7.0	42
EMS	1.3	2.7	1.8	5.8	42
Structure fire	1.0	3.4	3.4	7.8	104
Outside fire	2.1	2.0	3.7	7.8	68
Hazard	1.3	3.4	3.3	8.0	111
False alarm	1.0	3.9	3.6	8.5	346
Good intent	1.3	3.1	3.7	8.1	125
Public service	1.6	2.5	4.4	8.5	102
Total	**1.3**	**3.3**	**3.5**	**8.1**	**940**

Observations:

- 48 calls (5 percent) had a dispatch handling time greater than five minutes.
- 370 calls (39 percent) had a turnout time of greater than four minutes.
- 234 calls (25 percent) had a total response time greater than ten minutes.

Averages – First Arriving Unit

- Dispatch time: 1.3 minutes.
- Turnout time: 3.3 minutes.
- Travel time: 3.5 minutes.
- Total response time: 8.1 minutes.
- Structure fire response time: 7.8 minutes.
- Outside fire response time: 7.8 minutes.

The 90th percentile measurement, often referred as a "fractile response," is a more conservative and stricter measure of total response time. Most fire agencies are unable to meet the NFPA fractile response time standard. Simply explained, for 90 percent of calls, the first unit arrives within a specified time, and if measured, the second and third unit. Table 6-2 depicts the 90th percentile response times in Dover for various responses. It is important to note that the 90th percentile dispatch time for fire responses is 3.3 minutes while the average dispatch time was just 1.3 minutes. MVAs and outside fires were measured at five minutes (00:05:00) and five minutes, thirty

seconds (00:05:30), respectively. Structure fires had a 90th percentile turnout time of six minutes, thirty seconds (00:06:30).

TABLE 6-2: 90th Percentile Response Times of First Arriving Unit, by Call Type (Minutes)

Call Type	Dispatch Time	Turnout Time	Travel Time	Response Time	Sample Size
MVA	5.0	4.5	5.5	10.4	42
EMS	2.5	6.7	4.5	11.0	42
Structure fire	2.2	6.5	5.8	12.2	104
Outside fire	5.5	5.5	6.6	11.1	68
Hazard	3.4	6.8	5.5	12.1	111
False alarm	2.4	7.1	5.8	12.0	346
Good intent	3.3	6.6	6.3	12.3	125
Public service	3.9	5.8	8.3	14.0	102
Total	**3.3**	**6.7**	**6.1**	**12.1**	**940**

Observations

90th Percentile – First Arriving Unit

- Dispatch time: 3.3 minutes.
- Turnout time: 6.7 minutes.
- Travel time: 6.1 minutes.
- Total response time: 12.1 minutes.
- Structure fire response time: 12.2 minutes.
- Outside fire response time: 11.1 minutes.

In general, the response times reflected in this analysis are excellent considering the use of a fully volunteer operation and the average turnout of personnel that was achieved. The ability to achieve an average total response time of 8.1 minutes and a 90th percentile response time of 12.1 minutes, is considered a ***best practice***, and which CPSM views as being highly commendable.

Station Locations

The fire station is a critical link in service delivery and where these facilities are located is the single most important factor in determining overall response times and workload management. The Dover Fire Department provides its services from two (2) fire stations, which are located as follows:

- Station 1/Fire Headquarters: 103 S. Governors Ave.
- Station 2: 911 Kenton Rd.

PrimeCare ambulances respond from a single facility located at 601 Fulton St.

Typically, fire stations have an anticipated service life of approximately fifty (50) years. In most cases facilities require replacement because of the size constraints of the buildings, a need to relocate the facility to better serve changing population centers, the absence of needed safety features or service accommodations, and the general age and condition of the facility. At the time of this assessment both Dover stations were found to have up-to-date building systems, such as HVAC, and station infrastructure was generally in excellent condition. Both stations are equipped with automatic fire suppression systems and diesel exhaust removal systems.

Station 1 was originally built in 1922. It was expanded in 1976 and again, along with extensive renovations and upgrading in 2004. It occupies a total of 23,000 square feet that encompasses twelve (12) apparatus bays, the department's administrative offices, the dispatch center, meeting rooms, and operational/member spaces including bunkrooms, and a fire museum. Operational and maintenance costs for Station 1 are borne by the Volunteer Association.

Station 2 was constructed in 1993 and contains 8,300 square feet. This includes five (5) apparatus bays and administrative space. There is a room on the second floor that could be converted into a bunkroom for use by an in station duty crew. Station 2's operational and maintenance costs are borne by the city.

Assessment of Fire Station Locations

The DFD serves an estimated population of 37,355 people and a total service area in excess of 25 square miles. While the City of Dover encompasses 23.15 square miles, the fire department's service area extends beyond the city boundaries into contiguous areas of Kent County. This equates to an average service area for each fire station of approximately 12.5 square miles.

In a FY 2011 *ICMA Data Report*, ICMA reported survey information from 76 municipalities with populations ranging from 25,000 to 100,000 people. In this grouping the average fire station

service area was 11 square miles.[24] The median service area for this grouping of communities was 6.67 square miles per fire station.[25]

In addition, the NFPA and ISO have established different indices in determining fire station distribution. The ISO Fire Suppression Rating Schedule, Section 560, indicates that first-due engine companies should serve areas that are within a 1.5-mile travel distance.[26] The placement of fire stations that achieves this type of separation creates service areas that are approximately 4.5 square miles in size, depending on the road network and other geographical barriers (rivers, lakes, railroads, limited access highways, etc.). The National Fire Protection Association (NFPA) references the placement of fire stations in an indirect way. It recommends that fire stations be placed in a distribution that achieves the desired minimum response times. NFPA Standard 1710, Section 5.2.4.1.1, suggests an engine placement that achieves a 240-second (four-minute) travel time.[27] Using an empirical model called the "piece-wise linear travel time function" the Rand Institute has estimated that the average emergency response speed for fire apparatus is 35 mph. At this speed the distance a fire engine can travel in four minutes is approximately 1.97 miles.[28] A polygon based on a 1.97 mile travel distance results in a service area that on average is 7.3 square miles.[29]

From these comparisons, it can be seen that the average 12.5 square-mile service area per station in Dover is larger than all of the noted references. Immediately obvious when examining a city map showing the location of Dover's stations is that the northern and eastern sections of the city appear to lack an easy or rapid response from either of the existing fire stations. In particular, for responses to the eastern side of the city, units must cross over both US Route 13 (DuPont Highway) and Delaware Route 1 (Korean War Veterans Memorial Highway). These roads essentially divide the city, as there are limited locations where streets directly cross from one side of these highways to the other. It is quite possible that the lack of a station in this area, and the barriers presented by these highways, impacts response times.

As noted, the DFD deploys its apparatus from two (2) fire stations. Figures 6-2, 6-3, and 6-5 illustrate station locations, along with 240-second (indicated by the red overlay), 360-second (indicated by the green overlay), and 480-second (indicated by the blue overlay) travel time benchmarks.

---

[24] *Comparative Performance Measurement*, FY 2011 Data Report - Fire and EMS, ICMA Center for Performance Measurement, August 2012.
[25] Ibid.
[26] Insurance Services Office. (2003) Fire Protection Rating Schedule (edition 02-02). Jersey City, NJ: Insurance Services Office (ISO).
[27] National Fire Protection Association. (2010). NFPA 1710, *Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Career Fire Departments*. Boston, MA: National Fire Protection Association.
[28] University of Tennessee Municipal Technical Advisory Service, *Clinton Fire Location Station Study*, Knoxville, TN, November 2012. p. 8.
[29] Ibid., p. 9.

FIGURE 6-2: DFD Station Locations and Travel Times (red = 240 seconds)

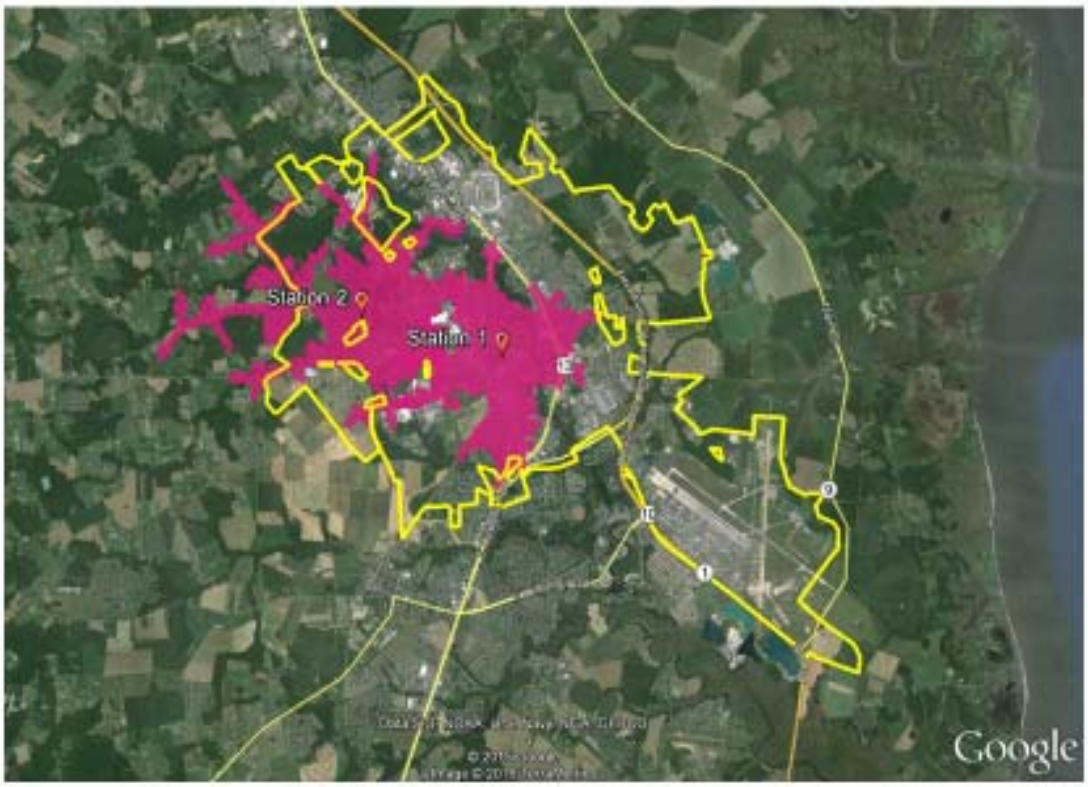


FIGURE 6-3: DFD Station Locations and Travel Times (green = 360 seconds)

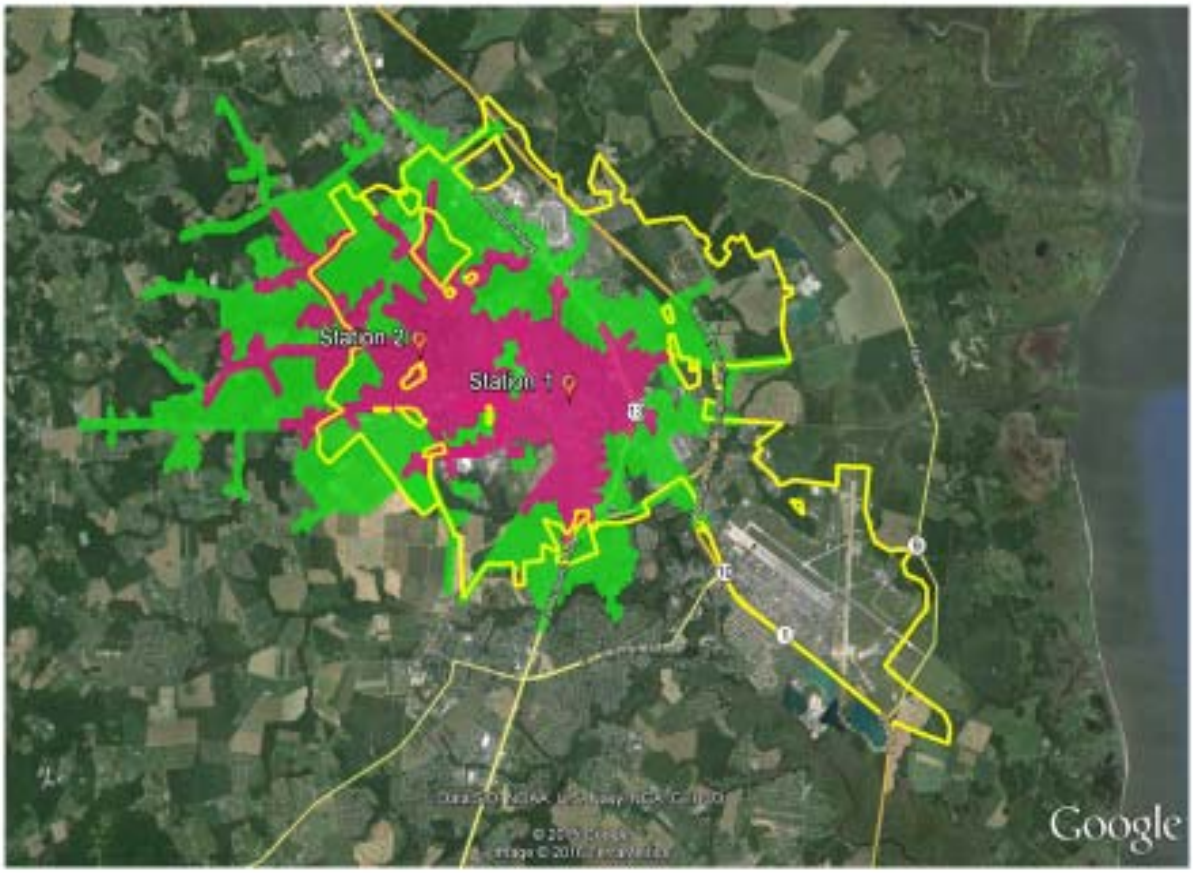


FIGURE 6-4: DFD Station Locations and Travel Times (blue = 480 seconds)

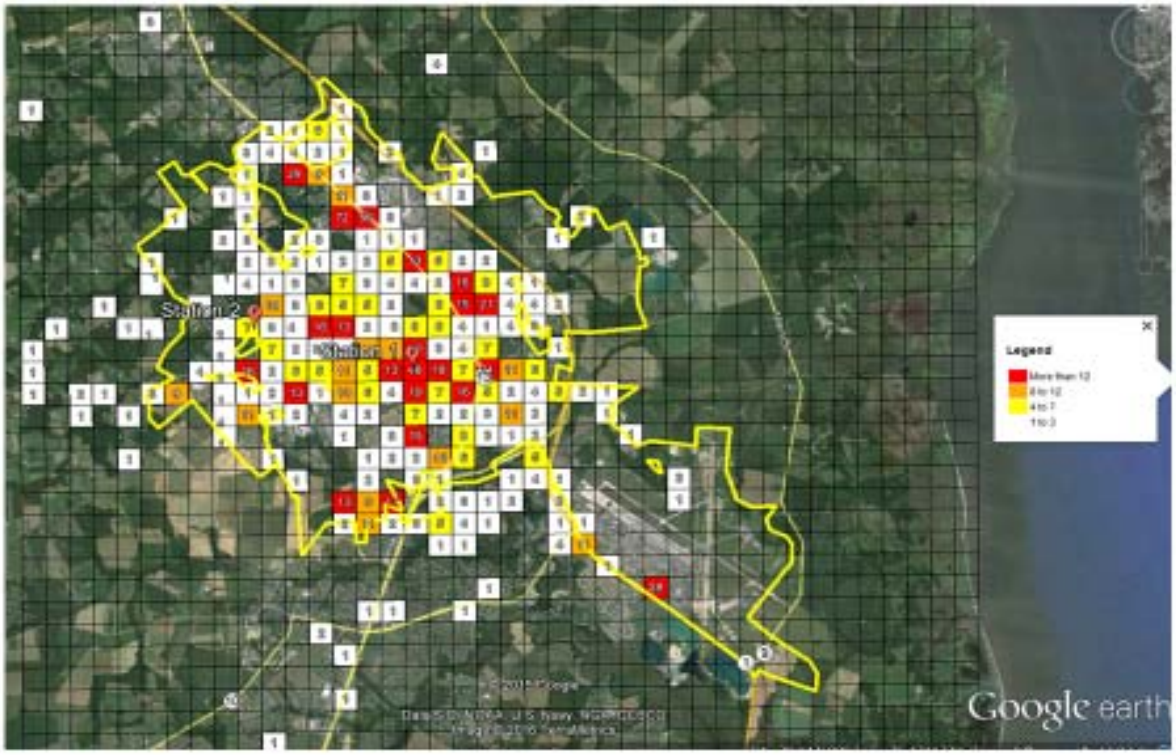


Figure 6-2 shows that approximately 50 percent of the developed areas of the city are covered under the 240-second benchmark. We estimate that approximately 80 percent of the developed area of the city is covered under the 360-second overlay and more than 90 percent is covered under the 480-second benchmark. It is important to note that the Dover Air Force base, which is officially located within city limits in the far southeast section of the city, is not served by DFD. The majority of the city, the commercial, and the more built-upon areas are well within the 240- and 360-second benchmarks. This is confirmed by the information in Table 6-2 showing 90th percentile times; it can be seen that nearly 90 percent of the calls handled by DFD result in a travel time in the six minute range (360 seconds). It is, however, important to note that these travel time distances do not take into consideration alarm handling and turn-out times. ***The maps in Figures 6-2, 6-3, and 6-4 only depict travel distances and not actual response times.***

Figure 6-5 represents the actual locations of fire and other emergency responses carried out by the DFD. It is apparent that most responses are within four to five minutes of travel time from the Dover fire stations. It is also revealing that there are a number of call generating points that are in the eastern areas of the city that are at the farther limits of the 480-second travel distance. In addition, there is a pocket of calls located in the extreme southeast section of the city, adjacent to Dover Air Force base, and these calls typically result in extended travel times. This area includes the

General Green Housing development, a small mobile home park, and some business establishments. We estimate that about 50 calls occur in this area annually.

FIGURE 6-5: DFD Fire Runs



Section 7. Measurement and Self-Assessment

Performance Measurement

Fire suppression, prevention programs, and safety services need to be planned and managed to achieve specific, agreed-upon results. Determining how well an organization or program is doing requires that these goals be measurable and that they are measured against desired results. This is the goal of performance measurement.

Simply defined, performance measurement is the ongoing monitoring and reporting of progress toward pre-established goals. It captures data about programs, activities, and processes, and displays data in standardized ways that help communicate to service providers, customers, and other stakeholders how well the agency is performing in key areas. Performance measurement provides an organization with tools to assess performance and identify areas in need of improvement. In short, ***what gets measured gets done***.

Incident reporting is the primary medium through which department activities are recorded and can subsequently be measured. Consistency, accuracy, and completeness in incident reporting is critical to an effective performance measurement system. CPSM believes that improved oversight is needed regarding the incident reporting and activity reporting (inspections, training, public education presentations, and fire investigations) systems currently utilized by DFD. It is important that all personnel be fully trained in the incident and activity report process and that clear guidelines be established on when such reporting is required. In addition, CPSM recommends that an assigned person(s) be responsible for the review of these reports for purposes of quality control.

> ***Recommendation: The DFD should institute a unified incident and activity reporting system for emergency response and other support activities carried out by all personnel.***

Performance measurement systems vary significantly among different types of public agencies and programs. Some systems focus primarily on efficiency and productivity within work units, whereas others are designed to monitor outcomes produced by major public programs. Still others track the quality of services provided by an agency and the extent to which citizens are satisfied with these services.

Within the fire service, performance measures tend to focus on inputs (the amount of money and resources spent on a given program or activity, number of personnel, daily staffing levels, etc.) and short-term outputs (the number of fires and average response times). One of the goals of any performance measurement system should be to include efficiency and cost-effectiveness indicators, as well as explanatory information on how these measures should be interpreted. The various types of performance measures are shown in Table 7-1.

TABLE 7-1: The Five GASB Performance Indicators[30]

Category	Definition
Input Indicators	These are designed to report the amount of resources, either financial or other (especially personnel), that have been used for a specific service or program.
Output Indicators	These report the number of units produced or the services provided by a service or program.
Outcome Indicators	These are designed to report the results (including quality) of the service.
Efficiency (and cost-effectiveness) Indicators	These are defined as indicators that measure the cost (whether in dollars or employee hours) per unit of output or outcome.
Explanatory Information	This includes a variety of information about the environment and other factors that might affect an organization's performance.

As the DFD evolves it is critical that a series of measurements be established to track the performance of all operations. Currently, the department does not use performance measures with any regularity in monitoring system performance and efficiency. To be effective, the findings from these reports need to be published and shared with all the affected stakeholders, including the city council, the Mayor's Office, the City Manager's Office, the Volunteer Association, and the first responders. Ongoing analysis and the monitoring of trends are most useful to justify program effectiveness, direct training efforts, and to measure service delivery levels.

To accomplish this linkage, the use of performance measures, particularly service-quality and customer-satisfaction measures, should be incorporated into the system. Staff throughout the organization should participate in developing performance measures. In addition to helping facilitate department wide buy-in, this could provide an opportunity for the Volunteer Association and city leadership to better understand what the volunteers believe to be critical goals—and vice versa. For the same reason, the process of developing performance measures should include citizen input, specifically with regard to service level preferences. Translating this advice from the citizens into performance measures will link the citizens and business community to the department, and will articulate clearly if the public's expectations are being met.

Establishing a performance management system within the framework of an overall strategic plan would help city management and elected officials to gain a better understanding of what the DFD is trying to achieve. Building any successful performance management system that measures more than outputs requires a consistent model.

[30] From Harry P. Hatry et al., eds. *Service Efforts and Accomplishments Reporting: Its Time Has Come* (Norwalk , CT: GASB, 1990).

Recommendation: The DFD should undertake a concerted effort to develop a comprehensive set of performance measures that will be used to monitor its system performance and system outcomes. The process of developing these measures should utilize input from DFD members, the community, elected officials, and city administrators.

CPSM recommends that DFD undertake a concerted effort to develop a comprehensive listing of performance measures for both emergency and nonemergency activities. The following are a number of suggested measures that may be considered:

Operations:

- Response times (fractal/average/frequency of excessive times).
  - Alarm handling times.
  - Turnout times.
  - Travel times.
  - On-scene time.
  - Call duration.
  - Cancelled en route.
- Workload measures.
  - Emergency vs. nonemergency responses.
  - Response to automatic fire alarms/frequency and outcomes.
  - Smoke detector distribution (installations and follow-up).
  - Prefire planning.
  - Public education-contact hours/numbers by age group.
- Outcome measures
  - Fire loss/limit of fire spread–point of origin, room of origin, etc.
  - On-duty injuries.
  - Volunteer participation and attendance at events.
  - Vehicle accidents.
  - Equipment lost or broken.

Staff Training and Development:

- Fire training and participation at drills.
- Officer development.
- Specialty training.

- Professional development/formal education/certifications.

Fire Prevention:

- Plans review (numbers/valuation $/completion time).
- Inspections (new and existing).
  - Numbers.
  - Completion time.
  - Violations (found/corrected).
  - Quantification by type of violation and occupancy type.
- Fire investigations.
  - Numbers and determinations.
  - Locations and occupancy types.
  - Fire loss/structure and contents.
  - Arson arrests/convictions.
  - Fire deaths (demographics/occupancy type/cause and origin).

Miscellaneous:

- Customer service surveys.
  - Following emergency response.
  - Public assist.
  - Inspections (prevention and company).
  - Public education.
  - In-service training (volunteer assessments).
- Financial/budgetary.
  - Apparatus repair costs and out-of-service time.

Hazard Analysis

The City Manager has designated the Public Affairs Coordinator as the city's Emergency Management Coordinator and as such is responsible for the city's overall emergency planning and disaster preparedness efforts. The city has adopted an emergency operations plan (EOP) that includes a line of succession, identifying the Fire Chief and Police Chief as alternates in the absence of the Emergency Management Coordinator. The city's plan is very well written and identifies those potential hazards that can affect the community. These include:

- Hurricanes/tropical storms.
- Coastal erosion/tidal surge.
- Flooding
- Drought
- Winter Storms
- Energy disruption/shortage
- Transportation accident

Dover is also vulnerable to a variety of human-caused hazards, including chemical releases, spills, or explosions associated with the fixed storage or mobile transport of hazardous materials.[31] In addition, the Kent County Multi-Jurisdictional Hazard Mitigation Plan encompasses the City of Dover. The purpose of hazard mitigation is to reduce or eliminate long-term risks to people and property from natural hazards. The emergency operations plan includes a series of response guides that identify the associated tasks and to whom they are assigned, depending on the type of incident and its magnitude.

Linking a fire department's operational functionality to the community risk and its vulnerability assessment is intended to assist fire personnel in refining their preparedness efforts. Because of the involvement of a fully volunteer fire department, CPSM has observed limited efforts directed toward this level of preparedness and organized management of the fire department in the event of large-scale disaster or an emergency event with a broad reach. We will discuss this issue and our recommendations in the *Emergency Management* section of this report.

Fire Preplanning/Company Inspections

The Dover Fire Department has developed a number of prefire plans for major target hazards within the response district. These documents address routes of travel, types of occupancies, water supplies, sprinkler and standpipe connections, and hazards associated with the various occupancies. Each piece of apparatus has a book with running routes and building layout for target hazards.

Risk assessment and vulnerability analysis are not new to the fire service; the NFPA 1620, *Recommended Practice for Pre-Incident Planning*, identifies the need to utilize both written narrative and diagrams to depict the physical features of a building, its contents, and any built-in fire protection systems. The occupancies that are typically specified for pre-incident plans, or "preplans," are as follows:

- Large assembly.

[31] *Kent County Multi-Jurisdictional Hazard Mitigation Plan, 2015 Update (Draft)*

- Educational.
- Health care.
- Detention and correction.
- High-rise residential.
- Residential board and care (assisted living).
- Mercantile.
- Business.
- Industrial.
- Warehouse and storage.

Of particular note are the Dangerous Building Placards, which mark abandoned, damaged, and vacant structures that could pose a hazard to firefighters responding to a fire. Placards are affixed at designated locations, if applicable, indicating the need to use caution or do not enter. This procedure is a ***best practice***.

The City of Dover fire prevention functions are managed by the Fire Marshal, a section within the city's planning department. The fire department does not perform company inspections; however, obvious fire hazards while performing area familiarization are reported to the Fire Marshal by suppression personnel.

The building inspection process is the ideal mechanism for emergency response personnel to keep current with the hundreds of commercial, industrial, fabrication, storage, and residential occupancies. The absence of line fire personnel who are involved in the inspection and code enforcement process is a lost opportunity in giving emergency responders up-to-date information regarding structures and the storage of materials that they may encounter during an emergency. It is very understandable that as a volunteer force the ability to involve line personnel in the inspection process is difficult. However, the inability for this interaction to occur reduces the overall effectiveness of the suppression effort and minimizes the safety considerations that would otherwise be gained from the effort. In our section regarding the reorganization of the DFD we spoke about the expansion of the Fire Dispatcher role and moving their functionality to one of a Fire Technician. In this capacity we would recommend that the Fire Techs have an inspection responsibility in conjunction with city fire inspectors and that, in addition to their code enforcement duties, they also be involved in the transfer of this familiarization process in the tactical prefire planning of key occupancies.

> ***Recommendation: DFD should expand the responsibilities of the Fire Technician position to include inspection and code enforcement, including the prefire planning of key occupancies.***

This information, along with the impacts of this information on tactical considerations, can be discussed in weekly training sessions with the volunteers. The utilization of digital photography, schematics, and diagrams are recommended to further enforce this information exchange.

Accreditation

Accreditation is a comprehensive self-assessment and evaluation model that enables organizations to examine past, current, and future service levels. It is used to evaluate internal performance and compares this performance to industry best practices. The intent of the process is to improve service delivery.

The Center for Public Safety Excellence (CPSE) provides an extensive evaluation process, on a fee basis, to member agencies and which ultimately leads to accreditation. CPSE is governed by the Commission on Fire Accreditation International (CFAI), an eleven (11)-member commission representing a cross-section of the fire service, including fire departments, city and county management, code councils, the U.S. Department of Defense, and the International Association of Firefighters.

The CPSE Accreditation Program is built around the following key measurements:

- Determine community risk and safety needs.
- Evaluate the performance of the department.
- Establish a method for achieving continuous organizational improvement.

Local government executives face increasing pressure to "do more with less" and justify expenditures by demonstrating a direct link to improved or measured service outcomes. Particularly for emergency services, local officials need criteria to assess professional performance and efficiency.

CPSE accreditation has national recognition and is widely used throughout the fire service. The key to its success is that it allows communities to set their own standards that are reflective of their needs and a service delivery model that is specific to their needs. In addition, it is a program that is based on ongoing improvement and continuous monitoring. The CPSE accreditation model may be well suited for the Dover Fire Department.

> ***Recommendation: The Dover Fire Department should consider CPSE accreditation in the future.***

ISO

ISO collects data for more than 47,000 communities and fire districts throughout the country. The data are then analyzed using a proprietary Fire Suppression Rating Schedule (FSRS). This analysis then results in a PPC (Public Protection Classification) score between 1 and 10 to the community,

with *Class 1* representing "superior property fire protection" and *Class 10* indicating that an area doesn't meet the minimum criteria set by the ISO. On July 1, 2013, the revised FSRS was released; it adds an emphasis on a community's effort to limit loss before an incident occurs.

In developing a PPC, the following major categories are evaluated:

- Emergency Communications: Fire alarm and communication systems, including telephone systems, telephone lines, staffing and dispatching systems.
- Fire Department: The fire department, including equipment, staffing, training, and geographic distribution of fire companies.
- Water Supply: The water supply system, including the condition and maintenance of hydrants and the amount of available water compared to the amount need to suppress fires.
- Fire Prevention: Programs that contain plan review; certificate of occupancy inspections; compliance follow-up; inspection of fire protection equipment; and fire prevention regulations related to fire lanes on area roads, hazardous material routes, fireworks, barbecue grills, and wildland-urban interface areas.
- Public Fire Safety Education Programs: Fire safety education training and programs for schools, private homes, and buildings with large loss potential or hazardous conditions and a juvenile fire setter intervention program.

The City of Dover is rated as 4/4Y. The 4/4Y rating is an outstanding achievement for a community with such a fire load, density, and population protected by an all-volunteer fire department. In a split classification for a community the first number is the class that applies to properties within five road miles of the responding fire station and 1,000 feet of a credible water supply, such as a fire hydrant, suction point, or dry hydrant. The second number is the class that applies to properties within five road miles of a fire station but beyond 1,000 feet of a credible water supply.

With a total point score of 68.81, the City of Dover is just 1.19 points away from the 70 points necessary to be rated as a 3/3Y. CPSM has reviewed the most recent ISO evaluation and believes that the city can achieve a Class-3/3Y rating with minimal effort.

> ***Recommendations: Dover should request from ISO a reevaluation of its August 2015 review after making adjustments in its fire hydrant testing process and the transfer of fire dispatching to Kent County.***

In the most recent ISO review the city did not receive the full allotment of points in the areas of Emergency Communications and the Water Supply section. In Emergency Communications (440) the city received only 5.81 points out of a total of 10 points available. Point deductions occurred because of the Emergency Reporting process (1.5 points), the number of Tele-Communicators (1.64 points), and the number of Dispatch Circuits (1.05 points). In the Water Supply section, specifically, in Hydrant Inspection and Flow Testing (631), the city received 4.8 points out of a total available of 7 points. If the city moves its fire department dispatching service to the Kent County Communications Center, and makes adjustments in the frequency and recordkeeping for its

hydrant testing, we believe that a sufficient point increase can result that will increase the overall rating. ISO is very cooperative in attempting to improve on recent reviews and often enters into a remediation plan, if requested by a jurisdiction. CPSM believes that the city should contact ISO and request a reconsideration of the most recent rating.

Section 8. Essential Resources

Fire Prevention, Code Enforcement, Public Education, and Investigations

Fire prevention is a function within the city's planning department. Fire code enforcement, fire plans review, and inspection activities are the responsibility of the city's Fire Marshal and two (2) Deputy Fire Marshals. This office is responsible for nearly 574 annual inspections at area businesses, institutional occupancies, public office buildings, restaurants, and multifamily residential properties. This office is also charged with the plans review process, primarily in the review of new occupancies that require fire protection systems or fire alarm systems. The Fire Marshal works closely with the Building Official in the site plan review process, preconstruction conferences for larger developments and subdivision construction, and egress issues. They are also involved in the issuance of city occupancy licenses. CPSM was advised that because of the workload, the Fire Marshal's office is only able to complete approximately 50 percent of the required annual occupancy inspections.

There is no direct organizational connection between the Dover Fire Department and the Office of the Fire Marshal, although outstanding relationships exist between the two agencies. The ability to bridge fire suppression, fire code enforcement, and public education is essential for successful fire prevention in the community.

> ***Recommendation: Dover should consider the re-assignment of the Fire Marshal's Office and their fire code enforcement duties under the Fire Department's Emergency Services Manager.***

CPSM believes that the duties of the Fire Marshal's office are more closely aligned with the Fire Department than the planning department. Though it is important that there be a close working relationship between the Building Official and the Fire Marshal, the day-to-day duties of fire prevention and life safety are a Fire Department function. From the standpoint of occupant and emergency responder safety, the focus of the Fire Marshal goes beyond the initial construction and design of an occupancy. The fire inspection process and fire code enforcement efforts are maintained throughout the life cycle of the building and with its changing occupants. Annual fire inspections ensure that these systems are operable and that storage and egress systems are maintained as designed and permitted.

Fire suppression and response, although necessary in minimizing property damage, have little impact on preventing fires. Rather, public fire education, fire prevention, and built-in fire protection and notification systems are essential elements in protecting citizens from death and injury due to fire. The city currently utilizes the 2009 International Fire Code, which is the code required to be enforced under state guidelines. We have been advised that the state is in the process of adopting the 2015 International Code Council (ICC) International Fire Code and when this occurs it will be applied in Dover.

Automatic fire sprinklers have proven to be very effective in reducing fire loss and minimizing fire deaths in residential structures. Many communities have been reluctant to impose code provisions that require these installations. The 2015 ICC International Fire Code includes the requirement for automatic fire sprinklers in single family and duplex residential structures. Given the volunteer operations utilized in Dover, CPSM believes it is essential that when adopting the 2015 ICC International Fire Code, the city should maintain the residential fire sprinkler requirement.

Recommendation: The City of Dover should include the residential fire sprinkler requirements when it adopts the 2015 International Code Council (ICC) International Fire Code.

According to the NFPA, the average cost nationally for installing automatic fire sprinklers in new, single family residential structures is estimated to be $1.61 per square foot.[32] For a 2000 square-foot home, the estimated cost would be approximately $3,220. This can be less than the cost of granite counter tops or a carpeting upgrade. In addition, many homeowner insurance policies provide a discount for homes equipped with residential fire sprinklers. Given the limited resources available for fire suppression efforts in the Dover service area, CPSM believes that the city should include in its 2015 fire code adoption the requirement for automatic fire sprinklers in all new single family and duplex residential structures.

The Dover Fire Department plays a significant role in fire prevention efforts, mainly through public fire safety education in the annual "Open House" during Fire Prevention Week each October. Members of the fire department routinely respond throughout the year to requests from schools, civic groups, and the community to see the department's fire apparatus. Department members review basic fire safety with the public such as exit drills in the home; stop, drop and roll; and changing smoke/carbon monoxide detector batteries in the spring and fall. These public fire safety efforts are a ***best practice***. The city Fire Marshal has limited staffing to perform the public fire safety education function, but does respond to requests for specific events, particularly involving the business community.

Fire investigations are conducted by the city Fire Marshal. The Fire Marshal is certified to the NFPA 1031 and 1033 level, with full law enforcement authority. His two deputies have responsibility to conduct initial origin and cause investigations, but do not have all of the same training, certifications, or authority. In our discussions there were issues raised regarding the need to obtain law enforcement certifications for the Deputy Fire Marshals. With the current fire investigation workload, CPSM does not believe that obtaining the additional law enforcement certifications are warranted at this time.

[32] NFPA, "Cost of Installing Residential Fire Sprinklers Averages $1.61 per Square Foot" Quincy, MA: September 11, 2008.

Education and Training Programs

Education and training programs create the character of a fire service organization. Agencies that place a real emphasis on their training have a tendency to be more proficient in carrying out day-to-day duties. The prioritization of training also fosters professionalism and teamwork and instills pride in the organization. An effective fire department training program must cover all of the essential elements in the department's core missions and responsibilities. The program must include an appropriate combination of technical/classroom training and manipulative or hands-on/practical evolutions. Most of the training, but particularly the practical hands-on training evolutions, should be developed based upon the department's own operating procedures. It is also important that all training evolutions are reflective of those accepted practices and industry standards.

The Dover Fire Department has a very good training program and there is a dedicated effort focused on a wide array of training activities. The training functions of the DFD are primarily handled by two (2) of the assistant fire chiefs who also serve as the training officers. One (1) of them handles the general fire-related training while the other focuses on driver training.

New members of the department receive a basic introduction to the department and its operations by one of the captains who serves as the orientation officer. At the conclusion of this process the probationary member is required to successfully complete a written test. This is a commendable effort that CPSM considers a ***best practice.*** At this point the person is considered to be a Fire Fighter-I (FF-1), who can ride in the "hydrant" seat, working under the supervision of the officer.

There are no state statutes/regulations or local ordinances that specify any fire department training or certification requirements. From a regulatory perspective all training is voluntary. However, all Dover Fire Department members are required (by the Volunteer Association) to complete four basic firefighter classes that are each 36 hours in length for a total of 144 hours of training. These classes include:

- Basic Firefighting.
- Structural Firefighting.
- Vehicle Rescue.
- Hazardous Materials.

Once an individual has successfully completed these courses they are considered to be a FF-II, which then allows them to utilize Self Contained Breathing Apparatus (SCBA) and enter a burning building or other hazardous environments in the accompaniment of a FF-III. In order to achieve FF-III status, and be permitted to ride in any seat on the apparatus, including the officer's seat, the individual needs to complete additional structural firefighting training (six hours) after which they are evaluated. CPSM was advised that there were no new members of the department who achieved FF-III qualification in 2015.

***Recommendation: The Dover Fire Department should require all prospective fire fighters to meet the training qualifications of the National Fire Protection Association (NFPA) Standard 1001,* Standard for Firefighter Professional Qualifications for Firefighter I and II.**

NFPA 1001 is a nationally recognized minimum fire fighter training curriculum utilized by numerous state regulatory organizations. The Delaware State Fire School located in Dover conducts periodic written and practical testing opportunities for this training. CPSM suggests that the Firefighter-I requirement be completed within one (1) year of joining the department and Firefighter-II within two (2) years or prior to the completion of the probationary process.

Training within the Volunteer Association is typically conducted for three (3) hours, three (3) Tuesday nights each month. However, very little training is conducted during the summer, from late June through late September. Although there may be more demands on the time of volunteer personnel during the summer months, this practice creates a three-month gap in training activities which is not conducive to overall readiness. CPSM believes that fire department training should be conducted year-round.

Recommendation: The DFD training program should be revised in order to schedule training and drills throughout the year.

Probationary members of the department are required to complete a minimum of 36 hours of training annually during their first two (2) years. Members who are considered to be "active" are required to complete 21 hours of training annually for five (5) years. After five years of meeting these and other company requirements members are considered to be "life" members and all mandatory training participation requirements are waived. CPSM believes that this training requirement should be changed. All personnel who are permitted to respond to emergency incidents should be required to train on a regular basis.

Recommendation: The DFD should revise the ongoing training requirements for all active members (including life-members) to ensure that skills and proficiency training is carried out to sufficiently insure firefighter readiness and safety.

It is our belief that a realistic goal for a suitable training program would be to provide seventy-two (72) hours of training per member per year (an average of six (6) hours per month). All personnel should be required to complete certain mandatory training, and participate in an established minimum number of training sessions or training hours in order to be allowed to respond to emergency incidents.

The department does not have any type of formal officer training or training requirements for fire officers. Personnel who have completed the four basic firefighter training classes are permitted to run for officer positions in the annual company elections. There are no prerequisites for pursuing officer appointments including job experience, time in grade requirements, or incident command or supervisory training. In addition, due to the annual election process, the make-up of the officer corps could change on a regular basis. Once elected to their respective positions officers do not

have any additional training or certification requirements necessary to maintain their positions other than being successful in the following year's elections.

Recommendation: Personnel seeking to become an officer should be required to start at the rank of captain and serve in each successive rank for a minimum period of time before seeking a higher office

Although several fire department officers are certified as fire officers in accordance with National Fire Protection Association (NFPA) Standard 1021: *Standard for Fire Officer Professional Qualifications*, this is not a requirement to either seek or retain an officer position. The NFPA standards identify numerous skills to assist in determining officer qualifications.

Recommendation: The Dover Fire Department should mandate that all officers participate in additional officer-related training each year in order to be eligible to retain their position.

There are a number of valuable officer training programs available including those that focus on; firefighting strategy and tactics, incident management, scene safety, leadership and management training, team building, incident reporting, building construction, public education, company inspections, etc.

The ability to train properly requires sufficient funding. This funding is needed for training materials, books, training video programs, on-line subscriptions, tuition costs, and the use of outside instructors. The city currently budgets approximately $7,000 per year for training related activities. With an active membership of approximately eighty (80) members it is important that the utilization of training dollars is sufficient to meet the organization's needs.

Recommendation: The DFD should develop an annual training budget that identifies the needed training for its membership and the associated costs for each element of the training program.

The DFD does not subscribe to any firefighter training services or resources that would permit the most up-to-date information and trends to be readily available to members. The department training library is also limited in scope. CPSM believes that annual training funds should be utilized to upgrade training resources, including manuals, DVDs, and fire training subscriptions.

Internal Communications

Effective communications systems are the key to successful operations in emergency services organizations. Standard operating procedures (SOPs)/standard operating guidelines (SOGs) and other orders are critical to the mission of consistent, effective, and safe operations. These policies are intended to ensure that consistency and safety are considered in all operations. Without them there is a tendency to "freelance" and personnel may not all be on the "same page" regarding a wide range of emergency and administrative operations.

> ***Recommendation: Under the direction of the Emergency Services Manager, the DFD should form a committee comprised of a cross-section of the department's membership to develop standard operating guidelines (SOGs).***

The Dover Fire Department should also consider expanding its written communications system to include ***Training Bulletins***, which would be issued to serve as reference with regard to tested and approved methods of performing tasks, and ***Safety Bulletins***, which are issued to serve as references with regard to general and specific safety and health issues.

The department should also develop an effective system for ensuring that any new standard operating guidelines, training bulletins, and safety bulletins are distributed to all personnel and stations. Electronic communications is highly recommended as the method of choice for distributing departmental communications and documents. All city and department policies and department SOGs should be posted on the department Intranet, in both stations, and all personnel should be required to review this information and acknowledge their receipt and understanding of it. All revisions should also be posted in each station and on the Intranet and e-mailed to every member.

> ***The City of Dover should ensure that all fire department personnel are familiar with applicable city policies and that these are included in the annual training curriculum.***

Emergency Management/COOP/Hazard Mitigation

Emergency management in the City of Dover is coordinated by a staff member who serves in a dual-role as the city's Public Affairs Coordinator and Emergency Management Coordinator. These positions were consolidated in 2012 as a cost-saving measure in response to budget constraints. The incumbent has been an active participant on the City Manager's emergency management team and has trained to the Master Exercise Practitioner (MEP) level in accordance with the federal government's Homeland Security Exercise and Evaluation Program (HSEEP). While the incumbent is qualified to serve as the Emergency Management Coordinator, the additional duties associated with public affairs and the responsibilities involved in managing the city's ambulance provider contract, is creating a significant workload. During a significant event both the function of Emergency Management Coordinator and Public Affairs Coordinator will be extremely demanding and CPSM believes will exceed the capacity of a single individual.

As recommended in the *Organizational* section of this report, CPSM suggests that the city reassign the duties of Emergency Management Coordinator to the Emergency Services Manager. We also recommend that the Public Affairs Coordinator continue to maintain a leadership role in the city's emergency management process, serving as an alternate coordinator during extended activations or during the absence of the Emergency Services Manager.

The City of Dover does not have a Continuity of Operations Plan (COOP) for each department of the city and a Continuity of Government (COG) plan for the city as a whole. The purpose of continuity of operations planning is to ensure that essential city services are provided in the wake of catastrophic or disruptive events.

Recommendation: The City of Dover should develop Continuity of Operations Plans (COOP) for each department and align the plans with an overall Continuity of Government Plan (COG).

Continuity of operations planning is the process in which government formally reviews and makes contingency plans in the event that government can no longer operate under normal conditions. COOP looks at the potential inability of a local government to utilize key public buildings, including fire stations or police stations, city hall, or other key structures. The planning process identifies alternative sites that could be utilized if these facilities are incapacitated. COOP also looks at contingencies if current service levels must be curtailed due to wide-scale employee absences. Agencies are asked to formulate plans if their workforce is reduced by various increments (15 percent, 25 percent, 50 percent, etc.). This exercise requires each department to define its plan for which of its services will continue and which other services could be modified or eliminated. There are numerous guides that provide insights or models for COOP. FEMA provides a template that is often utilized to assist local government and federal agencies in this process; it can be found at http://www.fema.gov/pdf/about/org/ncp/coop/continuity_plan_federal_d_a.pdf

Hazard mitigation is the effort to reduce loss of life and property by lessening the impact of disasters. Federal, state, and local governments engage in hazard mitigation planning to identify natural hazards that impact them, identify strategies and activities to reduce any losses from those hazards, and establish a coordinated approach to implementing the plan, taking advantage of a wide range of resources. Mitigation plans are key to federal, state, and local governments' efforts to break the cycle of disaster damage, reconstruction, and repeated damage.

Developing hazard mitigation plans enables federal, state, and local governments to:

- Increase education and awareness around threats, hazards, and vulnerabilities.
- Build partnerships for risk reduction involving government, organizations, businesses, and the public.
- Identify long-term strategies for risk reduction that are agreed upon by stakeholders and the public.

- Identify cost effective mitigation actions, focusing resources on the greatest risks and vulnerabilities.
- Align risk reduction with other community objectives.
- Communicate priorities to potential sources of funding.

The City of Dover, as a political subdivision of Kent County, should work with the county to ensure that hazard mitigation strategies and investments meet the needs of the city.

Recommendation: The City of Dover should ensure that the hazard mitigation efforts of Kent County are aligned with the needs of the city and should identify those key infrastructure and public outreach efforts necessary to protect all city residents.

Emergency Communications Center (ECC)

The City of Dover operates its Public Safety Answering Point (PSAP) at the Dover Police Department. 911 calls that originate from landlines within the city are received at the Police Center. Fire calls that are received by the Police Center are then routed to the Dover Fire Dispatcher who is located at Fire Station 1. 911 calls that originate from a cellular telephone are first received at the Kent County 911 Center and then transferred to the city. Kent County estimates that approximately 80 percent of all calls received at its Center are made from cellular telephones.

Fire calls received by the Kent Center are not transferred, but instead the Fire Dispatch Center is called by a direct phone line and the information is transferred via voice communications. This is because the Fire Dispatch Center is unable to receive the ANI/ALI (automated name information/automated location information) function of the 911 system. The Fire Dispatch Center is not a certified dispatch center under the National Academy of Emergency Dispatch (NAED). Upon receiving a call the Fire Dispatcher will notify the volunteer personnel via the paging system and then coordinate the radio traffic of the responding units. If additional assistance outside the City of Dover is necessary, the Fire Dispatcher must then call the Kent County Center and request mutual aid assistance from surrounding communities.

The Kent County Department of Public Safety Emergency Communications Center dispatches all fire and EMS agencies in Kent County, except for the Dover Fire Department. The Center dispatches for 17 fire departments, 14 BLS departments, and a countywide paramedic department; it has 18 dispatch console positions. The Center also dispatches PrimeCare ambulance units. The Kent Center is the back-up emergency communications center for the Dover Fire and Police Departments.

Upon review of the multiple dispatch operations and the redundancy that was observed, CPSM recommends the consolidation of the Dover Fire Dispatch duties into Kent County. This would eliminate the need to transfer calls to and from the Dover Fire Center. In addition, the Dover fire dispatch function is staffed with one (1) person, which leaves no redundancy for multiple calls. This

situation is compounded with the added responsibility of the single fire dispatcher in handling both incoming telephone calls and talking via radio to responding units.

Recommendation: The City of Dover should transfer its fire dispatching duties to the Kent County 911 Communications Center.

The recent ISO evaluation elevated a number of deficiencies in the current fire dispatch operations and CPSM believes that the transfer of the fire dispatch operations to the Kent County Center will address these concerns. In addition, by eliminating the dispatching duties for the current Fire Dispatchers, CPSM believes that a number of support functions may be addressed, particularly in the coordination of apparatus repairs, prefire planning, records management, emergency planning, and the oversight of ambulance operations.

Section 9. Data Analysis

Introduction

This data analysis was prepared as a key component of the study conducted by the Center for Public Safety Management, LLC (CPSM) of the Dover Fire Department (DFD). This analysis examines all calls for service between July 1, 2014, and June 30, 2015, as recorded in the Dover Fire Department CAD system.

This analysis contains four sections: the first section focuses on call types and dispatches; the second section explores time spent and workload of individual units; the third section presents analysis of the busiest hours in a year; and the fourth section provides a response time analysis of the first arriving on-scene DFD units.

The department utilizes five (5) engines, two (2) ladders (including one (1) aerial), two (2) specialty brush units (including one RTV), one (1) heavy rescue, two (2) utility trucks, one (1) boat, one (1) foam unit (trailer), and two (2) command cars.

During the study period, the department responded to 991 calls. The total combined yearly workload (deployed time) for all DFD units was 966 hours. The average dispatch time of the first arriving DFD unit was 1.3 minutes, and the average response time of the first arriving DFD unit was 8.1 minutes. The 90th percentile dispatch time was 3.3 minutes and the 90th percentile response time was 12.1 minutes.

Methodology

In this report, we analyze calls and runs. A call is an emergency service request or incident. A run is a dispatch of a unit. Thus, a call might include multiple runs.

We received CAD data for the Dover Fire Department along with its National Fire Incident Reporting System (NFIRS) data. We first removed CAD calls to which no DFD unit responded or to which administrative units (chief units) were the sole responders — this includes calls where units were dispatched but were cancelled before going en route. We excluded 244 incidents that met these criteria from this report.

Aggregate Call Totals and Dispatches

In this report, each citizen-initiated emergency service request is a call. During the year studied, Dover responded to 991 calls. Of these, 106 were structure fire calls and 69 were outside fire calls within Dover's jurisdiction. Each dispatched unit is a separate "run." As multiple units respond to a call, there are more runs than calls. We report the department's total runs and workload in the second section.

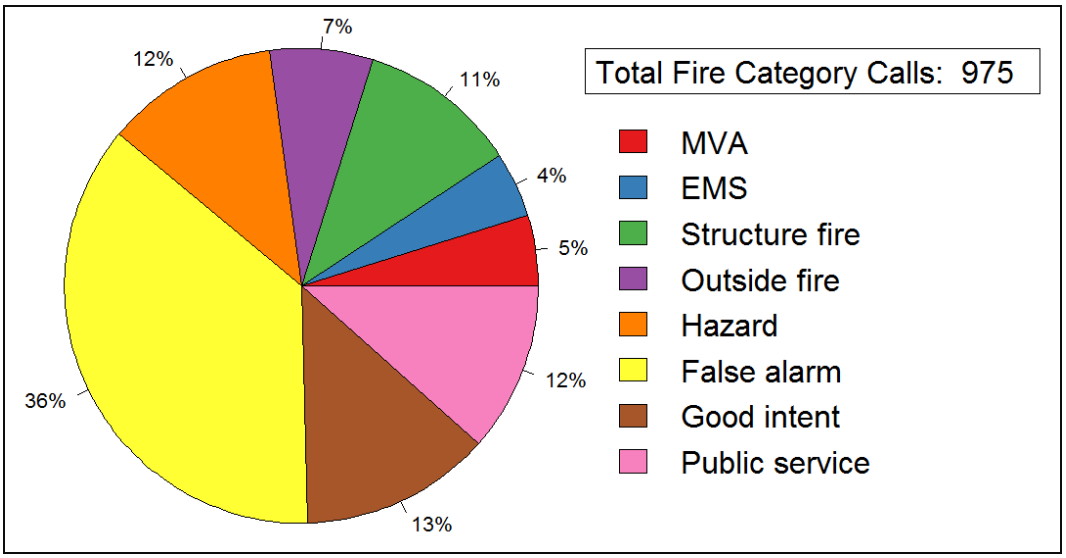
Calls by Type

Table 9-1 and Figure 9-1 show the number of calls by call type, average calls per day, and the percentage of calls that fall into each call type category. While the Dover Fire Department does not provide ambulance services, it does respond to emergency medical service (EMS) calls such as motor vehicle accidents (MVAs), extrications, and rescues. We include MVAs as a separate call type while we identify all other EMS-type calls grouped as simply "EMS."

TABLE 9-1: Call Types

Call Type	Number of Calls	Calls per Day	Call Percentage
MVA	47	0.13	4.7
EMS	43	0.12	4.3
Structure fire	106	0.29	10.7
Outside fire	69	0.19	6.9
Hazard	115	0.32	11.6
False alarm	355	0.97	35.8
Good intent	127	0.35	12.8
Public service	113	0.31	11.4
Subtotal	**975**	**2.67**	**98.2**
Cancelled	16	0.04	1.6
Total	**991**	**2.72**	**100.0**

FIGURE 9-1: Calls by Type



Observations:

- Fire calls for the year totaled 975, averaging 2.7 per day.
- Structure and outside fires combined totaled 175 calls, averaging one call every 2.1 days.
- Structure fires (106 calls) accounted for 11 percent of total calls.
- Outside fires (69) accounted for 7 percent of total calls.
- False alarms (355) accounted for the largest percentage of calls at 36 percent.

Calls by Type and Duration

Table 9-2 shows the duration of calls by type and duration using four duration categories: less than 30 minutes, 30 minutes to one hour, one to two hours, more than two hours.

TABLE 9-2: Calls by Type and Duration

Call Type	Less than One-half Hour	One-half Hour to One Hour	One to Two Hours	More than Two Hours	Total
MVA	33	12	2	0	47
EMS	38	4	1	0	43
Structure fire	54	37	8	7	106
Outside fire	48	19	2	0	69
Hazard	64	42	8	1	115
False alarm	324	29	2	0	355
Good intent	100	23	4	0	127
Public service	67	33	11	2	113
Subtotal	**728**	**199**	**38**	**10**	**975**
Cancelled	15	1	0	0	16
Total	**743**	**200**	**38**	**10**	**991**

Observations:

Overall

- 95 percent of calls (943) lasted less than one hour.
- Four percent of calls (38) lasted between one and two hours and 1 percent (10) lasted more than two hours.
- On average, 0.1 calls per day, or approximately one call every eight days, lasted more than one hour.

Structure Fires

- 86 percent of structure fires (91) lasted less than one hour; 8 percent (8) lasted between one and two hours; and 7 percent (7) lasted more than two hours.

Outside Fires

- 97 percent of outside fires (67) lasted less than one hour; 3 percent (2) lasted between one and two hours; and none lasted more than two hours.

False Alarms

- 99 percent of false alarms (353) lasted less than one hour, and 1 percent (2) lasted more than an hour.

Average Calls per Day and per Hour

Figure 9-2 shows the monthly variation in the average daily number of calls handled by the DFD during the year studied. Similarly, Figure 9-3 illustrates the average number of calls received each hour of the day, shown in two-hour increments.

FIGURE 9-2: Average Calls per Day, by Month

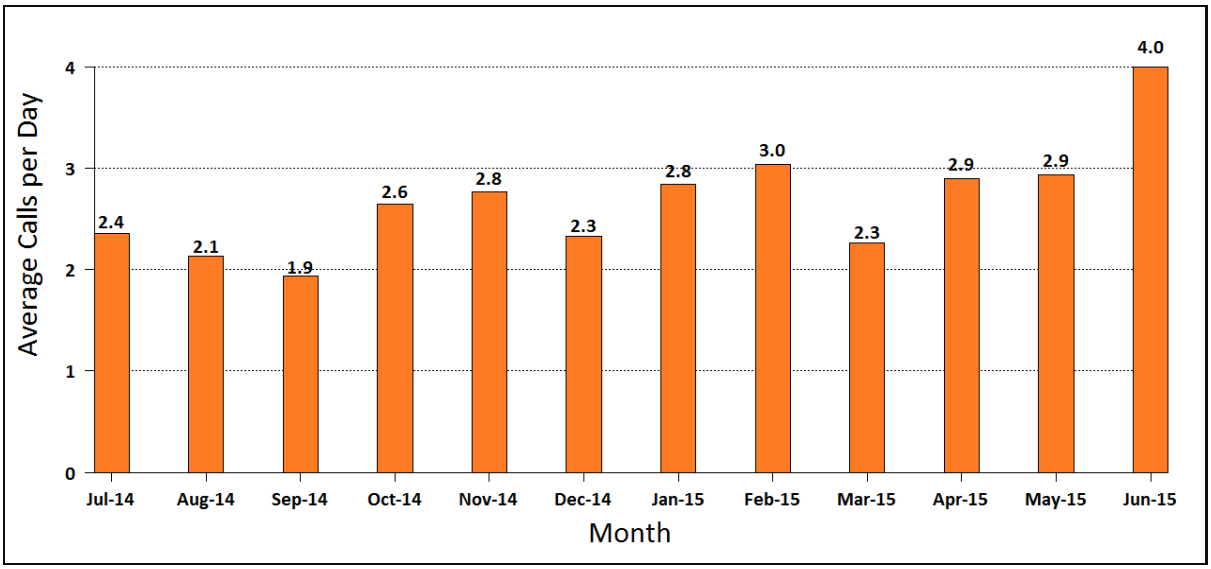
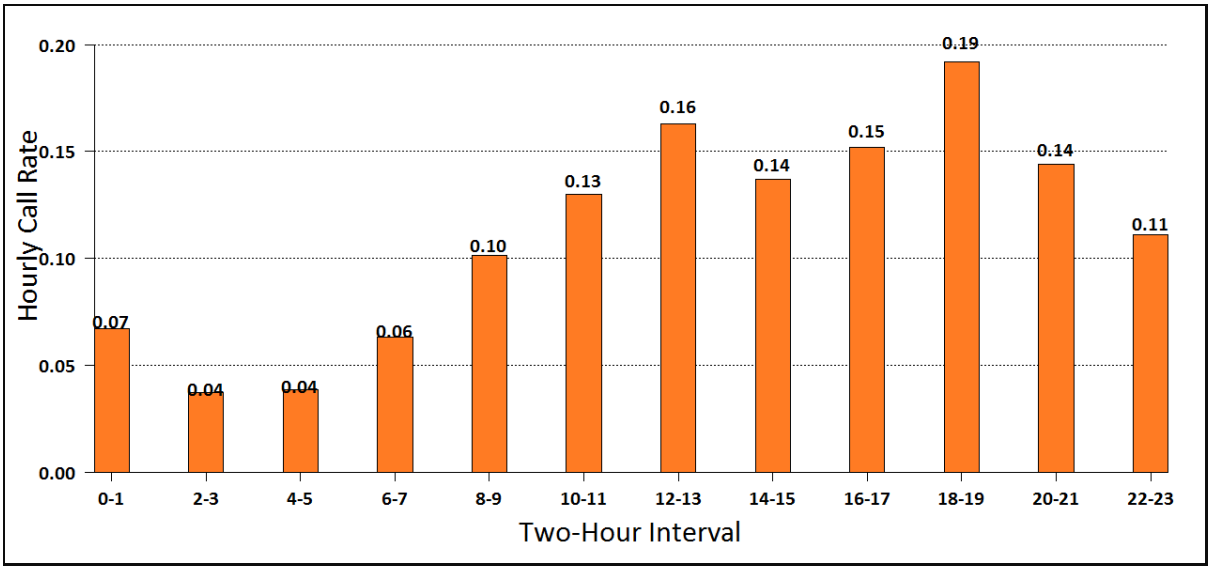


FIGURE 9-3: Calls by Hour of Day



Observations:

- Average calls per day ranged between 1.9 and 4.0.
- September 2014 had the lowest average calls per day (1.9) while June 2015 had more than double that number of calls per day, on average (4.0), which was 110 percent higher than September.
    - Multiple large music and cultural festivals were held in Dover in June 2015, drawing crowds of 10,000 up to 90,000. These included Positively Dover, the Big Barrel County Music Festival, and the Firefly Music Festival.
    - The Firefly Music Festival drew the largest crowds with 80,000 to 90,000 people attending the four-day event held June 18 through June 21.
    - Four of June's six busiest days (7 or more calls) were the four days of the Firefly Music Festival. One additional day of June's six busiest days was the last day of the Big Barrel Country Music Festival (June 28).
    - The busiest day of the study period had 15 calls and occurred on June 21, the last day of the Firefly Music Festival.
- Average calls per hour ranged between 0.04 (between 2:00 a.m. and 6:00 a.m.) and 0.19 (between 6:00 p.m. and 8:00 p.m.).
- Overall, 10:00 a.m. to 10:00 p.m. were the busiest times with between 0.13 and 0.19 calls per hour, which is three to five times more than the slowest period of 2:00 a.m. to 6:00 a.m.

Units Dispatched to Calls

Table 9-3 and Figure 9-4detail the number of DFD units dispatched to calls overall and broken down by call type.

FIGURE 9-4: Number of Dover Fire Department Units Dispatched to Calls

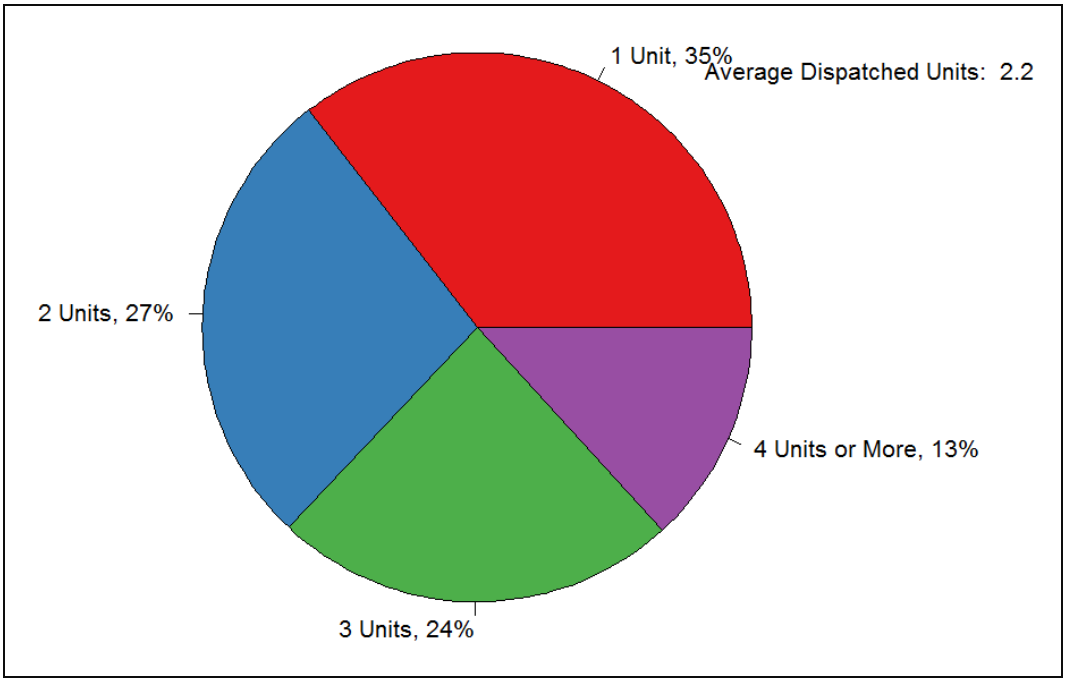


TABLE 9-3: Number of Units Dispatched to Calls

Call Type	Number of Units				Total
	One	Two	Three	Four or More	
MVA	10	11	19	7	47
EMS	30	7	5	1	43
Structure fire	20	19	27	40	106
Outside fire	31	18	13	7	69
Hazard	40	25	35	15	115
False alarm	96	130	95	34	355
Good intent	47	38	23	19	127
Public service	72	20	15	6	113
Subtotal	**346**	**268**	**232**	**129**	**975**
Cancelled	8	6	2	0	16
Total	**354**	**276**	**234**	**129**	**993**
Percentage	**35.6**	**27.8**	**23.6**	**13.0**	**100.0**

Observations:

Overall

- On average, 2.2 units were dispatched per call.
- One unit was dispatched 36 percent of the time, two units were dispatched 28 percent of the time, three units were dispatched 24 percent of the time, and four or more units were dispatched 13 percent of the time.

Structure Fires

- Three units were dispatched to structure fires 25 percent of the time, and four or more units were dispatched 38 percent of the time.

Outside Fires

- Three units were dispatched to outside fires 19 percent of the time, and four or more units were dispatched 10 percent of the time.

False Alarms

- Three units were dispatched to false alarms 37 percent of the time, and four or more units were dispatched 10 percent of the time.

Workload by Individual Unit—Calls and Total Time Spent

In this section, the workload of each unit is reported in two ways: deployed time and runs. A dispatch of a unit is defined as a run; thus, one call might include multiple runs, which results in a higher total number of runs than total number of calls. The deployed time of a run is from the time a unit is dispatched through the time a unit is cleared.

Runs and Deployed Time – All Units

Deployed time, also referred to as deployed hours, is the total deployment time of all the units deployed on all calls. Table 9-4shows the total deployed time, overall and broken down by type of call, for DFD units during the year studied.

TABLE 9-4: Annual Runs and Deployed Time by Call Type

Call Type	Avg. Deployed Min. per Run	Annual Hours	Percent of Total Hours	Deployed Min. per Day	Total Annual Runs	Runs per Day
MVA	24.7	48.2	5.0	7.9	117	0.3
EMS	17.8	18.7	1.9	3.1	63	0.2
Structure fire	45.5	243.3	25.2	40.0	321	0.9
Outside fire	25.4	58.4	6.0	9.6	138	0.4
Hazard	28.8	125.4	13.0	20.6	261	0.7
False alarm	19.2	251.0	26.0	41.3	785	2.2
Good intent	24.0	109.9	11.4	18.1	275	0.8
Public service	34.6	104.5	10.8	17.2	181	0.5
Subtotal	**26.9**	**959.4**	**99.3**	**157.7**	**2,141**	**5.9**
Cancelled	15.3	6.6	0.7	1.1	26	0.1
Total	**26.7**	**966.0**	**100.0**	**158.8**	**2,167**	**5.9**

Observations

- There were 2,167 runs in the year studied, resulting in a total 966 hours of deployed time.
- On average, there were 5.9 runs per day for an average of 2.6 hours of deployed time per day.
- Structure and outside fires resulted in 459 runs with a total workload of 301.7 hours, equal to 32 percent of total DFD workload.
- Structure fires averaged 45.5 minutes of deployed time.
- Outside fires averaged 25.4 minutes of deployed time.

Workload by Unit

Table 9-5 provides a summary of each unit's workload overall. Table 9-6 and Table 9-7 provide a more detailed view of workload, showing each unit's runs broke out by call type (Table 9-6) and the resulting deployed time by call type (Table 9-7). Some units responded to few calls during the year. Rather than showing each of these units individually, we analyzed their work as a group referred to as "other" in the tables. The "other" category includes the units: ACC1, FT, HRT, and Spec Ops1.

TABLE 9-5: Call Workload by Unit

Unit Type	Unit ID	Avg. Deployed Min. per Run	Total Annual Hours	Avg. Deployed Min. per Day	Total Annual Runs	Avg. Runs per Day
Brush	B1	17.0	3.4	0.6	12	0.0*
	B9	18.0	31.5	5.2	105	0.3
Engine	E2	27.8	199.4	32.8	431	1.2
	E3	29.0	63.8	10.5	132	0.4
	E4	27.2	164.4	27.0	363	1.0
	E6	25.7	120.7	19.8	282	0.8
	E7	32.7	20.7	3.4	38	0.1
Ladder	L1	26.1	235.8	38.8	542	1.5
	L2	26.0	50.6	8.3	117	0.3
Rescue	R1	33.7	58.3	9.6	104	0.3
Utility	U1	24.2	14.9	2.5	37	0.1
Other	Other	36.3	2.4	0.4	4	0.0*

* These units had so few runs that their average runs per day, rounded to the nearest one-tenth, appears to be zero.

TABLE 9-6: Total Annual Runs by Call Type and Unit

Unit Type	Brush		Engine					Ladder	Rescue		Utility	Other
Unit	**B1**	**B9**	**E2**	**E3**	**E4**	**E6**	**E7**	**L1**	**L2**	**R1**	**U1**	**Other**
MVA	–	1	30	11	31	10	2	–	–	30	1	1
EMS	1	21	5	1	7	4	–	9	3	6	5	1
Structure fire	–	2	74	16	51	32	11	83	28	19	5	–
Outside fire	2	31	10	14	34	25	10	6	2	1	2	1
Hazard	1	12	52	11	51	38	4	60	15	14	3	–
False alarm	2	2	183	42	104	108	3	272	44	14	11	–
Good intent	2	16	54	16	49	39	5	63	15	13	3	–
Public service	4	18	21	16	31	19	3	44	10	7	7	1
Cancelled	–	2	2	5	5	7	–	5	–	–	–	–
Total	**12**	**105**	**431**	**132**	**363**	**282**	**38**	**542**	**117**	**104**	**37**	**4**
Runs per Day	**0.0***	**0.3**	**1.2**	**0.4**	**1.0**	**0.8**	**0.1**	**1.5**	**0.3**	**0.3**	**0.1**	**0.0***

* These units had so few runs that their average runs per day, rounded to the nearest one-tenth, appears to be zero.

TABLE 9-7: Daily Average Deployed Minutes by Call Type and Unit

Unit Type	Brush		Engine					Ladder		Rescue	Utility	Other
Unit	**B1**	**B9**	**E2**	**E3**	**E4**	**E6**	**E7**	**L1**	**L2**	**R1**	**U1**	**Other**
MVA	–	0.0*	2.0	0.7	2.3	0.7	0.0*	–	–	2.1	0.1	0.0*
EMS	0.1	0.2	0.3	0.0*	0.5	0.2	–	0.8	0.2	0.3	0.2	0.2
Structure fire	–	0.4	9.0	2.3	5.6	4.9	1.3	9.7	2.8	3.5	0.5	–
Outside fire	0.1	2.0	0.6	1.2	2.2	2.0	0.7	0.5	0.1	0.1	0.1	0.0*
Hazard	0.0*	0.6	4.6	0.8	4.1	3.0	0.2	4.7	1.1	1.3	0.2	–
False alarm	0.0*	0.0*	10.4	2.3	4.8	5.2	0.2	14.8	2.2	0.6	0.6	–
Good intent	0.0*	0.7	3.9	0.9	3.4	2.2	0.3	4.5	1.1	0.9	0.1	–
Public service	0.3	1.2	1.8	2.2	3.8	1.3	0.6	3.5	0.8	0.7	0.7	0.2
Cancelled	–	0.1	0.2	0.1	0.2	0.3	–	0.2	–	–	–	–
Total	**0.6**	**5.2**	**32.8**	**10.5**	**27.0**	**19.8**	**3.4**	**38.8**	**8.3**	**9.6**	**2.5**	**0.4**

* These units had such low total deployed minutes that average minutes per day, rounded to the nearest one-tenth, appears to be zero

Observations:

- Ladder 1 made the most runs (542 in total or 1.5 per day) and had the highest total annual deployed time (236 hours for the year or 39 minutes per day).
    - Structure and outside fires accounted for 89 of these runs (16 percent) and 62 hours (26 percent) of deployed time.
    - False alarms accounted for 272 of these runs (50 percent) and 90 hours (32 percent) of deployed time.
- Engine 2 made the second most runs (431 total or 1.2 per day) and had the second highest total annual deployed time (199 hours for the year or 33 minutes per day).
    - Structure and outside fires accounted for 84 of these runs (20 percent) and 59 hours (30 percent) of deployed time.
    - False alarms accounted for 183 of these runs (42 percent) and 63 hours (32 percent) of deployed time.

Analysis of Busiest Hours

There is significant variability in the number of calls from hour to hour. One special concern relates to the resources available for hours with the heaviest workload. We tabulated the data for each of the 8,760 hours in the year. Table 9-8 shows the number of hours in the year where there were one, two, or three calls during the hour.

Table 9-9 shows the 10 one-hour intervals during the year where there were three calls.

TABLE 9-8: Frequency Distribution of the Number of Calls

Calls in an Hour	Frequency	Percentage
0	7,864	89.8
1	809	9.2
2	77	0.9
3	10	0.1

TABLE 9-9: Top 10 Hours with the Most Calls Received

Hour	Number of Calls	Number of Runs	Total Deployed Hours*
9/14/2014 – 10 p.m. to 11 p.m.	3	12	3.2
7/23/2014 – 11 p.m. to 12 a.m.	3	8	2.1
5/29/2015 – 1 p.m. to 2 p.m.	3	8	3.0
7/24/2014 – 8 p.m. to 9 p.m.	3	7	3.3
2/22/2015 – 12 p.m. to 1 p.m.	3	7	3.4
6/23/2015 – 7 p.m. to 8 p.m.	3	6	2.1
6/30/2015 – 11 p.m. to 12 a.m.	3	6	0.8
6/28/2015 – 8 p.m. to 9 p.m.**	3	5	2.1
6/18/2015 – 2 p.m. to 3 p.m.**	3	3	0.6
6/20/2015 – 1 a.m. to 2 a.m.**	3	3	0.3

***** The total deployed hours is time spent responding to calls received in the hour, which may extend into the next hour(s).

** 06/28/2015 was the last day of the Big Barrel Country Music Festival which drew a crowd of 30,000- 35,000. 06/18/2015 was the first day of the Firefly Music Festival, which drew a crowd of 80,000-90,000. 06/20/2015 was the third day of the Firefly Music Festival.

Observations:

- During 87 hours in the year (1 percent of all hours), the DFD responded to two or more calls.
- Approximately once every four days, there was one hour during which two or more calls occurred.
- There were 10 hours in the year (0.1 percent of all hours) where the DFD responded to three calls; there were never more than three calls in an hour.
- Of these 10 hours, September 14, 2014, between 10:00 p.m. and 11:00 p.m., had the most runs (12 total) with a total workload of 3.2 hours. The longest call was a structure fire that lasted 21 minutes.
- July 23, 2014, between 11:00 p.m. and midnight and May 29, 2015, between 1:00 p.m. and 2:00 p.m., both had the second most runs (eight). The longest call was a public safety call on May 29 that lasted for 24 minutes and to which four units were dispatched.

Overlapping Calls

Overlapping calls are defined as calls that started (based on dispatch time) while another call was still active. In the analysis, calls with less than 30 seconds of overlap were excluded. There were 51 calls during the period studied that were initiated while one other call was already active. On average, calls overlapped for 12.1 minutes. There were no calls that were initiated while two calls were already active.

Of the 51 calls, 23 of the calls (47 percent) were completely overlapping with another call, meaning they started and ended while another call was active. On average, these calls overlapped 14 minutes. The remaining 28 overlapping calls (53 percent) partially overlapped with another call, meaning the call they overlapped with (first call) ended before the overlapping call (second call) ended. On average these calls overlapped 10.3 minutes.

Response Time

This section presents response time statistics for different call types and units.

Different terms are used to describe the components of response time. *Dispatch processing time* is the difference between the time a call is received and the time a unit is dispatched. *Turnout time* is the difference between dispatch time and the time a unit is en route. *Travel time* is the difference between the time en route and arrival on-scene. *Response time* is the total time elapsed between receiving a call to arriving on-scene. The main focus in this section is the dispatch and response times of the first arriving DFD unit.

We typically focus on emergency calls where the department would respond with lights and sirens — also known as a hot response. The DFD does not record the priority of a call in its records management system, so all eligible calls were included in this analysis.

There were 991 calls included in the analyses in previous sections. This section uses 940 calls and excludes the 16 cancelled calls, 18 additional calls where an administrative unit was the first to arrive, and 17 calls with unreliable data (e.g., a two-second travel time, a ten-hour dispatch time, etc.).

Response Times by Type of Call

Figure 9-5 and Table 9-10 show average dispatch, turnout, travel, and total response times for the first arriving units, broken out by call type.

Table 9-11 shows the 90th percentile times broken out in the same manner. A 90th percentile time means that 90 percent of calls had dispatch, turnout, travel, or total response times at or below that number.

FIGURE 9-5: Average Response Times of First Arriving Unit, by Call Type

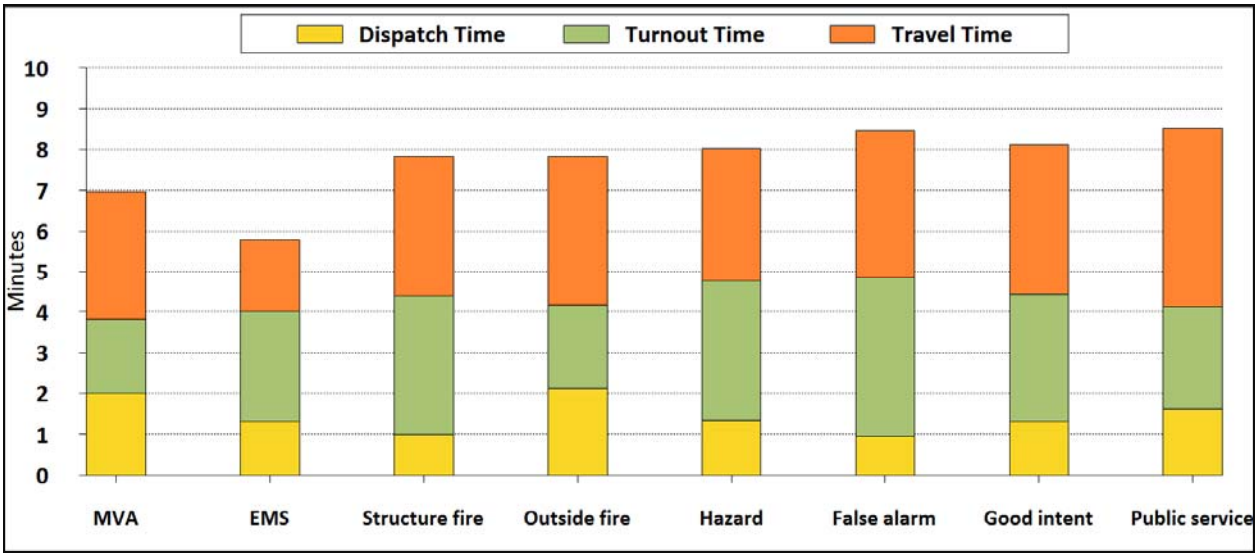


TABLE 9-10: Average Response Times of First Arriving Unit, by Call Type (Minutes)

Call Type	Dispatch Time	Turnout Time	Travel Time	Response Time	Sample Size
MVA	2.0	1.8	3.2	7.0	42
EMS	1.3	2.7	1.8	5.8	42
Structure fire	1.0	3.4	3.4	7.8	104
Outside fire	2.1	2.0	3.7	7.8	68
Hazard	1.3	3.4	3.3	8.0	111
False alarm	1.0	3.9	3.6	8.5	346
Good intent	1.3	3.1	3.7	8.1	125
Public service	1.6	2.5	4.4	8.5	102
Total	**1.3**	**3.3**	**3.5**	**8.1**	**940**

TABLE 9-11: 90th Percentile Response Times of First Arriving Unit, by Call Type (Minutes)

Call Type	Dispatch Time	Turnout Time	Travel Time	Response Time	Sample Size
MVA	5.0	4.5	5.5	10.4	42
EMS	2.5	6.7	4.5	11.0	42
Structure fire	2.2	6.5	5.8	12.2	104
Outside fire	5.5	5.5	6.6	11.1	68
Hazard	3.4	6.8	5.5	12.1	111
False alarm	2.4	7.1	5.8	12.0	346
Good intent	3.3	6.6	6.3	12.3	125
Public service	3.9	5.8	8.3	14.0	102
Total	3.3	6.7	6.1	12.1	**940**

Observations:

- 48 calls (5 percent) had a dispatch handling time greater than 5 minutes.
- 370 calls (39 percent) had a turnout time greater than 4 minutes.
- 234 calls (25 percent) had a total response time greater than 10 minutes.

Averages – First Arriving Unit

- Dispatch time: 1.3 minutes.
- Turnout time: 3.3 minutes.
- Travel time: 3.5 minutes.
- Total response time: 8.1 minutes.
- Structure fire response time: 7.8 minutes.
- Outside fire response time: 7.8 minutes.

90th Percentile – First Arriving Unit

- Dispatch time: 3.3 minutes.
- Turnout time: 6.7 minutes.
- Travel time: 6.1 minutes.
- Total response time: 12.1 minutes.
- Structure fire response time: 12.2 minutes.
- Outside fire response time: 11.1 minutes.

Response Times by Hour

Average dispatch, turnout, travel, and total response times by hour are shown in Figure 9-6 and Table 9-12. The table also shows 90th percentile times.

FIGURE 9-6: Average Response Time of First Arriving Unit, by Hour of Day

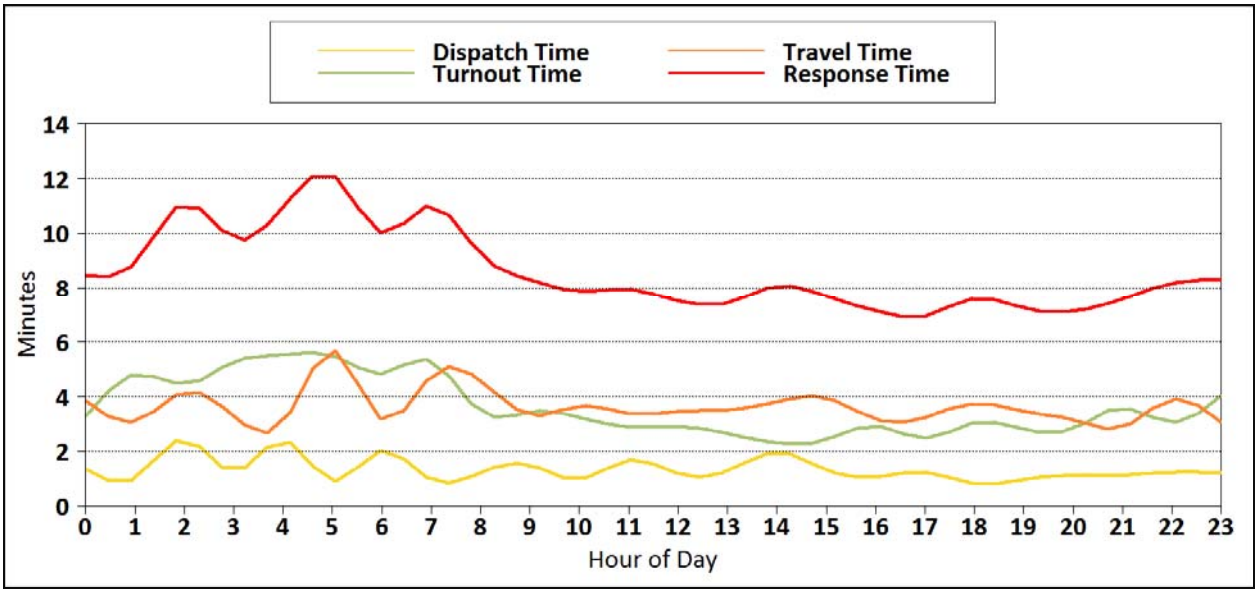


TABLE 9-12: Average and 90th Percentile Response Times of First Arriving Unit, by Hour of Day

Hour	Dispatch Time	Turnout Time	Travel Time	Response Time	90th Percentile Response Time	Sample Size
0	1.3	3.3	3.9	8.5	12.0	25
1	1.0	4.8	3.1	8.9	12.7	24
2	2.5	4.5	4.2	11.1	15.3	15
3	1.2	5.3	3.3	9.8	15.8	12
4	2.4	5.5	3.0	11.0	13.9	14
5	0.9	5.5	5.7	12.1	17.3	13
6	2.0	4.8	3.2	10.0	14.0	20
7	0.9	5.3	4.8	11.0	17.1	25
8	1.2	3.4	4.6	9.2	13.9	31
9	1.5	3.5	3.3	8.3	11.5	40
10	1.0	3.2	3.7	7.9	13.0	50
11	1.7	2.9	3.4	8.0	11.8	41
12	1.2	2.9	3.5	7.5	11.0	59
13	1.3	2.7	3.5	7.4	11.5	52
14	2.0	2.3	3.8	8.1	11.3	50
15	1.3	2.4	4.0	7.7	12.1	48
16	1.1	2.9	3.2	7.1	10.5	52
17	1.3	2.5	3.2	7.0	10.4	54
18	0.8	3.0	3.7	7.6	10.8	59
19	1.0	2.8	3.5	7.2	10.2	72
20	1.1	2.8	3.2	7.1	10.3	61
21	1.1	3.6	2.9	7.6	11.0	43
22	1.2	3.0	3.9	8.2	12.1	33
23	1.2	4.0	3.0	8.3	11.8	47

Observations:

- Dispatch time averaged between 0.8 minutes (6:00 p.m.) and 2.5 minutes (2:00 a.m.).
- Turnout time averaged between 2.3 minutes (2:00 p.m.) and 5.5 minutes (4:00 a.m. and 5:00 a.m.).
- Travel time averaged between 2.9 minutes (9:00 p.m.) and 5.7 minutes (5:00 a.m.).
- Total response time averaged between 7.0 minutes (5:00 p.m.) and 12.1 minutes (5:00 p.m.).
- The 90th percentile total response time ranged from 10.2 minutes (7:00 p.m.) to 17.1 minutes (7:00 a.m.).

Response Time Distribution

A more detailed look at how response times are distributed among units and call types is presented here. Table 9-13 and Figure 9-7 detail how often each unit was the first to arrive to a call. Table 9-14 gives the cumulative distribution of total response time for first arriving unit, and Figure 9-8 shows the same information for structure and outside fires only.

TABLE 9-13: Number of Total Calls by First Arriving Units

Unit	Structure and Outside Fire	Other Fire	Total	Percentage	Cumulative Percentage
L1	63	287	350	37.2	37.2
E2	23	134	157	16.7	53.9
E4	30	127	157	16.7	70.6
E6	20	77	97	10.3	81.0
B9	22	66	88	9.4	90.3
E3	5	35	40	4.3	94.6
U1	4	18	22	2.3	96.9
B1	1	9	10	1.1	98.0
R1	2	7	9	1.0	98.9
E7	1	5	6	0.6	99.6
L2	1	3	4	0.4	100.0

FIGURE 9-7: Number of Total Calls by First Arriving Units

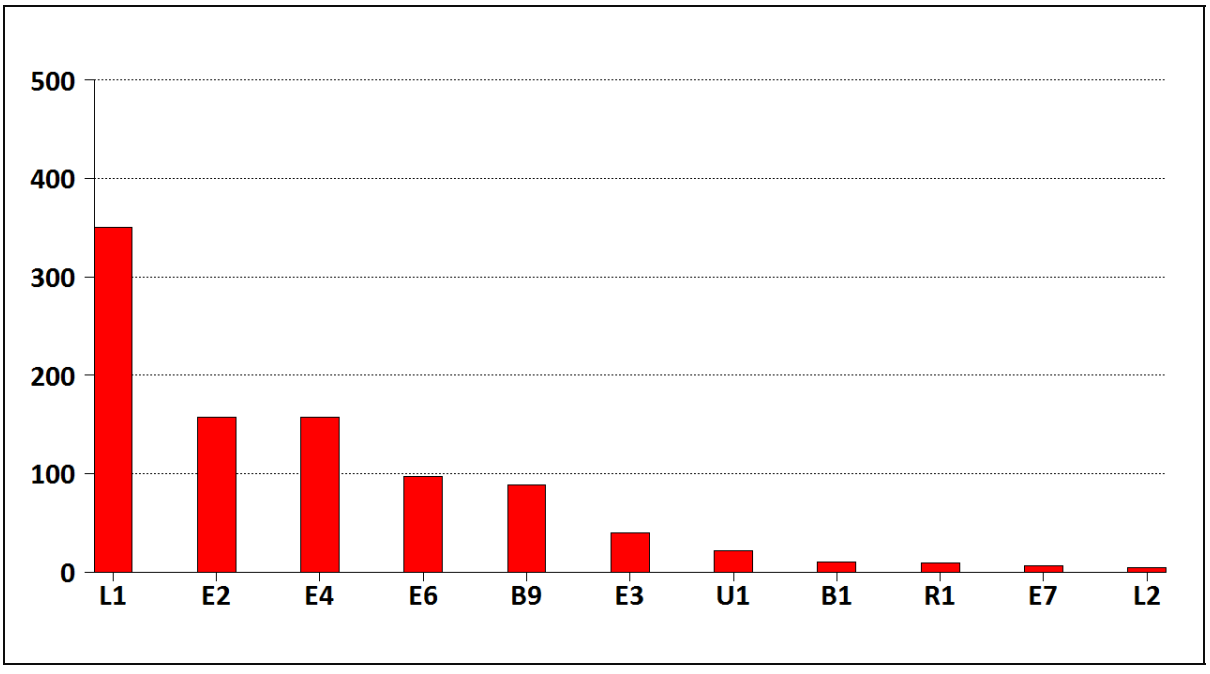
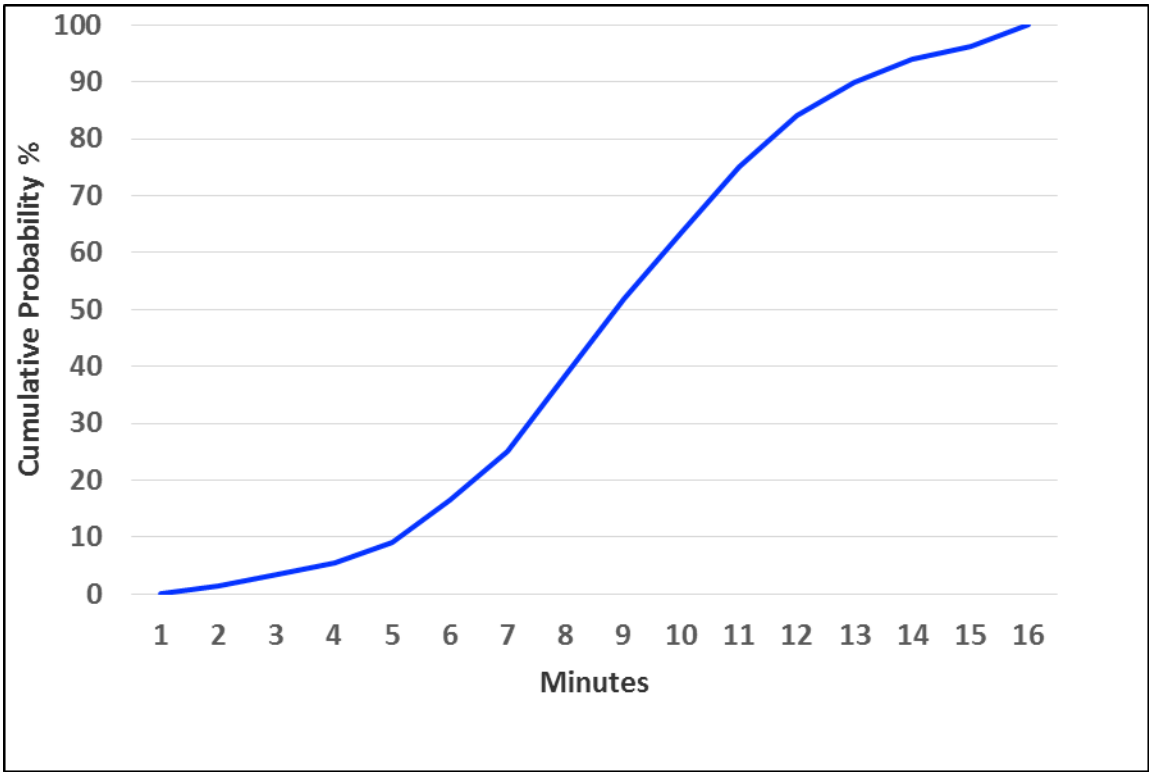


TABLE 9-14: Cumulative Distribution Function (CDF) of Response Time of First Arriving Unit

Response Time (minutes)	Frequency	Cumulative Percentage
0 - 1	0	0.0
1 - 2	13	1.4
2 - 3	20	3.5
3 - 4	19	5.5
4 - 5	33	9.0
5 - 6	69	16.4
6 - 7	81	25.0
7 - 8	125	38.3
8 - 9	128	51.9
9 - 10	110	63.6
10 - 11	108	75.1
11 - 12	84	84.0
12 - 13	55	89.9
13 - 14	39	94.0
14 - 15	21	96.3
> 15	35	100.0

FIGURE 9-8: Response Time Distribution — First Arriving Unit



Observations:

- For structure fires, Ladder 1 (L1) was the first unit on scene most often with an average response time of 8.1 minutes.
- The overall average response time for the first arriving unit to structure fires was 8.1 minutes.
- 40 percent of the time the first unit's response time was less than 7.2 minutes.
- 90 percent of the time the first unit's response time was less than 12.1 minutes.

Addendum

TABLE 9-15: Actions Taken Analysis for Structure and Outside Fire Calls

Action Taken	Number of Calls	
	Structure Fire	Outside Fire
Assistance, other	4	0
Extinguishment by fire service personnel	26	45
Fire control or extinguishment, other	11	10
Information, investigation & enforcement, other	3	3
Investigate	48	7
Investigate fire out on arrival	12	4
Notify other agencies.	2	0
Provide equipment	1	0
Remove hazard	2	0
Salvage & overhaul	6	2
Search & rescue, other	5	0
Ventilate	3	0
Total*	**123**	**71**

* Totals are higher than the total number of calls because some calls had more than one action taken.

Observations

- A total of 43 structure fire calls were extinguished by fire service personnel, which accounted for 41 percent of structure fire calls in DFD's jurisdiction.
- A total of 57 outside fire calls were extinguished by fire service personnel, which accounted for 83 percent of outside fire calls in DFD's jurisdiction.

TABLE 9-16: Fire Loss

Call Type	Calls	Total Loss	Average Loss
Structure Fire	35	$463,350	$13,239
Outside Fire	5	$23,100	$4,620
Good Intent	1	$250	$250
Hazard	9	$14,400	$1,600
Total	**50**	**$501,100**	**$10,022**

Note: This analysis only includes calls with recorded loss greater than 0.

Observations:

Overall

- 50 incidents had property loss, with an average loss amount of $10,022.
- Only 7 incidents involved an amount exceeding $20,000.

Structure Fires

- Out of 106 structure fire calls, 35 had recorded loss, with total recorded loss value of $463,350 and average loss of $13,239.
- Five structure fires had under $500 in loss, and 20 had more than $500 but less than $10,000 in loss.
- The smallest loss was $100, and the largest loss was $100,000

Outside Fires

- Out of 69 outside fire calls, five had recorded loss, with total recorded loss value of $23,100 and average loss of $4,620.
- One outside fire had under $500 in loss, and the remaining four had more than $500 but less than $10,000 in loss.
- The smallest loss was $100, and the largest loss was $10,000.

City of Dover

MAYOR AND COUNCIL

PROPOSED RESOLUTION NO. 2016-05

A RESOLUTION AMENDING RESOLUTION NO. 2015-16 WHICH TEMPORARILY SET ASIDE THE STANDING COMMITTEES AS PROVIDED FOR IN THE DOVER CODE AND ENACTED A COMMITTEE OF THE WHOLE ON A TRIAL BASIS

WHEREAS, Resolution No. 2015-16, adopted by City Council on December 14, 2015, temporarily set aside the Standing Committees as provided for in the Dover Code and enacted a Committee of the Whole on a temporary basis; and

WHEREAS, City Council wishes for members of City Council and the civilian members of the Parks, Recreation, and Community Enhancement; Safety Advisory and Transportation; Utility; and Legislative, Finance, and Administration committees to continue meeting as a Council Committee of the Whole on the second and fourth Tuesdays of the month through May 31, 2017.

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

THAT the last paragraph of Resolution No. 2015-16 be amended to read as follows:

> **NOW, THEREFORE, BE IT RESOLVED** that the City Council and civilian members of the Standing Committees will act as a **Council** Committee of the Whole**, meeting on the second and fourth Tuesdays of the month through May 31, 2017.** ~~**on a trial basis beginning on January 26, 2016 and,**~~ ~~**if**~~ **If** Council chooses to adopt this meeting format, an Ordinance amendment regarding the Standing Committees will be presented for adoption prior to the Annual Meeting in May.

ADOPTED: *

S:\RESOLUTIONS-PROCLAMATIONS-TRIBUTES\2016\DRAFT\RESOLUTION NO. 2016-05 - Amending Resolution No. 2015-16 CCW\Resolution No. 2016-05 - Amending Res. No. 2015-16 Standing Council Committees to Meet as Committee of the Whole.wpd

ROBIN R. CHRISTIANSEN	TIMOTHY A. SLAVIN
MAYOR	COUNCIL PRESIDENT

Actions History:
May 23, 2016 - Scheduled for Introduction - City Council

Draft

Memorandum

Office of the City Manager
PO Box 475
Dover, DE 19903
Phone: (302) 736-7005
FAX: (302) 736-7002
E-mail: skoenig@dover.de.us

To: **Council Committee of the Whole**

From: **Scott D. Koenig, P.E.**
City Manager

Date: **May 4, 2016**

Subject: **Replacement of Engine #7 – Robbins Hose Company**

The Committee of the Whole agenda for Tuesday, May 10, 2016 includes a request from Robbins Hose Company to replace Engine #7. This proposed purchase has a direct effect on the FY-2017 City of Dover Operating Budget as well as future City Budgets. In April, I indicated that we have a General Fund gap of approximately $1,000,000 that will need to be closed to balance the budget and comply with existing budget policies. In addition, the Operational and Administrative Analysis of the Dover Fire Department Final Report (March 2016) has been distributed but no formal discussion has occurred as of this date regarding the recommendations. The DRAFT FY-2017 City's Manager's Budget recommendation to City Council includes the delay in consideration of this purchase until formal discussion of the above referenced report has been completed.

The bid package prepared by Robbins Hose Company for the proposed purchase as referenced in their action form would need to be re-advertised and bids would need to be submitted directly to the City of Dover to comply with the city's purchasing policy. Once the City's purchasing agent has received the bids, the bid packages will be turned over to Robbins Hose Company for review and recommendation.

By copy of this memorandum, I am requesting the Committee delay consideration of action on this item.

sdk/SDK
cc: Donna Mitchell, Controller

Press Release – April 27, 2015
Delaware Senate Majority Caucus
For immediate release
Contacts: Jesse Chadderdon (302) 744-4282 or (302) 743-0945;
Patrick Jackson (302) 744-4046 or (302) 242-0036

Land Bank legislation offers new tool to combat blight, re-energize Delaware's towns and cities

WILMINGTON – Parts of the state struggling with vacant and abandoned property issues could soon see renewed investment if new legislation unveiled at a Monday press conference becomes law.

The Delaware Neighborhood Conservation and Land Bank Act, proposed by Sen. Bryan Townsend, would allow any jurisdiction in Delaware with a long-term vacancy rate above 3 percent, to form a land bank, which could pool resources from a variety of sources to purchase abandoned properties for targeted redevelopment.

Land banks could be formed at the county level, by individual cities or towns, or as partnerships between multiple political subdivisions. Using a combination of public funds, grants, private investment and property sale proceeds, Delaware's land banks would become a repository for vacant, tax-delinquent properties.

"These abandoned properties, left unaddressed, create a host of problems for communities across our state," Townsend said. "They attract a criminal element, can become neighborhood eyesores and ultimately lead to depressed property values and a depleted tax base.

"Redevelopment efforts are most successful when there's planning and coordination between stakeholders. The land bank process encourages that cooperation, and allows for additional controls over the future uses of these once-problem properties," Townsend added. "The ultimate goal is to return these properties to a use that benefits both the new owners and the community at large."

Other sponsors of the Land Bank Act include the entire Wilmington House and Senate delegation, and Rep. Bryon Short, D-Brandywine, who chairs the House Economic Development, Banking, Insurance and Commerce Committee.

"The proposed Land Bank legislation is the culmination of a year-long effort on the part of numerous stakeholders to more efficiently utilize limited financial resources," Short said. "It will enable communities to address the problem of abandoned and blighted properties where the market has failed to do so. I look forward to this legislation working to strengthen communities throughout Delaware."

Under the proposed legislation, land banks could acquire properties via a number of mechanisms, including:

- Purchasing property liens from the local jurisdictions;
- Acquiring properties at sheriff's sales on credit from the jurisdiction;
- Asserting a trump bid at a sheriff's sale allowing the land bank to acquire abandoned property for the price of the outstanding liens.

Monday's press conference was held in the 300 Block of North Broom Street in Wilmington. Several vacant and abandoned properties dot the neighborhood, which was the site of a January shooting and subsequent weapons and drug arrests. While land banks would be available to communities across the state, Wilmington stands to benefit significantly.

"Vacant and blighted housing in Wilmington negatively impacts the quality of life for city residents, decreases property values and is often connected to criminal activity," said Mayor Dennis P. Williams. "With the support of the Wilmington House and Senate delegation, we look to work towards creating a land bank that will hopefully eliminate the vacant properties and transform them into productive sites through private development and public use, in ways that will increase property values and protect communities."

Wilmington City Council President Theo Gregory agreed and emphasized the public-private partnerships the land banks are expected to help foster.

"The legislation under consideration would provide an enormous lift to the cities, towns and counties in Delaware that struggle each day to overcome the negative effects of blight and vacant properties," Gregory said. "A land bank allows local governments to further develop their public, private and non-profit partnerships and pool the resources needed for investing in significant numbers of neglected properties, thus transforming whole blocks or multiple blocks for home ownership. City Council thanks our state officials for understanding what will help us and others throughout the state to make positive, wholesale changes to our communities."

The legislation, Senate Bill 66, has been assigned to the Senate Banking & Business Committee, which Sen. Townsend chairs. It will be discussed Wednesday at a 12:30 p.m. hearing in the Senate Hearing Room at Legislative Hall.

###

SPONSOR: Sen. Townsend & Sen. Henry & Sen. Marshall & Sen. McDowell & Rep. B. Short & Rep. J. Johnson & Rep. Keeley
Sens. Blevins, Ennis; Reps. Baumbach, Bolden, Brady, Matthews, Mitchell, Potter

DELAWARE STATE SENATE
148th GENERAL ASSEMBLY

SENATE BILL NO. 66

AN ACT TO AMEND THE DELAWARE CODE RELATING TO NEIGHBORHOOD CONSERVATION AND LAND BANKS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend Title 31 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

Chapter 47. The Delaware Neighborhood Conservation and Land Banking Act.

§ 4701. Short title.

This chapter shall be known and may be cited as the Delaware Neighborhood Conservation and Land Banking Act.

§ 4702. Legislative findings and purpose.

The General Assembly finds and declares as follows:

(1) Delaware's communities are important to the social and economic vitality of Delaware. Whether urban, suburban, or rural, many Delaware communities are struggling to cope with unoccupied properties or properties incapable of lawful occupation. These vacant and abandoned properties represent lost revenue to local governments and significant expenses associated with demolition, safety hazards, increased calls for emergency services, and deterioration of neighborhoods.

(2) The need exists to strengthen and revitalize Delaware's economy and address the associated harms that result from high numbers of vacant and abandoned properties. Solving these problems requires a coordinated effort to foster the development of such property back into productive use and promote economic growth. Such problems may include multiple taxing jurisdictions lacking common policies; ineffective property inspection; code enforcement and property rehabilitation support; lengthy or inadequate collection proceedings; depressed real estate markets; and lack of coordination and resources to support economic revitalization.

(3) There is an overriding public need to confront the problems caused by vacant, abandoned, and delinquent properties through the creation of new tools to be available to communities throughout Delaware enabling them to turn vacant spaces into vibrant places.

(4) Land banks are one of the tools currently utilized by other communities to facilitate the return of vacant, abandoned and delinquent properties to productive use. This chapter enables the creation of land banks in order to return dilapidated and blighted properties to productive use in Delaware.

§ 4703. Definitions.

The following words and phrases when used in this chapter shall have the meanings given to them in this section unless the context clearly indicates otherwise:

(1) "Board of directors" or "board" means the board of directors of the land bank.

(2) "Land bank" means a land bank established under this chapter and in accordance with the provisions of this chapter.

(3) "Foreclosing governmental unit" means any political subdivision of the State of Delaware, where such political subdivision has the power to cause the sale of real property located within its respective jurisdiction for the collection of liens inuring to that political subdivision.

(4) "Large jurisdictional land bank" means a land bank established under this chapter and in accordance with the provisions of this chapter that serves one of the following:

a. An entire county.

b. A foreclosing governmental unit, or a combination of foreclosing governmental units that have formed a single land bank by intergovernmental agreement pursuant to 4705(b) of this title, that in total covers an area with a population in excess of 30,000 persons.

(5) "Liens" means any lien set forth in § 2901(a)(1) of Title 25.

(6) "Trump bid" means a bid submitted by a land bank at the commencement of a sheriff's sale of real property in the amount of all outstanding liens.

(7) "Vacancy rate" means the percentage of residential structures that have been uninhabited for 6 months or more within a given jurisdiction.

§ 4704. Applicability of Delaware law.

(a) This chapter shall apply only to any land bank created pursuant to this chapter.

(b) Chapters 94 and 95 of Title 29 of the Delaware Code shall not apply to any land bank created pursuant to this chapter.

(c) If any provision of this chapter conflicts with any other provisions of Delaware law, the provisions of this chapter shall prevail.

§ 4705. Creation and existence.

(a) A foreclosing governmental unit may create a land bank by the adoption of a local law, ordinance, or resolution, as appropriate to such foreclosing governmental unit. The foreclosing governmental unit, prior to the adoption of a local law, ordinance, or resolution creating a land bank, must make a finding that residential structures within its jurisdiction have a vacancy rate at or above 3%. Each county in this State shall have the ability to create a land bank without making such a finding. The local law, ordinance, or resolution creating the land bank shall specify all of the following:

(1) The name of the land bank.

(2) The number of members of the board of directors, which shall consist of an odd number of members, and shall be not less than 7 members. For large jurisdictional land banks, the board of directors shall consist of an odd number of members and shall not be less than 11 members nor more than 15 members.

(3) The names of the initial individuals to serve as members of the board of directors, and the length of terms for which they are to serve.

(4) The qualifications, manner of selection or appointment, and terms of office of members of the board of directors.

(b) Two or more foreclosing governmental units may enter into an intergovernmental cooperation agreement which creates a single land bank to act on behalf of such foreclosing governmental units, which agreement shall be authorized by each of the respective foreclosing governmental units in accordance with subsection (a) of this section. Such intergovernmental agreement shall include provisions for the dissolution of such land bank. In the event that a land bank is created pursuant to an agreement in accordance with this subsection, such agreement shall also specify the matters identified in subsection (a) of this section.

(c) In the event a county creates a land bank, such land bank shall have the power to acquire real property only in those portions of such county located outside of the geographical boundaries of any other land bank created by any other foreclosing governmental unit located partially or entirely within such county.

§ 4706. Board of directors.

(a) The initial size of the board of directors shall be determined in accordance with § 4705(a)(2) of this title. Unless restricted by the agreement specified in § 4705(b) of this title, and subject to the limits set forth in this section, the size of the board of directors may be adjusted in accordance with the adopted bylaws of the land bank and by adoption of a local law, ordinance, or resolution, as appropriate, of the applicable foreclosing governmental unit.

(b) Notwithstanding any law to the contrary, any public officer shall be eligible to serve as a board member and the acceptance of the appointment to the board shall neither terminate nor impair such public office. For purposes of this section,

"public officer" shall mean a person who is elected to a State, county, or municipal office. Any State, county, or municipal employee shall also be eligible to serve as a board member.

(c) All board members of a land bank must either live in or work in a jurisdiction within the area covered by the land bank. The board shall include at least 1 voting member who is not a public official or municipal employee and who maintains a membership with a recognized civic organization within the jurisdiction of the foreclosing governmental unit.

(d) Large jurisdictional land banks shall reserve one board seat for a member to be appointed by the Governor, one board seat for a member to be appointed by the President Pro Tempore of the Senate, and one board seat for a member to be appointed by the Speaker of the House of Representatives. At least half of the members of the board of a large jurisdictional land bank shall not be public officials or municipal employees.

(e) The members of the board of directors shall select annually from among themselves a chair, a vice chair, a treasurer, and such other officers as the board may determine, and shall establish their duties as set forth in the bylaws of the land bank.

(f) The bylaws of the land bank shall establish rules and requirements relative to the attendance and participation of board members in board meetings, whether regular or special. Such bylaws may prescribe a procedure whereby, should any member fail to comply with such rules and regulations, such member may be disqualified and removed from office by no less than a majority vote of the remaining members of the board, and that member's position shall be vacant as of the first day of the next calendar month. Any person removed under the provisions of this subsection shall be ineligible for reappointment to the board, unless such reappointment is confirmed by the board.

(g) A vacancy on the board shall be filled by the adoption of a local law, ordinance, or resolution, as appropriate, of the applicable foreclosing governmental unit and as provided in the bylaws of the land bank.

(h) Board members shall serve without compensation. Board members shall have the power to organize and reorganize the executive, administrative, clerical, and other departments of the land bank and to fix the duties, powers, and compensation of all employees, agents, and consultants of the land bank in the manner provided in the bylaws. The board may reimburse any board member for expenses actually incurred in the performance of his or her duties on behalf of the land bank.

(i) The board shall meet in regular session according to a schedule adopted by the board and may also meet in special session as convened by any officer of the board or upon written notice signed by a majority of the members of the board. The presence of a majority of the board's total membership, not including vacancies, shall constitute a quorum.

(j) All actions of the board shall be approved by the affirmative vote of a majority of the board members present and voting at the applicable meeting. However, no action of the board shall be authorized on any of the following matters unless approved by a majority of the total board membership:

(1) Adoption of bylaws and other rules and regulations for conduct of the land bank's business.

(2) Hiring or firing of any employee or contractor of the land bank. This function may, by majority vote, be delegated by the board to a specified officer or committee of the land bank, under such terms and conditions, and to the extent, that the board may specify.

(3) The incurring of debt.

(4) Adoption or amendment of the annual budget.

(5) Sale, lease, encumbrance, or alienation of real property, improvements, or personal property with a value of more than $50,000.

(k) Vote by proxy shall not be permitted. Any board member may request a recorded vote on any resolution or action of the land bank. Board members may participate in board meetings by telephone or video conference to the extent permitted by the bylaws of the land bank.

§ 4707. Staff.

A land bank may employ a secretary, an executive director, its own counsel and legal staff, technical experts, and such other agents and employees, permanent or temporary, as it may require, and may determine the qualifications and fix the compensation and benefits of such persons. A land bank may also enter into contracts and agreements with foreclosing governmental units or non-profit entities designated by the foreclosing governmental unit for staffing services to be provided to the land bank by those foreclosing governmental units, designated non-profit entities or departments thereof, or for a land bank to provide such staffing services to such foreclosing governmental units, designated non-profit entities, or departments thereof.

§ 4708. Powers.

A land bank shall possess all powers necessary or appropriate to carry out and effectuate the purposes and provisions of this chapter, including the following powers in addition to those herein otherwise granted:

(1) To adopt, amend, and repeal bylaws for the regulation of its affairs and the conduct of its business.

(2) To sue and be sued in its own name and plead and be interpleaded in all civil actions, including actions to clear title to property of the land bank.

(3) To adopt a seal and to alter the same at pleasure.

(4) To borrow from private lenders, from municipalities, from a county, from the State, or from federal government funds, as may be necessary, for the operation and work of the land bank.

(5) To borrow and issue bonds according to the provisions of this chapter.

(6) To procure insurance or guarantees from municipalities, counties, the State, or the federal government of the payments of any debts or parts thereof incurred by the land bank and to pay premiums in connection therewith.

(7) To enter into contracts and other instruments necessary, incidental, or convenient to the performance of its duties and the exercise of its powers, including intergovernmental agreements provided for in § 4705(b) of this title for the joint exercise of powers under this chapter.

(8) To make and execute contracts and other instruments necessary or convenient to the exercise of the powers of the land bank.

(9) To procure insurance against losses in connection with the real property, assets, or activities of the land bank.

(10) To invest money of the land bank, at the discretion of the board of directors, in instruments, obligations, securities, or property determined proper by the board of directors, and name and use depositories for its money.

(11) To enter into contracts for the acquisition, management, collection of rent, leasing, or sale of real property of the land bank.

(12) To design, develop, construct, demolish, reconstruct, rehabilitate, renovate, relocate, and otherwise improve real property or rights or interests in real property.

(13) To fix, charge, and collect rents, fees, and charges for the use of real property of the land bank and for services provided by the land bank.

(14) To grant or acquire a license, easement, lease, or option with respect to real property of the land bank.

(15) To enter into partnership, joint ventures, and other collaborative relationships with foreclosing governmental units and other public and private entities for the ownership, management, development, and disposition of real property.

(16) To solicit and accept donations to support the objectives and purposes of the land bank.

(17) To do all other things necessary or convenient to achieve the objectives and purposes of the land bank or other laws that relate to the purposes and responsibility of the land bank.

§ 4709. Acquisition of property.

(a) The land bank may acquire real property or interests in real property by gift, devise, transfer, exchange, foreclosure, purchase, or otherwise on terms and conditions and in a manner the land bank considers proper.

(b) The land bank shall not own or hold real property located outside the jurisdictional boundaries of the foreclosing governmental unit or units that created the land bank; provided, however, that a land bank may be granted authority pursuant to an intergovernmental cooperation agreement with another foreclosing governmental unit to manage and maintain real property located within the jurisdiction of such other foreclosing governmental unit.

(c) Notwithstanding any other provision of law to the contrary, any foreclosing governmental unit may convey to a land bank real property and interests in real property on such terms and conditions, form and substance of consideration, and procedures, all as determined by the transferring foreclosing governmental unit in its discretion.

(d) The land bank shall maintain and make available for public review and inspection a complete inventory of all property owned by the land bank. Such inventory shall include: the location of the parcel; the purchase price, if any, for each parcel; the identity of the transferor to the land bank; and any conditions or restrictions applicable to the property.

(e) The land bank shall hold in its own name all real property acquired by the land bank irrespective of the identity of the transferor of such property.

§ 4710. Disposition of property.

(a) The land bank shall determine and set forth in policies and procedures adopted by the board of directors the general terms and conditions for consideration to be received by the land bank for the transfer of real property and interests in real property, which consideration may take the form of monetary payments and secured financial obligations, covenants and conditions related to the present and future use of the property, contractual commitments of the transferee, and such other forms of consideration as determined by the board of directors to be in the best interest of the land bank.

(b) The land bank may convey, exchange, sell, transfer, lease, grant, release, demise, pledge, mortgage, and hypothecate any and all interests in, upon, or to real property of the land bank.

(c) A foreclosing governmental unit may, in its local law, resolution, or ordinance creating a land bank, or in the applicable intergovernmental cooperation agreement in the case of multiple foreclosing governmental units creating a single land bank under § 4705(b) of this title, establish a hierarchical ranking of priorities for the use of real property owned by a land bank. Any hierarchical ranking of priorities for the use of such real property that is established may include any of the following:

(1) Use for purely public spaces and places.

(2) Use for affordable housing.

(3) Use for retail, commercial, and industrial activities.

(4) Use as wildlife conservation areas.

(5) Such other uses in such hierarchical order as determined by the applicable foreclosing governmental unit.

(d) The priorities established under subsection (c) of this section may be for the entire jurisdiction of the foreclosing governmental unit or may be set according to the needs of different neighborhoods, municipalities, or other locations within the jurisdiction, or according to the nature of the real property.

(e) A land bank shall consider all duly adopted land use plans and make reasonable efforts to coordinate the disposition of land bank real property with such land use plans.

(f) A foreclosing governmental unit may, in its local law, resolution, or ordinance creating a land bank, or in the applicable intergovernmental cooperation agreement in the case of multiple foreclosing governmental units creating a single land bank under § 4705(b) of this title, require that any particular form of disposition of real property, or any disposition of real property located within specified jurisdictions, be subject to specified voting and approval requirements of the board of directors. Except and unless restricted or constrained in this manner, the board of directors may delegate to officers and employees the authority to enter into and execute agreements, instruments of conveyance, and all other related documents pertaining to the disposition of real property by the land bank.

(g) All property disposition records of the land bank shall be made available for public inspection as required by Chapter 100 of Title 29.

§ 4711. Maintenance of property.

(a) The land bank shall maintain all of its real property in accordance with the laws and regulations of the jurisdiction in which the real property is situated.

(b) Notwithstanding subsection (a) of this section, the foreclosing governmental unit may elect to reduce or waive monetary fines for violations of any housing codes or ordinances if the land bank is diligently pursuing a correction or remedy for such violation.

(c) Where real property held by the land bank is found to be in violation of a housing code or ordinance, the enforcing jurisdiction shall timely notify the land bank and, subject to subsection (b) of this section, proceed in accordance with the applicable county or municipal property code provisions, or any other applicable law.

(d) Any fire or other casualty to real property held by the land bank shall be immediately remediated and adequately secured to prevent against further loss or damage or, in the event of total loss to the property, the lost property shall be demolished.

§ 4712. Delinquent property enforcement.

(a) *All powers of foreclosing governmental units preserved.* A foreclosing governmental unit may bring to public sale any real property within its jurisdiction that has liens inuring to the foreclosing governmental unit in accordance with applicable laws.

(b) *Sale of liens and assessments to land banks permitted.* A foreclosing governmental unit may enter into a contract to sell some or all of its liens to a land bank, subject to all of the following conditions:

(1) The consideration to be paid may be more or less than the face amount of the liens.

(2) Property owners that are subject to a lien that is proposed for sale shall be given at least 30 days advance notice of the proposed sale by the foreclosing governmental unit. Failure to provide such notice or the failure of the addressee to receive the same shall not in any way affect the validity of any sale of a lien or the underlying validity of the lien.

(3) The foreclosing governmental unit shall set the terms and conditions of the sale of its liens.

(4) A land bank must notify the foreclosing governmental unit that sold the lien to the land bank at least 30 days prior to commencing any judicial action to acquire property that is subject to such lien. The foreclosing governmental unit may, at its sole option and discretion, elect to repurchase the lien from the land bank by delivering a notice of such election to the land bank within 30 days of receiving the land bank's notice. The repurchase price shall be the amount of the lien plus any accrued interest and collection fees incurred by the land bank. If the foreclosing governmental unit shall fail to elect to repurchase the lien, the land bank shall have the right to commence a judicial action to acquire property that is subject to such lien.

(5) The sale of a lien pursuant to this section shall not operate to shorten the otherwise applicable redemption period or change the otherwise applicable interest rate for such lien.

(6) A land bank which has purchased any lien may execute or foreclose on such lien in the same manner as the foreclosing governmental unit in whose favor the lien originally arose. At any time following the commencement of an action to execute or foreclose on a lien by a land bank, the amount required to redeem such lien shall include those reasonable and necessary collection costs, attorneys' fees, legal costs, allowances, and disbursements that would have been collectible by the foreclosing governmental unit in whose favor the lien originally arose.

(c) *Credit bids by land banks permitted.* If any property is submitted for sheriff's sale due to an outstanding lien, a land bank may bid on such property at the sheriff's sale with the same credit that would be afforded to the foreclosing governmental unit that initiated the sale of such property. If the land bank is the high bidder for such property, the land bank shall deposit the full amount of its bid with the sheriff's office within 30 days following the date of the sale or acquire the applicable lien from the foreclosing governmental unit that initiated the sale and pay any remaining amounts owing to the sheriff's office with respect to such sale.

(d) *Trump bids by land bank permitted.* Notwithstanding any other provision of law to the contrary, in the event that real property is being submitted to sheriff's sale for an outstanding lien, the land bank may bid along with any other member of the public, or, alternatively, a land bank may assert a trump bid. If the land bank submits a bid at a sheriff's sale and identifies it as a trump bid, then the property shall be deemed sold to the land bank regardless of any bids by any other third parties.

§ 4713. Expedited quiet title proceedings.

As provided under § 6502 of Title 10, the land bank shall:

(1) Be authorized to file an action to quiet title as to any real property in which the land bank has an interest. For purposes of any and all such actions, the land bank shall be deemed to be the holder of sufficient legal and equitable interests, and possessory rights, so as to qualify the land bank as adequate complainant in such action.

(2) Prior to the filing of an action to quiet title, the land bank shall conduct an examination of title to determine the identity of any and all persons and entities possessing a claim or interest in or to the real

property. Service of the complaint to quiet title shall be provided to all such interested parties by all of the following methods:

a. Registered or certified mail to such identity and address as reasonably ascertainable by an inspection of public records.

b. In the case of occupied real property by registered or certified mail, addressed to "Occupant".

c. By posting a copy of the notice on the real property.

d. By publication in a newspaper of general circulation in the geographic location in which the property is located.

e. Such other methods as the Court may order.

(c) As part of the complaint to quiet title, the land bank shall file an affidavit identifying all parties potentially having an interest in the real property, and the form of notice provided.

(d) If the land bank moves for expedited proceedings the Court shall schedule a hearing on the complaint within 90 days following filing of the complaint, and as to all matters upon which an answer was not filed by an interested party, the Court shall issue its final judgment within 120 days of the filing of the complaint.

(e) Notwithstanding Court of Chancery Rule 19, a land bank shall be authorized to join in a single complaint to quiet title to one or more parcels of real property.

§ 4714. Taxing and financing of land bank operations.

(a) A land bank shall have no shareholders and may not be structured as a for-profit entity. A land bank may receive and retain payments for services rendered, for rents and leasehold payments received, for consideration for disposition of real and personal property, for proceeds of insurance coverage for losses incurred, for income from investments, and for any other asset and activity lawfully permitted to a land bank under this chapter. A reasonable operating reserve may be established to facilitate operations. However, all revenues received by a land bank in excess of expenses must be utilized to address and remediate blight, for neighborhood conservation, or to improve housing within the foreclosing governmental unit.

(b) The real property held by a land bank, and its income, are exempt from all taxation by the State and by any of its political subdivisions. Dispositions of property into or out of a land bank are exempt from realty transfer taxes.

(c) A land bank may receive funding through grants and loans from the foreclosing governmental unit that created the land bank, from other municipalities, from the State, from the federal government, and from other public and private sources.

(d) In creating a land bank, a foreclosing governmental unit may elect to dedicate up to 50% of the real property taxes that would inure to the foreclosing governmental unit following the disposition of real property by the land bank, excluding any amounts allocated to school districts, for remittance to the land bank. Such allocation of property tax revenues shall commence with the first taxable year following the date of disposition of the property by land bank and shall continue for a period of 5 years.

(e) Notwithstanding any law to the contrary, a foreclosing governmental unit creating a land bank may levy or impose such additional taxes, fees, assessments, fines, or penalties as are needed to support the operations of the land bank. Any tax, fee, assessment, fine, or penalty imposed by a foreclosing governmental unit pursuant to this subsection must be reauthorized by the foreclosing governmental unit every 5 years and appropriately adjusted so that the revenues from such taxes, fees, assessments, fines, or penalties do not exceed the projected operating costs and expenses of the land bank.

(f) The Delaware Auditor of Accounts shall have the authority to audit any land bank created pursuant to this chapter.

§ 4715. Borrowing and issuance of bonds.

(a) A land bank shall have the power to issue bonds for any of its corporate purposes, the principal and interest of which are payable from its revenues generally as provided under Chapters 17 and 18 of Title 22. Any of such bonds may be secured by a pledge of any revenues of the land bank, including grants or contributions from any federal, state, or local government or any agency or instrumentality thereof or by a mortgage of any property of the land bank. At the election of the foreclosing governmental unit, the revenues of the foreclosing governmental unit that formed the land bank may also be pledged to secure bonds issued by the land bank.

(b) The bonds issued by a land bank are hereby declared to have all the qualities of negotiable instruments under Delaware law.

(c) The bonds of a land bank created under the provisions of this chapter and the income therefrom shall at all times be free from taxation for State or local purposes under any provision of Delaware law.

(d) Bonds issued by the land bank shall be authorized by resolution of the board and, unless specifically guaranteed by a foreclosing governmental unit, shall be limited obligations of the land bank with principal and interest, costs of issuance, and other costs incidental thereto being payable solely from the income and revenue derived from the sale, lease, or other disposition of the assets of the land bank. In the discretion of the land bank, the bonds may be additionally secured by mortgage or other security device covering all or part of any project from which the revenues so pledged may be derived. Any refunding bonds issued shall be payable from any source described above or from the investment of any of the proceeds of the refunding bonds. Bonds of the land bank shall be issued in such form, shall be in such denominations, shall bear interest, shall mature in such manner, and shall be executed by one or more members of the board as provided in the resolution authorizing the issuance thereof. Such bonds may be subject to redemption at the option of and in the manner determined by the board in the resolution authorizing the issuance thereof.

(e) Bonds issued by the land bank shall be issued, sold, and delivered in accordance with the terms and provisions of a resolution adopted by the board. The board may sell such bonds in such manner, either at public or at private sale, and for such price as it may determine to be in the best interests of the land bank.

(f) Neither the members of a land bank nor any person executing the bonds shall be liable personally on any such bonds by reason of the issuance thereof. Bonds or other obligations of a land bank issued pursuant to this chapter shall not constitute a debt of the State or any agency thereof, or a pledge of the full faith and credit or taxing power of the State or any agency thereof, and shall not obligate the State to make any appropriation for their payment. Any bond issued by a land bank shall contain on the face thereof a statement to the following effect: "Neither the faith and credit nor the taxing power of the State is pledged to the payment of the principal of, premium, if any, or interest on this bond."

§ 4716. Public records and public meetings.

(a) The board shall cause minutes and a record to be kept of all its proceedings. Except as otherwise provided in this section, the land bank shall be subject to the provisions of Chapter 100 of Title 29.

(b) A land bank shall schedule and hold a public hearing prior to financing or issuance of bonds.

(c) In addition to any other report required by this chapter, the land bank, through its chair, shall annually deliver a report to the foreclosing governmental unit. Such report shall be presented in the manner required by the governing body or board of the foreclosing governmental unit. The report shall describe in detail the projects undertaken by the land bank during the past year; the financial statements of the land bank during the past year, including a balance sheet and an income statement; and the administrative activities of the land bank during the past year.

§ 4717. Dissolution of land bank.

A land bank may be dissolved within 60 calendar days after the adoption of an affirmative resolution approved by 2/3 of the membership of the board of directors authorizing such dissolution. Sixty calendar days advance written notice of consideration of a resolution of dissolution shall be given to the foreclosing governmental unit that created the land bank, shall be published in a local newspaper of general circulation, and shall be sent by certified mail to the trustee of any outstanding bonds of the land bank. Upon dissolution of the land bank, all real property, personal property and other assets of the land bank shall become assets of the foreclosing governmental unit that created the land bank. In the event that 2 or more foreclosing government units created a land bank in accordance with § 4705(b) of this title, the withdrawal of 1 or more foreclosing governmental unit shall not result in the dissolution of the land bank unless the intergovernmental cooperation agreement entered into under § 4705(b) of this title so provides and there is no foreclosing governmental unit that desires to continue the existence of the land bank.

§ 4718. Conflicts of interest.

(a) No member of the board or employee of a land bank shall acquire any interest, direct or indirect, in real property of the land bank, in any real property to be acquired by the land bank, or in any real property to be acquired from the land bank. No member of the board or employee of a land bank shall have any interest, direct or indirect, in any contract or proposed contract for materials or services to be furnished or used by a land bank.

(b) Board members of any land bank shall provide, prior to appointment and annually after appointment, a report identifying all real property interests owned, directly or indirectly, by such board member of by his or her immediate family, within the lank bank jurisdiction. The report shall be submitted to the foreclosing governmental unit and shall be made available to the public upon request.

(c) The board may adopt supplemental rules and regulations addressing potential conflicts of interest and ethical guidelines for members of the board and land bank employees.

§ 4719. Construction, intent, and scope of chapter.

This chapter shall be construed liberally to effectuate the legislative intent and purposes and all powers granted by this chapter shall be broadly interpreted to effectuate such intent and purposes. Except as otherwise expressly set forth in this chapter, in the exercise of its powers and duties under this chapter and its powers relating to property held by the land bank, the land bank shall not be subject to restrictions imposed by the charter, ordinances, or resolutions of a foreclosing governmental unit with respect to contracts, procurement, or property disposition.

§ 4720. Duration and termination.

Any land bank created pursuant to this chapter shall have permanent and perpetual duration until terminated and dissolved in accordance with § 4715 of this title and Subchapter X, Chapter 1 of Title 8.

Section 2. Amend § 8106, Title 9 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 8106. Specific organizations and purposes.

(a) No real property owned and used by the organizations listed below or for the purposes stated below, except that which is held by way of investment, shall be liable to taxation and assessment for public purposes by any county or other political subdivision of this State.

Any land bank formed under Chapter 47 of Title 31 of the Delaware Code.

Section 3. Amend § 5401, Title 30 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 5401. Definitions.

As used in this subchapter, except where the context clearly indicates a different meaning:

(1) "Document" means any deed, instrument or writing whereby any real estate within this State, or any interest therein, shall be quitclaimed, granted, bargained, ~~sold~~ sold, or otherwise conveyed to the grantee, but shall not include the following:

x. Any conveyance to or from a land bank formed under Chapter 47 of Title 31 of the Delaware Code.

Section 4. This Act becomes effective 30 days after its enactment into law.

SYNOPSIS

This Act will allow any Delaware jurisdiction with a long-term residential vacancy rate above 3%, including a county, to form a land bank, where such jurisdiction determines that a land bank would help it address the problem of vacant and abandoned real property within its jurisdiction.

A land bank is a non-profit organization created by a political subdivision of the State, or through an intergovernmental agreement between two or more political subdivisions of the State, and would serve as the repository for vacant, abandoned and tax-delinquent properties that, left unaddressed, can contribute to crime, depress the local real estate market, and deplete the tax base of Delaware's communities.

A land bank would have the authority to obtain such properties at sheriff's sales instituted by the jurisdiction that established the land bank, where such properties have been abandoned by their owners because of unpaid property taxes or substantial liens arising from property code violations. The land bank would have the ability to do one or more of the following: (1) purchase liens from the local jurisdiction; (2) acquire properties at a sheriff's sale on credit from the local jurisdiction; (3) assert a trump bid at a sheriff's sale that would allow the land bank to acquire abandoned properties for the price of the outstanding liens.

The land bank would retain the acquired properties until such time as a suitable and vetted buyer could be found who would be able to return the property to productive use. Funding for land banks created under this Act would come from governmental and private grants, private investments and property sale proceeds. Additionally, any land bank created under this Act could, at the election of the local jurisdiction, be funded through the allocation to the land bank of 50% of the real property taxes on the property for a 5 year period once the property returns to productive use or such other funding sources established by the local jurisdiction.

Through this Act, jurisdictions throughout Delaware would have the ability to alleviate the blight caused by vacant, abandoned and tax delinquent properties in the area, and revitalize communities by turning vacant spaces into vibrant places.

Author: Senator Townsend

SPONSOR: Rep. J. Johnson
Rep. Kowalko; Sen. Ennis

HOUSE OF REPRESENTATIVES
148th GENERAL ASSEMBLY

HOUSE BILL NO. 287

AN ACT TO AMEND TITLE 22 OF THE DELAWARE CODE RELATING TO MUNICIPALITIES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend Chapter 1, Title 22 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows and by redesignating accordingly:

§ 111A Limitations on residency restrictions for sex offenders.

Notwithstanding any statute or municipal charter to the contrary, any municipality of this State shall not enact or enforce any law, ordinance, or regulation prohibiting, restricting, or addressing persons deemed to be a sex offender pursuant to § 4121 of Title 11 that is more restrictive than the requirements imposed by to § 1112 of Title 11.

SYNOPSIS

Additional housing availability may reduce the number of homeless sex offenders and improve consistency in an offender's participation in the sex offender registration process. When offenders have a registered home address, law enforcement as well as probation officers can more effectively verify the registration information. A stable residence may also assist an offender in decreasing the likelihood to re-offend, and being able to track registered sex offenders improves public safety.

HD : MWA : TEH
1031480280

Released: 03/16/2016 09:34 AM

ATTACHMENT #5
Council Committee of the Whole Meeting of 05/10/2016

KENT COUNTY, DELAWARE

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

"Serving Kent County With Pride"

PROPERTY INFORMATION

Planning and Building Permits Information

Reference #		ED EAST DOVER HUNDRED		**Card #** 1 **of** 1
Location ID	98767	**Map Number**	2-05-06604-01-0100-00001	
Tax ID	101428	**Deed BVP**	D 6184 0257	
Parcel ID	97902	**Property Code**	P - PROPERTY	

Current Owner
LIBORIO WATERGATE, LLC,
903 N FRENCH STREET
WILMINGTON, DE 19801

Property Location
3 BENT STICK WAY
DOVER , DE 19904

Zoning RM1 **Acres** .25

Additional Owner

Sub-Division CHESTNUT GROVE FARMS

Sales History				Liv.Sq.Ft	.0000
Date	**Price**	**Assessment**		**Total Rooms**	
4/09/12	675,000	**Land**	500	**Bedrooms**	
12/29/11	10	**Buildings**		**Full Bath**	
		Total	500	**Half Bath**	

Base Tax Due	.00	Last Billing Detail	History	Farm Info
Tax Penalty	.00			
Total Tax Bal.	.00			
Sewer Balance	.00	**Sewer Account #**		
Neighborhood #	00200	**Coordinates**		0455391 E 0424765 N
Land Use		**Lot Dimensions**		0000119.44 0000123.75
Living Units		**School District**	18	CAPITOL
Class	Residen	**Fire District**	46	ROBBINS HOSE (DOVER)
Plat Book Pg	0099 0081	**Sewer District**	00	NONE
Topography	Level	**Ambulance District**	00	
Street or Road	Paved	**Trash District**		
Fronting	Residen	**Light District**		
Improvement	VACANT	**Commissioner Dist**	2ND	

		Tax Ditches	NONE	

IMPROVEMENT KEY	
MANUF HM	Manufactured Home
MANUFCC	Manufactured Home Class C Assessment
MNFHMRT	Manufactured Home Retired Title

Property Description
CHESTNUT GROVE FARMS
LOT #1
3 BENT STICK WAY

Year Built **Type** NO DATA **Energy Adj.**

Style **Fire Places** **Design**

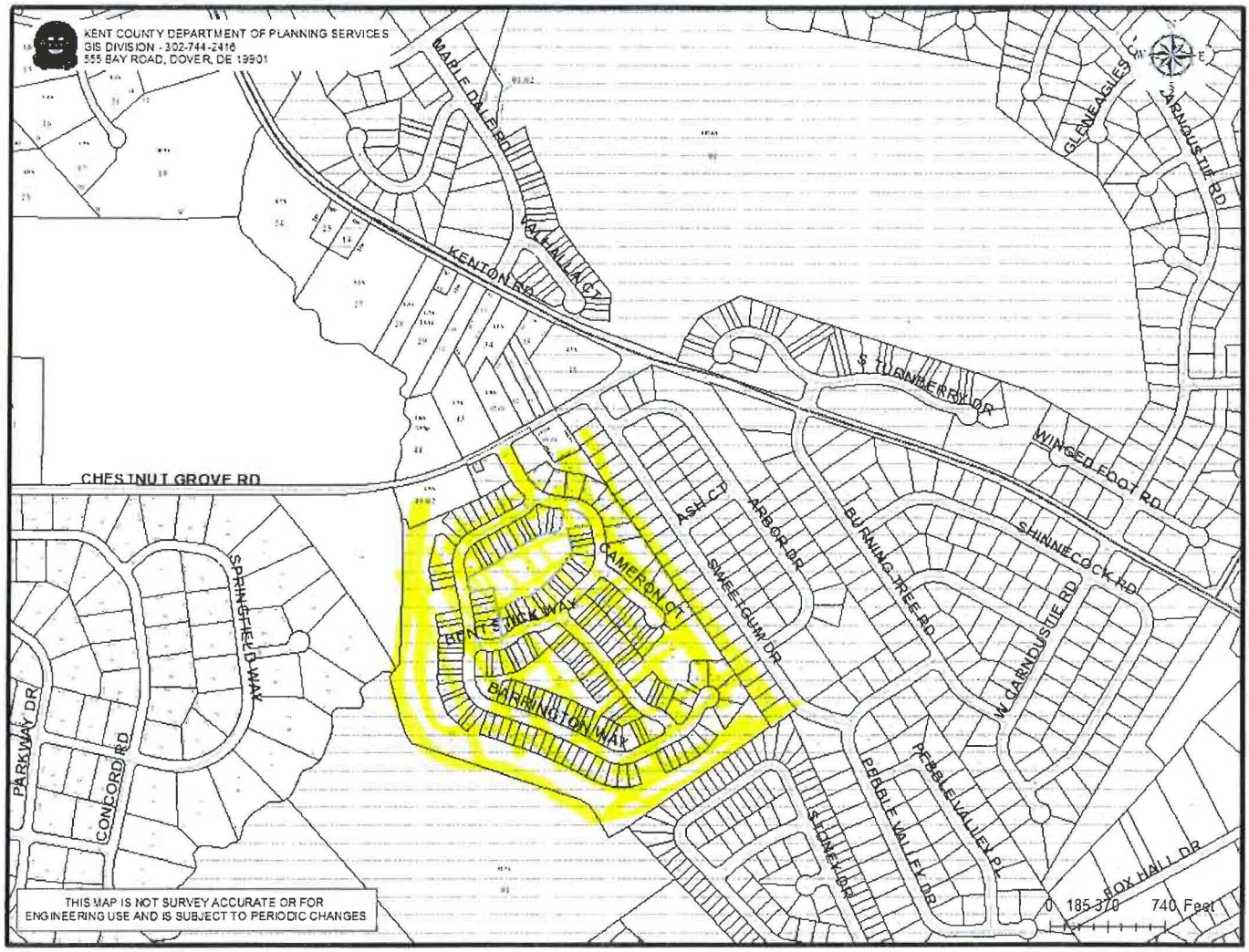
	Type	Percentage	Type	Percentage
Ext. Walls		0		0
Roof Cover		0		0
Floor Cover		0		0
Heat/Cool		0		0
Plaster Int.		0		
Foundation				
Sub-floor				

	Y/N	Unfinished	Basement Living Area	Rec Room
Basement		0	0	0

	Type	Sq.Feet	Wall	Floor
Garage 1		0		
Garage 2		0		
Bas Gar		NO DATA	NO DATA	NO DATA
Porch 1	NO DATA	0		
Porch 2	NO DATA	0		

History

Dimensions 0 X 0
Skirting Type
Skirting Lin Ft 0
Tip Out Sq Ft 0


KENT COUNTY DEPARTMENT OF PLANNING SERVICES
GIS DIVISION - 302-744-2416
555 BAY ROAD, DOVER, DE 19901
MARLE DALE RD
KENTON RD
VALHALLA CT
GLENEAGLES LN
DARNDUSTIE RD
S TURNBERRY DR
WINGED FOOT RD
CHESTNUT GROVE RD
ASHLEY
ARBOR DR
SHINNECOCK RD
BURNING TREE RD
CAMERON CT
SWEETGUM DR
BENT TUCK WAY
BARRINGTON WAY
SPRINGFIELD WAY
PARKWAY DR
CONCORD RD
W DARNDUSTIE RD
PEBBLE VALLEY PL
PEBBLE VALLEY DR
STONEHENGE DR
FOX HALL DR
THIS MAP IS NOT SURVEY ACCURATE OR FOR ENGINEERING USE AND IS SUBJECT TO PERIODIC CHANGES
0 185 370 740 Feet

KENT COUNTY, DELAWARE

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

"Serving Kent County With Pride"

PROPERTY INFORMATION

Planning and Building Permits Information

Reference #		ED EAST DOVER HUNDRED		**Card # 1 of 1**
Location ID	8170	**Map Number**	2-05-07614-01-0700-00001	
Tax ID	8170	**Deed BVP**	D 6098 0171	
Parcel ID	18748	**Property Code**	P - PROPERTY	

Current Owner
RES-DATA LLC AND SSS-DATA LLC,
150 ONIX DRIVE
KENNETT SQ, PA 19348

Property Location
1351 NORTH ST
DOVER , DE 19904

Zoning IPM **Acres** 5.00

Additional Owner

Sub-Division

Sales History				Liv.Sq.Ft	.0000
Date	**Price**	**Assessment**		**Total Rooms**	
2/01/12	10	**Land**	96,000	**Bedrooms**	
4/17/08	1	**Buildings**	22,800	**Full Bath**	
		Total	118,800	**Half Bath**	

Base Tax Due	.00	Last Billing Detail	History	Farm Info
Tax Penalty	.00			
Total Tax Bal.	.00			
Sewer Balance	.00	**Sewer Account #**		
Neighborhood #	00299	**Coordinates**		0461165 E 0419500 N
Land Use		**Lot Dimensions**		0000002.00
Living Units		**School District**	18	CAPITOL
Class	Unassig	**Fire District**	46	ROBBINS HOSE (DOVER)
Plat Book Pg	0122 0087	**Sewer District**	00	NONE
Topography	No Data	**Ambulance District**	46	ROBBINS HOSE (DOVER)
Street or Road	No Data	**Trash District**		
Fronting	No Data	**Light District**		
Improvement	IMPROVED	**Commissioner Dist**	2ND	

		Tax Ditches	NONE	

IMPROVEMENT KEY	
MANUF HM	Manufactured Home
MANUFCC	Manufactured Home Class C Assessment
MNFHMRT	Manufactured Home Retired Title

Property Description
N. SD. HAZLETTVILLE
RD., 5.0104 A.
1351 W NORTH ST

Year Built **Type** NO DATA **Energy Adj.**

Style **Fire Places** **Design**

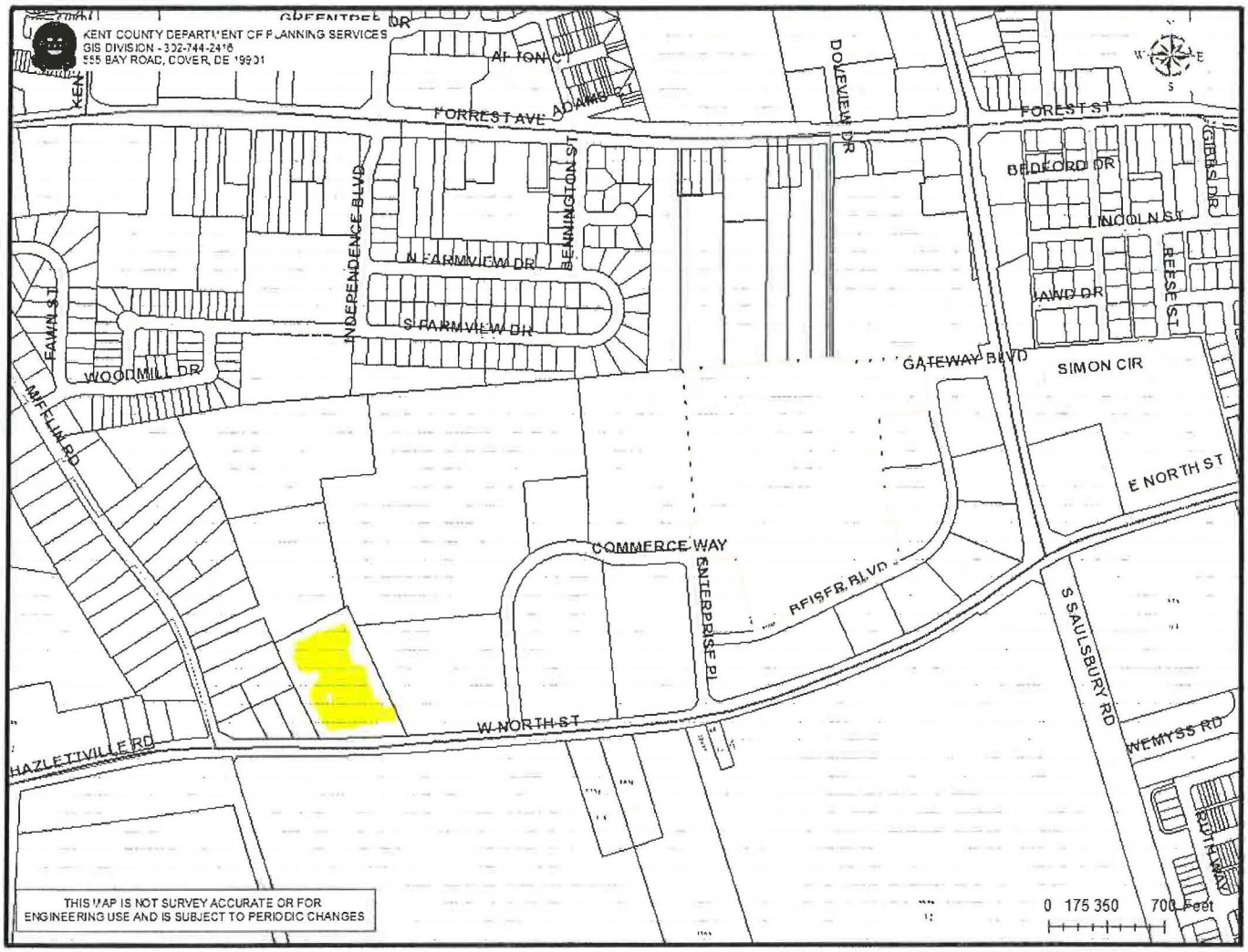
	Type	Percentage	Type	Percentage
Ext. Walls		0		0
Roof Cover		0		0
Floor Cover		0		0
Heat/Cool		0		0
Plaster Int.		0		
Foundation				
Sub-floor				

	Y/N	Unfinished	Basement Living Area	Rec Room
Basement		0	0	0

	Type	Sq.Feet	Wall	Floor
Garage 1		0		
Garage 2		0		
Bas Gar		NO DATA	NO DATA	NO DATA
Porch 1	NO DATA	0		
Porch 2	NO DATA	0		

History

Dimensions 0 X 0
Skirting Type
Skirting Lin Ft 0
Tip Out Sq Ft 0


KENT COUNTY DEPARTMENT OF PLANNING SERVICES
GIS DIVISION - 302-744-2416
555 BAY ROAD, DOVER, DE 19901
FORREST AVE
FOREST ST
DOVEVIEW DR
BEDFORD DR
GIBBS DR
LINCOLN ST
REESE ST
INDEPENDENCE BLVD
BENNINGTON ST
N FARMVIEW DR
S FARMVIEW DR
FAWN ST
WOODMILL DR
MIFFLIN RD
GATEWAY BLVD
SIMON CIR
E NORTH ST
COMMERCE WAY
ENTERPRISE PL
RFISER BLVD
S SAULSBURY RD
WEMYSS RD
W NORTH ST
HAZLETTVILLE RD
THIS MAP IS NOT SURVEY ACCURATE OR FOR ENGINEERING USE AND IS SUBJECT TO PERIODIC CHANGES
0 175 350 700 Feet

KENT COUNTY, DELAWARE

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

"Serving Kent County With Pride"

PROPERTY INFORMATION

Planning and Building Permits Information

Reference # ED EAST DOVER HUNDRED **Card #** 1 **of** 1

Location ID 10952 **Map Number** 2-05-07612-03-5900-00001

Tax ID 10952 **Deed BVP** D 7527 0318

Parcel ID 35435 **Property Code** X - EXEMPT

Current Owner
DOVER CITY OF, THE,
PO BOX 475
DOVER, DE 19903

Property Location
749 NORTH ST
DOVER , DE 19904

Zoning RG1 **Acres** .51

Additional Owner

Sub-Division ACCRETIO

Sales History				Liv.Sq.Ft	.0000
Date	**Price**	**Assessment**		**Total Rooms**	
2/23/15	9,000	**Land**	3,500	**Bedrooms**	
7/12/10	0	**Buildings**		**Full Bath**	
		Total	3,500	**Half Bath**	

Base Tax Due	.00	Last Billing Detail	History	Farm Info
Tax Penalty	.00			
Total Tax Bal.	.00			
Sewer Balance	.00	**Sewer Account #**		
Neighborhood #	00214	**Coordinates**		0466174 E 0420670 N
Land Use		**Lot Dimensions**		0000148.90 0000150.00
Living Units		**School District**	18	CAPITOL
Class	Residen	**Fire District**	46	ROBBINS HOSE (DOVER)
Plat Book Pg	00000	**Sewer District**	00	NONE
Topography	Level	**Ambulance District**	46	ROBBINS HOSE (DOVER)
Street or Road	Paved	**Trash District**		
Fronting	Residen	**Light District**		
Improvement	VACANT	**Commissioner Dist**	2ND	

		Tax Ditches	NONE	

IMPROVEMENT KEY	
MANUF HM	Manufactured Home
MANUFCC	Manufactured Home Class C Assessment
MNFHMRT	Manufactured Home Retired Title

Property Description
N SIDE RD DOVER TO
HAZLETTVILLE, LOT
749 WEST NORTH STREET

Year Built **Type** NO DATA **Energy Adj.**

Style **Fire Places** **Design**

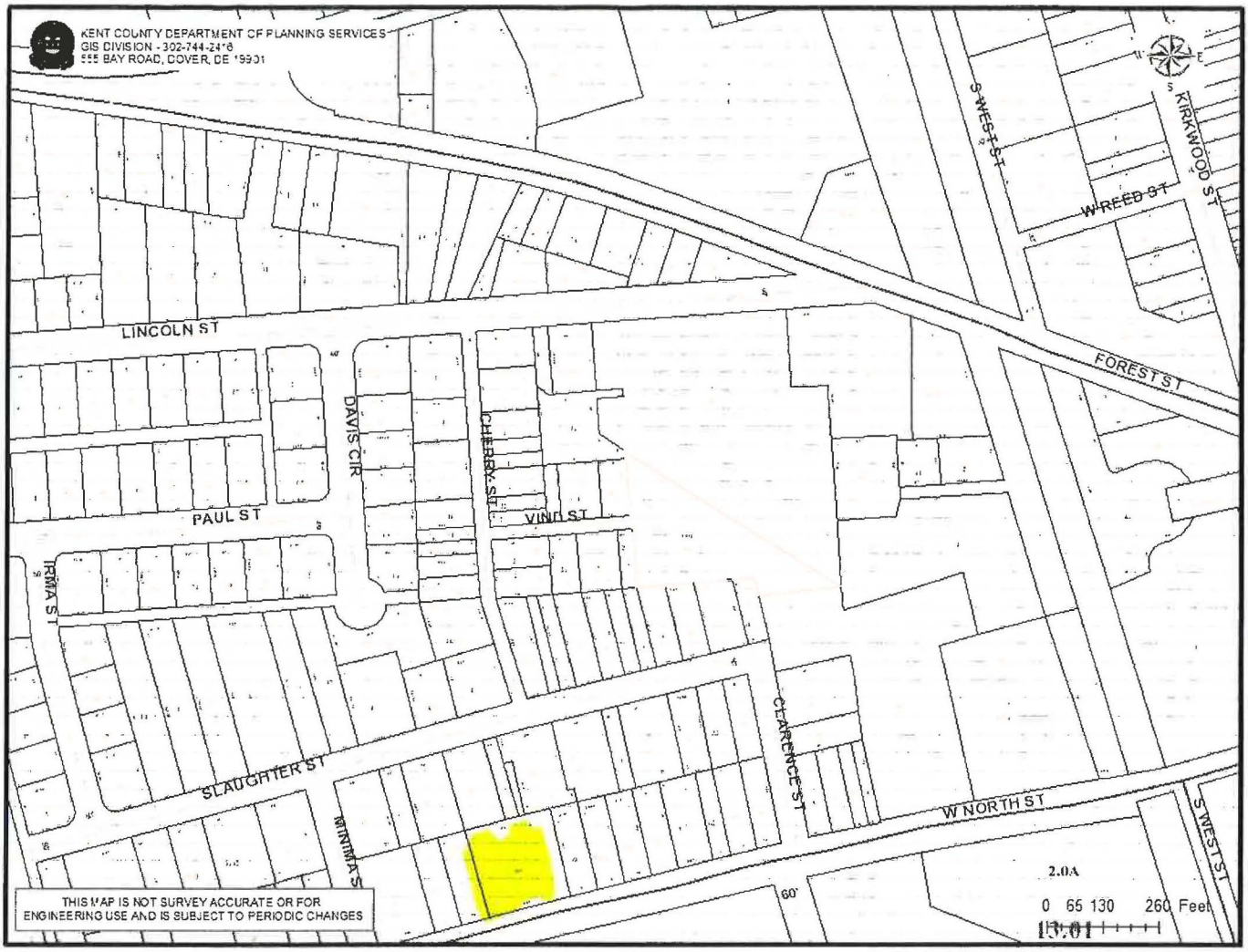
	Type	Percentage	Type	Percentage
Ext. Walls		0		0
Roof Cover		0		0
Floor Cover		0		0
Heat/Cool		0		0
Plaster Int.		0		
Foundation				
Sub-floor				

	Y/N	Unfinished	Basement Living Area	Rec Room
Basement		0	0	0

	Type	Sq.Feet	Wall	Floor
Garage 1		0		
Garage 2		0		
Bas Gar		NO DATA	NO DATA	NO DATA
Porch 1	NO DATA	0		
Porch 2	NO DATA	0		

History

Dimensions 0 X 0
Skirting Type
Skirting Lin Ft 0
Tip Out Sq Ft 0


KENT COUNTY DEPARTMENT OF PLANNING SERVICES
GIS DIVISION - 302-744-2410
555 BAY ROAD, DOVER, DE 19901
LINCOLN ST
FOREST ST
DAVIS CIR
CHERRY ST
VINE ST
PAUL ST
IRMA ST
SLAUGHTER ST
MINNA ST
CLARENCE ST
W NORTH ST
S WEST ST
W REED ST
KIRKWOOD ST
THIS MAP IS NOT SURVEY ACCURATE OR FOR ENGINEERING USE AND IS SUBJECT TO PERIODIC CHANGES
60'
2.0A
0 65 130 260 Feet
13.01

KENT COUNTY, DELAWARE

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

"Serving Kent County With Pride"

PROPERTY INFORMATION

Planning and Building Permits Information

Reference # ED EAST DOVER HUNDRED **Card #** 1 **of** 1

Location ID 16004 **Map Number** 2-05-07612-03-3300-00001

Tax ID 16004 **Deed BVP** D 7555 0066

Parcel ID 54400 **Property Code** X - EXEMPT

Current Owner
DOVER CITY OF, THE,
PO BOX 475
DOVER, DE 19903

Property Location
710 SLAUGHTER ST
DOVER , DE 19904

Zoning RG1 **Acres** .17

Additional Owner

Sub-Division ACCRETIO

Sales History				Liv.Sq.Ft	.0000
Date	**Price**	**Assessment**		**Total Rooms**	
3/17/15	6,000	**Land**	2,600	**Bedrooms**	
8/26/11	0	**Buildings**		**Full Bath**	
		Total	2,600	**Half Bath**	

Base Tax Due	.00	Last Billing Detail	History	Farm Info
Tax Penalty	.00			
Total Tax Bal.	.00			
Sewer Balance	.00	**Sewer Account #**		
Neighborhood #	00214	**Coordinates**		0466534 E 0420916 N
Land Use		**Lot Dimensions**		0000050.00 0000150.00
Living Units		**School District**	18	CAPITOL
Class	Residen	**Fire District**	46	ROBBINS HOSE (DOVER)
Plat Book Pg	00000	**Sewer District**	00	NONE
Topography	Level	**Ambulance District**	46	ROBBINS HOSE (DOVER)
Street or Road	Paved	**Trash District**		
Fronting	Residen	**Light District**		
Improvement	VACANT	**Commissioner Dist**	2ND	

		Tax Ditches	NONE	

IMPROVEMENT KEY	
MANUF HM	Manufactured Home
MANUFCC	Manufactured Home Class C Assessment
MNFHMRT	Manufactured Home Retired Title

Property Description
S SD SLAUGHTER ST
LOT 7500 SQ FT
710 SLAUGHTER STREET

Year Built **Type** NO DATA **Energy Adj.**

Style **Fire Places** **Design**

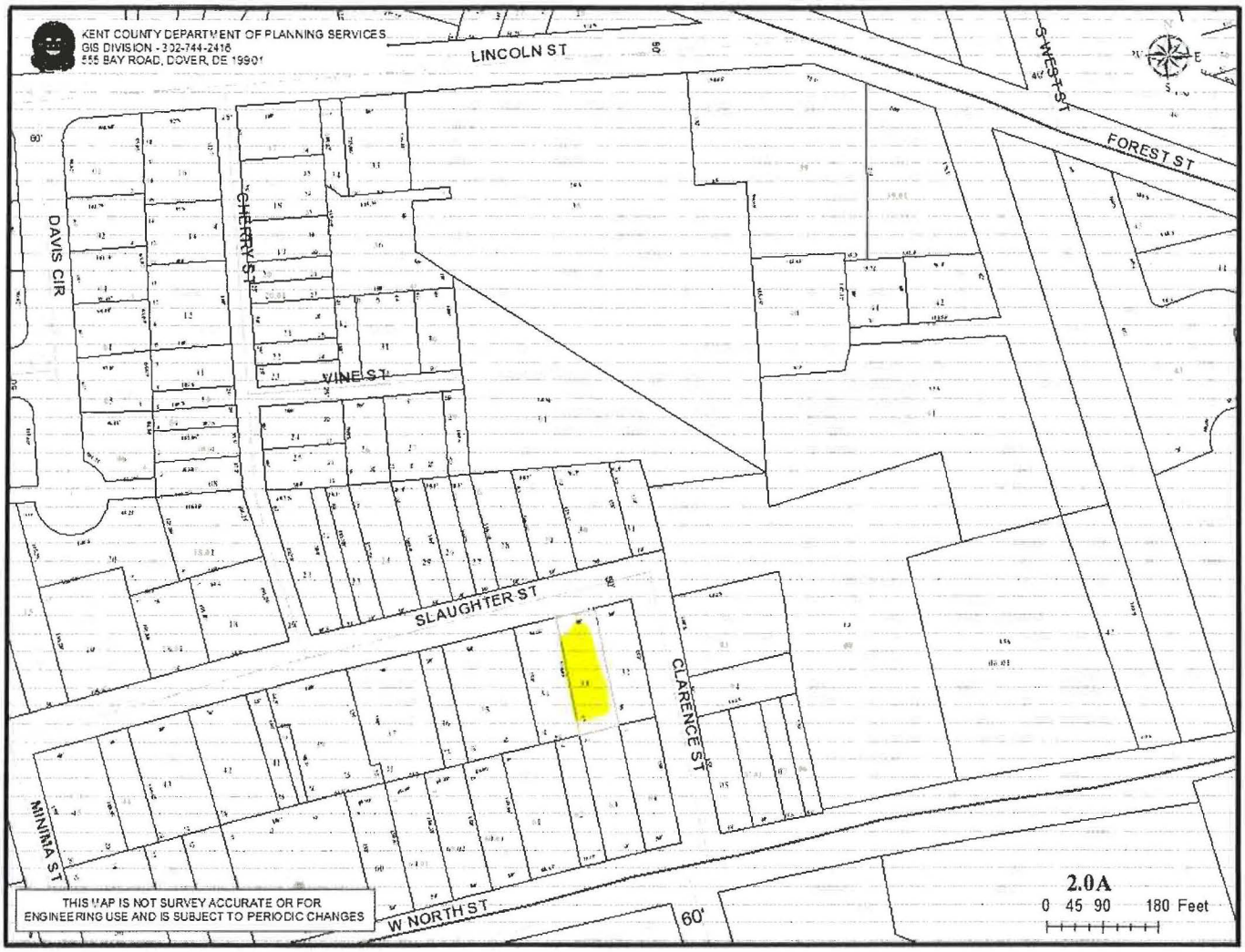
	Type	Percentage	Type	Percentage
Ext. Walls		0		0
Roof Cover		0		0
Floor Cover		0		0
Heat/Cool		0		0
Plaster Int.		0		
Foundation				
Sub-floor				

	Y/N	Unfinished	Basement Living Area	Rec Room
Basement		0	0	0

	Type	Sq.Feet	Wall	Floor
Garage 1		0		
Garage 2		0		
Bas Gar		NO DATA	NO DATA	NO DATA
Porch 1	NO DATA	0		
Porch 2	NO DATA	0		

History

Dimensions 0 X 0
Skirting Type
Skirting Lin Ft 0
Tip Out Sq Ft 0


KENT COUNTY DEPARTMENT OF PLANNING SERVICES
GIS DIVISION - 302-744-2416
555 BAY ROAD, DOVER, DE 19901
LINCOLN ST
S WEST ST
FOREST ST
DAVIS CIR
CHERRY ST
VINE ST
SLAUGHTER ST
CLARENCE ST
NINNIA ST
W NORTH ST
60'
THIS MAP IS NOT SURVEY ACCURATE OR FOR ENGINEERING USE AND IS SUBJECT TO PERIODIC CHANGES
2.0A
0 45 90 180 Feet

KENT COUNTY, DELAWARE

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

"Serving Kent County With Pride"

PROPERTY INFORMATION

Planning and Building Permits Information

Reference #		ED EAST DOVER HUNDRED		**Card #** 1 **of** 1
Location ID	10938	**Map Number**	2-05-07612-04-0100-00001	
Tax ID	10938	**Deed BVP**	S 0052 0067	
Parcel ID	54458	**Property Code**	P - PROPERTY	

Current Owner
SMITH, MATTHEW
206 N QUEEN ST
DOVER, DE 19904

Property Location
711 SLAUGHTER ST
DOVER , DE 19904

Zoning IO **Acres** 1.00

Additional Owner

Sub-Division

Sales History				Liv.Sq.Ft	.0000
Date	**Price**	**Assessment**		**Total Rooms**	
0/00/00	0	**Land**	14,400	**Bedrooms**	
0/00/00	0	**Buildings**		**Full Bath**	
		Total	14,400	**Half Bath**	

Base Tax Due	.00	Last Billing Detail	History	Farm Info
Tax Penalty	.00			
Total Tax Bal.	.00			
Sewer Balance	.00	**Sewer Account #**		
Neighborhood #	00214	**Coordinates**		0466484 E 0421250 N
Land Use		**Lot Dimensions**		0000001.00
Living Units		**School District**	18	CAPITOL
Class	Residen	**Fire District**	46	ROBBINS HOSE (DOVER)
Plat Book Pg	00000	**Sewer District**	00	NONE
Topography	Level	**Ambulance District**	46	ROBBINS HOSE (DOVER)
Street or Road	Paved	**Trash District**		
Fronting	Residen	**Light District**		
Improvement	VACANT	**Commissioner Dist**	2ND	

		Tax Ditches	NONE	

IMPROVEMENT KEY	
MANUF HM	Manufactured Home
MANUFCC	Manufactured Home Class C Assessment
MNFHMRT	Manufactured Home Retired Title

Property Description
PAR. #1- LINCOLN ST.,
#OVER, LOT

Year Built **Type** NO DATA **Energy Adj.**
Style **Fire Places** **Design**

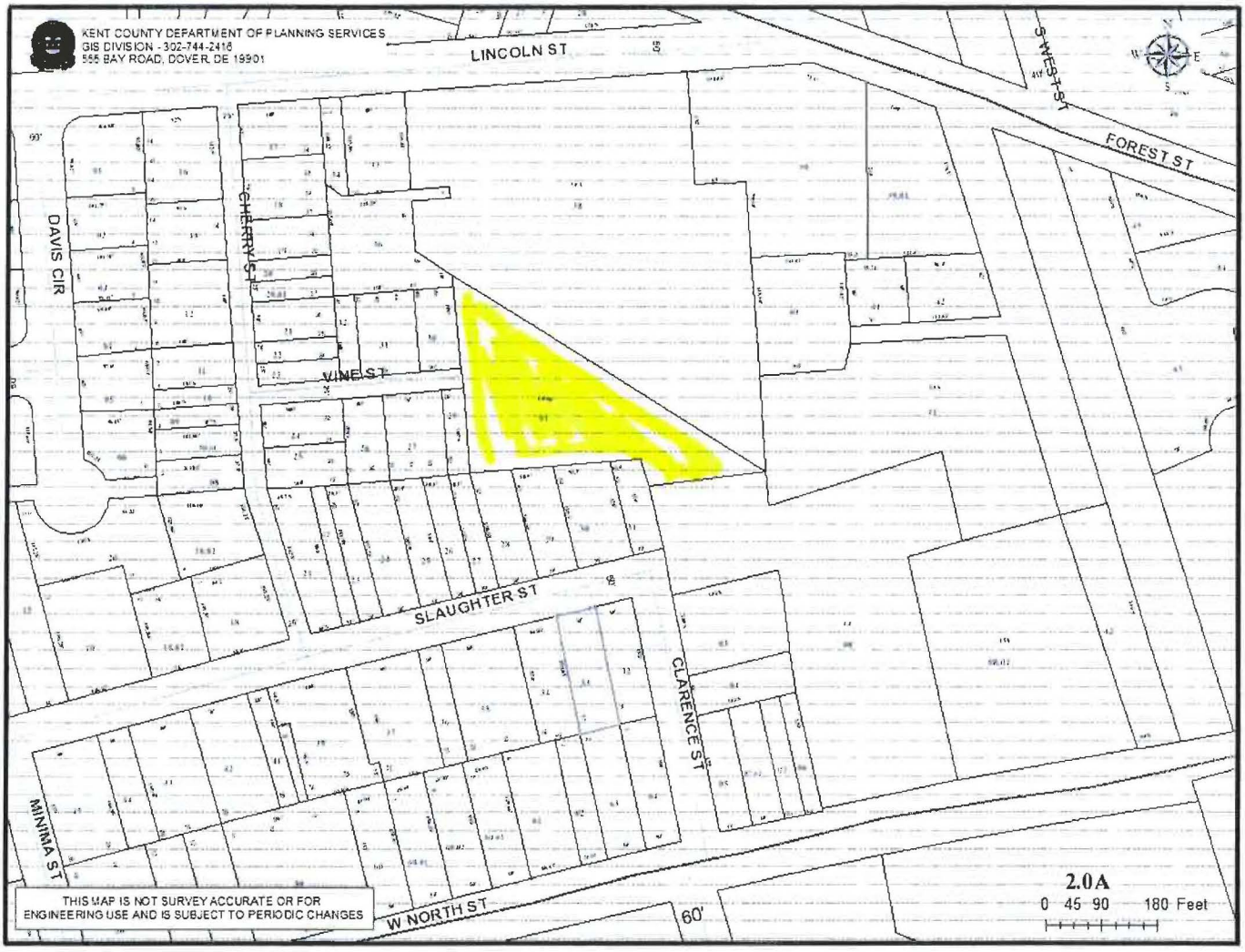
	Type	Percentage	Type	Percentage
Ext. Walls		0		0
Roof Cover		0		0
Floor Cover		0		0
Heat/Cool		0		0
Plaster Int.		0		
Foundation				
Sub-floor				

	Y/N	Unfinished	Basement Living Area	Rec Room
Basement		0	0	0

	Type	Sq.Feet	Wall	Floor
Garage 1		0		
Garage 2		0		
Bas Gar		NO DATA	NO DATA	NO DATA
Porch 1	NO DATA	0		
Porch 2	NO DATA	0		

History

Dimensions 0 X 0
Skirting Type
Skirting Lin Ft 0
Tip Out Sq Ft 0
Serial Number


KENT COUNTY DEPARTMENT OF PLANNING SERVICES
GIS DIVISION - 302-744-2410
555 BAY ROAD, DOVER, DE 19901
LINCOLN ST
S WEST ST
FOREST ST
DAVIS CIR
CHERRY ST
VINE ST
SLAUGHTER ST
CLARENCE ST
MINIMA ST
W NORTH ST
60'
THIS MAP IS NOT SURVEY ACCURATE OR FOR ENGINEERING USE AND IS SUBJECT TO PERIODIC CHANGES
2.0A
0 45 90 180 Feet

Google Maps



Imagery ©2016 Google, Map data ©2016 Google 100 ft

Google Maps

Joe Surdez
III
Matthew Smith

KENT COUNTY, DELAWARE

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

"Serving Kent County With Pride"

PROPERTY INFORMATION

Planning and Building Permits Information

Reference #		ED EAST DOVER HUNDRED		**Card #** 1 **of** 1
Location ID	13902	**Map Number**	2-05-07612-04-0800-00001	
Tax ID	13902	**Deed BVP**	D 8015 0084 D 7926 0308	
Parcel ID	35412	**Property Code**	P - PROPERTY	

Current Owner
FAITHWORK, LLC,
630 W DIVISION ST STE P
DOVER, DE 19904

Property Location
655 NORTH ST
DOVER , DE 19904

Zoning IO

Acres 2.14

Additional Owner

Sub-Division

Sales History				Liv.Sq.Ft	.0000
Date	**Price**	**Assessment**		**Total Rooms**	
3/21/16	345,000	**Land**	79,900	**Bedrooms**	
11/26/15	345,000	**Buildings**		**Full Bath**	
		Total	79,900	**Half Bath**	

Base Tax Due	.00	Last Billing Detail	History	Farm Info
Tax Penalty	.00			
Total Tax Bal.	.00			
Sewer Balance	.00	**Sewer Account #**		
Neighborhood #	00299	**Coordinates**		0466873 E 0420974 N
Land Use		**Lot Dimensions**		0000001.22
Living Units		**School District**	18	CAPITOL
Class	Unassig	**Fire District**	46	ROBBINS HOSE (DOVER)
Plat Book Pg		**Sewer District**	00	NONE
Topography	No Data	**Ambulance District**	46	ROBBINS HOSE (DOVER)
Street or Road	No Data	**Trash District**		
Fronting	No Data	**Light District**		
Improvement	VACANT	**Commissioner Dist**	00	

		Tax Ditches	NONE	

IMPROVEMENT KEY	
MANUF HM	Manufactured Home
MANUFCC	Manufactured Home Class C Assessment
MNFHMRT	Manufactured Home Retired Title

Property Description
N. SIDE W. NORTH ST.,
2.1476 A.
655 W.NORTH STREET

Year Built **Type** NO DATA **Energy Adj.**

Style **Fire Places** **Design**

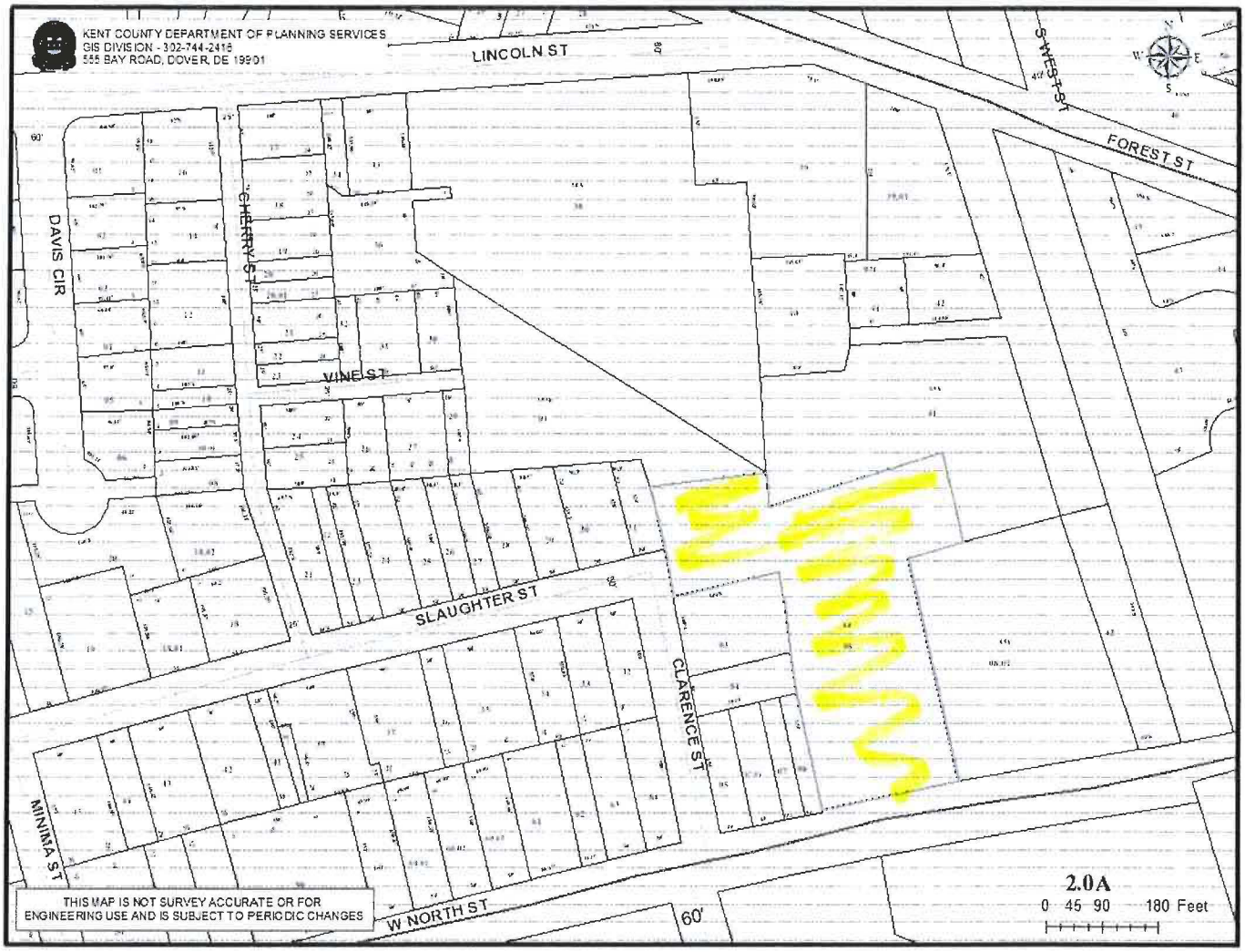
	Type	Percentage	Type	Percentage
Ext. Walls		0		0
Roof Cover		0		0
Floor Cover		0		0
Heat/Cool		0		0
Plaster Int.		0		
Foundation				
Sub-floor				

	Y/N	Unfinished	Basement Living Area	Rec Room
Basement		0	0	0

	Type	Sq.Feet	Wall	Floor
Garage 1		0		
Garage 2		0		
Bas Gar		NO DATA	NO DATA	NO DATA
Porch 1	NO DATA	0		
Porch 2	NO DATA	0		

History

Dimensions 0 X 0
Skirting Type
Skirting Lin Ft 0
Tip Out Sq Ft 0


KENT COUNTY DEPARTMENT OF PLANNING SERVICES
GIS DIVISION - 302-744-2415
555 BAY ROAD, DOVER, DE 19901
LINCOLN ST
S WEST ST
FOREST ST
DAVIS CIR
CHERRY ST
VINE ST
SLAUGHTER ST
CLARENCE ST
MININA ST
W NORTH ST
60'
THIS MAP IS NOT SURVEY ACCURATE OR FOR ENGINEERING USE AND IS SUBJECT TO PERIODIC CHANGES
2.0A
0 45 90 180 Feet

KENT COUNTY, DELAWARE

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

"Serving Kent County With Pride"

PROPERTY INFORMATION

Planning and Building Permits Information

Reference #		ED EAST DOVER HUNDRED		**Card # 1 of 1**
Location ID	74139	**Map Number**	2-05-08600-02-1500-00001	
Tax ID		**Deed BVP**	L 0050 0220	
Parcel ID	73210	**Property Code**	X - EXEMPT	

Current Owner
DELAWARE, STATE OF,
PO BOX 778
DOVER, DE 19903

Property Location
DUPONT HWY
DOVER , DE 19901

Zoning CPO **Acres**

Additional Owner

Sub-Division

Sales History				Liv.Sq.Ft	.0000
Date	**Price**	**Assessment**		**Total Rooms**	
0/00/00	0	**Land**		**Bedrooms**	
0/00/00	0	**Buildings**		**Full Bath**	
		Total		**Half Bath**	

Base Tax Due	.00	Last Billing Detail	History	Farm Info
Tax Penalty	.00			
Total Tax Bal.	.00			
Sewer Balance	.00	**Sewer Account #**		
Neighborhood #	00200	**Coordinates**		0469377 E 0413853 N
Land Use		**Lot Dimensions**		
Living Units		**School District**	20	CAESAR RODNEY
Class	Exempt	**Fire District**	46	ROBBINS HOSE (DOVER)
Plat Book Pg		**Sewer District**	00	NONE
Topography	No Data	**Ambulance District**	46	ROBBINS HOSE (DOVER)
Street or Road	No Data	**Trash District**		
Fronting	No Data	**Light District**		
Improvement	VACANT	**Commissioner Dist**	2ND	

		Tax Ditches	NONE	

IMPROVEMENT KEY	
MANUF HM	Manufactured Home
MANUFCC	Manufactured Home Class C Assessment
MNFHMRT	Manufactured Home Retired Title

Property Description
U.S. 113A,
12.7 A.

Year Built **Type** NO DATA **Energy Adj.**
Style **Fire Places** **Design**

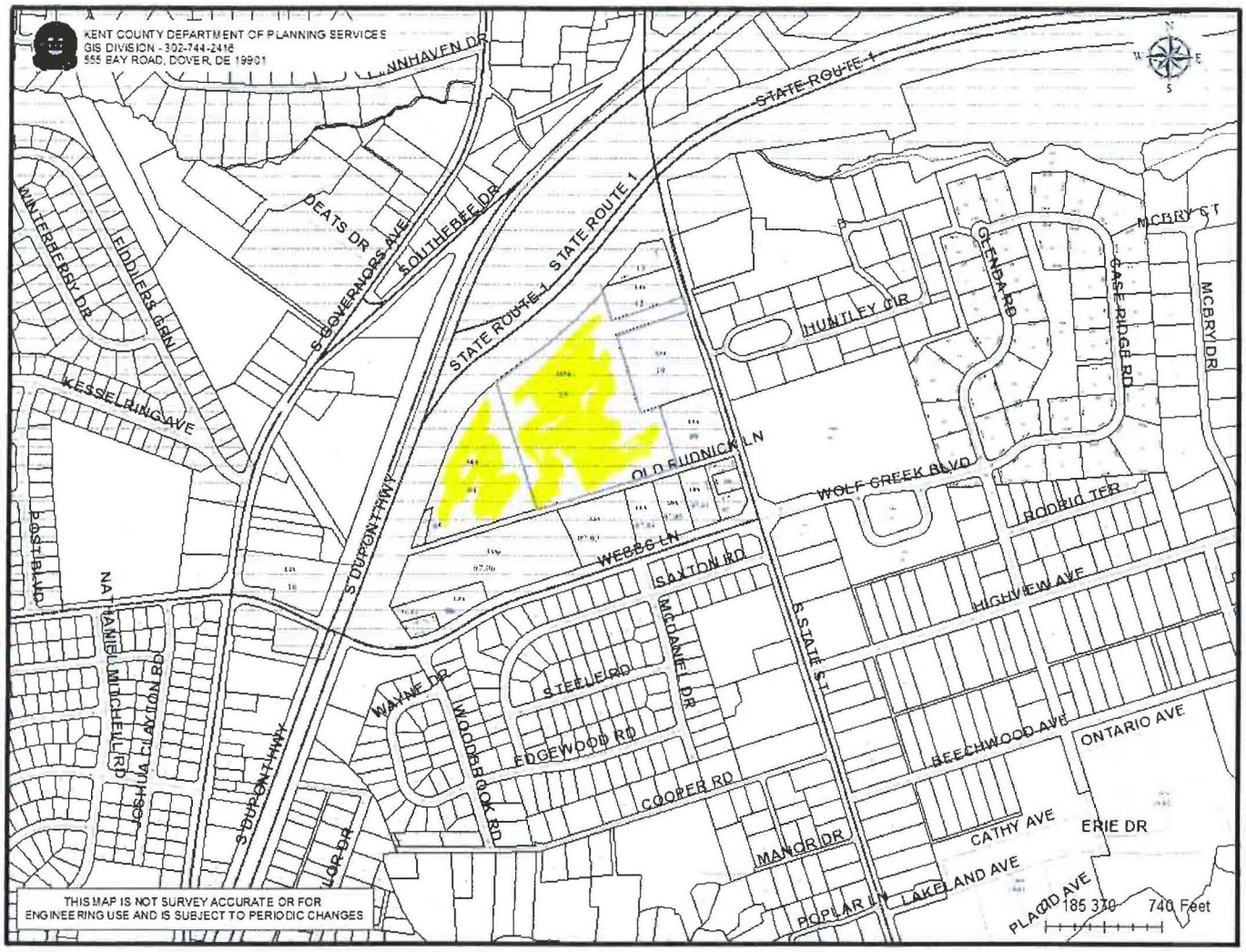
	Type	Percentage	Type	Percentage
Ext. Walls		0		0
Roof Cover		0		0
Floor Cover		0		0
Heat/Cool		0		0
Plaster Int.		0		
Foundation				
Sub-floor				

	Y/N	Unfinished	Basement Living Area	Rec Room
Basement		0	0	0

	Type	Sq.Feet	Wall	Floor
Garage 1		0		
Garage 2		0		
Bas Gar		NO DATA	NO DATA	NO DATA
Porch 1	NO DATA	0		
Porch 2	NO DATA	0		

History

Dimensions 0 X 0
Skirting Type
Skirting Lin Ft 0
Tip Out Sq Ft 0
Serial Number


KENT COUNTY DEPARTMENT OF PLANNING SERVICES
GIS DIVISION - 302-744-2416
555 BAY ROAD, DOVER, DE 19901
LYNNHAVEN DR
STATE ROUTE 1
DEATS DR
SOUTHBEE DR
S GOVERNORS AVE
STATE ROUTE 1
WINTERBERRY DR
FIDDLERS GRN
KESSELRING AVE
S DUPONT HWY
OLD FLUDNICK LN
WOLF CREEK BLVD
RODRIG TER
WEBBS LN
SAXTON RD
HIGHVIEW AVE
HUNTLEY CIR
GLENDA RD
CASE RIDGE RD
MCBRY CT
MCBRY DR
POST BLVD
NATHANIEL MITCHELL RD
JOSHUA CLAYTON RD
S DUPONT HWY
WAYNE DR
WOODBROOK RD
STEELE RD
EDGEWOOD RD
MCDANIEL DR
S STATE ST
COOPER RD
MANOR DR
BEECHWOOD AVE
ONTARIO AVE
CATHY AVE
ERIE DR
LAKELAND AVE
PLACID AVE
POPLAR LN
THIS MAP IS NOT SURVEY ACCURATE OR FOR ENGINEERING USE AND IS SUBJECT TO PERIODIC CHANGES
185 370 740 Feet

City of Dover

2016/17 STAFF APPOINTMENTS - COUNCIL

A. City Assessor. . . . . Cheryl A. Bundek

B. Building Inspector. . . . . Ann Marie Townshend

C. City Clerk. . . . . Traci A. McDowell

D. Assistant City Clerk. . . . . Denise L. Devine

E. Controller/Treasurer. . . . . Donna S. Mitchell

F. Assistant Controller/Treasurer. . . . . Lori Peddicord

G. Assistant Treasurers. . . . . Denise L. Devine and Traci A. McDowell

H. Fire Marshal. . . . . DEFERRED

I. City Solicitor. . . . . Nicholas H. Rodriguez

J. Deputy City Solicitor. . . . . William W. Pepper, Sr.

S:\ANNUAL MEETINGS\2016 Meeting\Annual Meeting Appointments-Staff.wpd

Prepared by: City Clerk's Office/tm

City of Dover

MAYOR'S COMMITTEE APPOINTMENTS - 2016/17

(Deferred During the Annual Meeting of May 9, 2016)

1. **COMPENSATION COMMISSION - To consider compensation for the Mayor, City Council, and paid members of City Committees and Commissions.** The compensation commission shall consist of five (5) members, one (1) member appointed by the mayor, one (1) member appointed by the council president, and three (3) members appointed by city council during the annual meeting. Members shall be city residents who are registered to vote in city elections. Members shall serve two (2) year terms and cannot be reappointed within the next two (2) years. The controller/treasurer and human resources director shall serve as ex-officio, nonvoting members.

   Mayor Christiansen requests that this appointment be deferred.

2. **DOVER FOURTH OF JULY CELEBRATION COMMITTEE - Operates independently in terms of raising and expending funds for the City of Dover 4th of July Celebration.** Consists of not less than five (5) members and not more than nine (9) members who shall be appointed annually upon the recommendation of the Mayor and approval of City Council. The membership shall include the Mayor of Dover (Ex-Officio) as Chairman of the Board. Other officers shall include a President/Vice Chairman, Vice President, Secretary, and Treasurer.

   A. Robin R. Christiansen, Chairman (ex-officio)

   B. Greg Patterson, President/Vice Chairman

   C. Andrea Maucher, Vice President

   D. Jennifer Helms, Treasurer/Secretary

   E. Ann Marie Townshend (Staff Liaison)

   F. Susan Betts

   G. Gail Nemcic

   H. Karen Nickerson

   I. Sarah Zimmerman

3. **DOVER PUBLIC LIBRARY ADVISORY COMMISSION - To assist the City in the administration and supervision of its public library facility; consider major policies proposed by staff and provide Council with advice on such policies prior to implementation, all grant requests, long range planning, etc.** One (1) member of Council shall be appointed during the Annual Meeting to serve as a liaison member.

   A. Scott W. Cole (Council Liaison Member)

4. **DOWNTOWN DOVER PARTNERSHIP BOARD OF DIRECTORS - To promote the public welfare of the residents of the City of Dover by promoting and furthering the development of the economic, cultural, and historic resources in the downtown area, and to improve the opportunities for job creation, broaden the tax base through the development of the commercial and residential potential of the Central Dover area, and to maintain and restore the historic architectural and community qualities of the downtown area consistent with the goals of the National Main Street Program.**

Consists of twenty-one (21) directors appointed from two (2) categories: governmental agency appointees and appointees from the private sector.

Governmental agency appointees: Five (5) individuals, either elected or appointed from within the government of the City of Dover including the City Manager, the City Planner, and three (3) members of City Council (these individuals shall be nominated by the Mayor and confirmed by City Council and will serve on the Board at the pleasure of the Mayor and Council); and five (5) representatives from State government, including one (1) appointed by the Mayor and confirmed by City Council; two (2) appointed by the Governor (one (1) from the Office of Economic Development, and one (1) from the Office of the Secretary of State); the elected State Senator from the 17th Senatorial District; and the elected Representative from the 31st Representative District.

Private sector appointees: Individuals in the second category will be nominated by the Mayor and confirmed by City Council and shall consist of eleven (11) representatives from the private sector with strong ties and commitment to revitalization of the downtown Dover area who should not now hold full-time elected or appointed public office. Members in this category must include a resident of the downtown Dover area or an adjoining neighborhood, a downtown cultural arts representative, a downtown business owner, a downtown retailer, a real estate professional whose practice includes the downtown Dover area, a financial services professional whose practice includes the downtown Dover area, the chief executive officer of Bayhealth or his/her designee, the president of Wesley College or his/her designee, and three (3) undesignated representatives. At least five (5) of these individuals must also either own a commercial property within the Business Improvement District or be designees of such owners.

City of Dover Government - Appointed by the Mayor and Confirmed by Council

A. Robin R. Christiansen, Mayor (Ex-Officio Member)

B. David L. Anderson - Council Representative

C. William F. Hare - Council Representative

D. Council Representative
(Mayor Christiansen requests that this appointment be deferred)

E. Scott D. Koenig - City of Dover Representative

F. Ann Marie Townshend - City of Dover Representative

4. **DOWNTOWN DOVER PARTNERSHIP BOARD OF DIRECTORS) (CONTINUED)**

State Government - Appointed by the Mayor and Confirmed by Council

A. State of Delaware Representative
(Mayor Christiansen requests that this appointment be deferred)

Private Sector - Appointed by the Mayor and Confirmed by Council

A. Maxine Lewis - Downtown Retailer/Commercial Property Owner Designee

B. Todd Stonesifer - Resident of Downtown Area

C. Real Estate Professional Whose Practice Includes Downtown Area/Commercial Property Owner
(Mayor Christiansen requests that this appointment be deferred)

5. **ELECTION BOARD - To assist Mayor and Council in matters relating to voter registration and municipal elections.** Consists of five (5) members, with staggered three (3) year terms, to be appointed by the Mayor and confirmed by Council during the Annual Meeting. One (1) member appointed from each of the four (4) council districts and one (1) appointed at-large. Each member must be a citizen of U.S., a registered voter of the City, and have resided in the City for one (1) year prior to the appointment. The Mayor and members of Council, their parents, spouse, or children, shall not be eligible for appointment to the election board.

A. Curtis E. Raymond - Third District

B. Fourth District
(Mayor Christiansen requests that this appointment be deferred)

6. **PROPERTY MAINTENANCE CODE BOARD OF APPEALS - To review appeals of the building inspectors' decisions with regard to property maintenance issues, including vacant buildings.** Consists of three (3) members, one (1) being a resident generally selected as a representative of homeowners, one (1) representative of the local real estate industry association, and one (1) member shall be the City Manager.

A. Charles Martin, Representative Local Real Estate

B. Adam M. Perza, Representative of Homeowners

C. Scott D. Koenig, City Manager

7. **SILVER LAKE COMMISSION - To consider matters related to Silver Lake and the St. Jones River Watershed, including the Fork, Mudstone, Penrose, and Cahoon Branches, and Puncheon Run; open spaces and park lands; and water activities, to include swimming, boating, skiing, and fishing**. Consists of seven (7) members to be appointed by the Mayor and confirmed by Council at the Annual Meeting.

   A. Nicholas Adams

   B. Tricia Arndt

   C. James Burcham

   D. Zachary Carter

   E. Dean Holden

   F. Lyle Allen Jones

   G. Ann Marie Townshend

COUNCIL RESOLUTION NO. 2016-06

A RESOLUTION AUTHORIZING SIGNATURES FOR BANKING SERVICES ON BEHALF OF THE CITY OF DOVER, DELAWARE

WHEREAS, the City of Dover's investment policy includes the investment of funds up to $100,000 per banking institution, investments in the State of Delaware Investment Pool, and the purchase and sale of investment grade corporate bonds, and U.S. Treasury and agency securities; and

WHEREAS, the banking institutions, brokerage firms, trust companies, and other various financial institutions require an Authorizing Resolution for the opening of accounts, and for purchasing, selling, transferring, assigning, and handling securities;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Dover, that the Controller/Treasurer, Assistant Controller/Treasurer, and Assistant Treasurers are hereby authorized to open accounts with banking institutions and purchase, sell, transfer, assign, and handle securities and that they are authorized to sign all related forms;

BE IT FURTHER RESOLVED that the transactions in these accounts be carried out with any one signature; and

That the following are the office holders authorized for these purposes, until further notice:

Donna S. Mitchell	-	Controller/Treasurer
Lori Peddicord	-	Assistant Controller/Treasurer
Traci A. McDowell	-	Assistant Treasurer
Denise L. Devine	-	Assistant Treasurer

ADOPTED: *

S:\RESOLUTIONS-PROCLAMATIONS-TRIBUTES\2016\DRAFT\RESOLUTION NO. 2016-06 - Authorizing Signatures for Banking Services\Resolution No. 2016-06 - Authorizing Signatures for Banking Services DRAFT.wpd

ROBIN R. CHRISTIANSEN	TIMOTHY A. SLAVIN
MAYOR	COUNCIL PRESIDENT

Actions History:
May 23, 2016 - Scheduled for Introduction - City Council

Draft

FIRST READING

CITY OF DOVER PROPOSED ORDINANCE #2016-10

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

That Chapter 2 - Administration, Article IV - Officers and Employees, Division 8 - Deferred Compensation Plan of the Dover Code be amended by deleting the text indicated in red strikeout and inserting the bold, blue text, as follows:

DIVISION 8. - **DEFERRED COMPENSATION PLAN**

Sec. 2-391. - Definitions; interpretation.

(a) *Terms defined*. As indicated in this division, unless the context otherwise clearly indicates or the deferred compensation plans contradict, the following terms shall mean as indicated below:

Eligible employee means any person regularly employed in rendering service to the city on a full-time ~~permanent~~ basis who is not participating in any retirement plan to which the city contributes for them and whose compensation is paid directly by the city. An employee will be considered a full-time employee if he**/she** regularly works ~~37½~~ **40** ~~or more~~ hours each week.

Participant means any eligible employee of the city who has met all of the requirements for participation in the deferred compensation plan and has, upon employment, made an irrevocable election to participate in the deferred compensation plan as defined in this subsection (a) and who has satisfied all the conditions and requirements set forth in this division and in the provisions of the plans.

(Code 1981, § 2-211; Ord. of 4-25-1994; Ord. of 5-22-2000; Ord. of 6-12-2000; Ord. of 7-10-2000; Ord. of 9-11-2000)

Sec. 2-392. - Established; purpose.

There is hereby established the city employee deferred compensation plan. The purpose of the plan is to establish the basic terms and conditions under which employees shall participate in this plan. Further details, terms and conditions under which retirement, termination, and survivor benefits shall be provided to eligible employees are defined in the deferred compensation plan.

(Code 1981, § 2-212; Ord. of 4-25-1994; Ord. of 5-22-2000; Ord. of 6-12-2000; Ord. of 7-10-2000; Ord. of 9-11-2000)

Sec. 2-393. - Eligibility of participants.

Each eligible employee not drawing any retirement benefits from the city as of May 1, 1994, who makes an irrevocable decision to join the deferred compensation plan, shall, upon compliance with the provisions of this division, become a deferred compensation plan participant on May 1, 1994. Thereafter, each eligible employee who selects the deferred compensation plan upon employment shall become a participant in accordance with the plan. **All new employees, except police officers, hired after September 28, 2009 are required to join the defined contribution pension plan as defined in subsection 2-324.**

(Code 1981, § 2-213; Ord. of 4-25-1994; Ord. of 5-22-2000; Ord. of 7-10-2000)

Draft

Sec. 2-394. - Contributions.

(a) *Employee contributions*. For each year while a participant of the deferred compensation plan, a participant shall contribute, by payroll deductions, ~~an amount equal to at least three percent~~ **a percentage** of his/**her** compensation **as defined in the deferred compensation plan**, which shall be a participant's base pay, plus scheduled overtime, payment for being on-call, except those hours reported for being called out, and any retroactive pay corrections which involve any one of the mentioned payments, up to the legal limits as defined in the deferred compensation plan.

(b) *Employer contributions*. The city shall contribute an amount equal to each individual's employee contributions, to a maximum ~~of six percent~~ **percentage** of an employee's compensation **as defined in the deferred compensation plan**, which shall be a participant's base pay, plus scheduled overtime, payment for being on-call, except those hours reported for being called out, and any retroactive pay corrections which involve any one of the mentioned payments for each participant.

(c) *Treatment*. Treatment of contributions shall be handled in accordance with federal and state laws and the applicable provisions of section 2-341 pertaining to the general employee pension plan.

(Code 1981, § 2-214; Ord. of 4-25-1994; Ord. of 5-22-2000; Ord. of 6-12-2000; Ord. of 7-10-2000; Ord. of 9-11-2000)

ADOPTED: *

S:\ORDINANCES\2016\DRAFT\ORDINANCE #2016-10 CH 2 ADMINISTRATION, ART IV OFFICERS & EMPLOYEES, DIV 8 DEFERRED COMP\Ordinance #2016-10 Ch 2, Art IV, Div 8-Deferred Compensation-Rev. 1-First Reading.wpd

Ssynopsis

The proposed amendments will change the 401A Money Purchase Plan required contributions in accordance with the DOE Collective Bargaining Agreement and the City of Dover Personnel Policy (Employee Handbook), and align definitions and eligibility requirements with existing policies.

(SPONSORS: COLE AND KOENIG)

Actions History

05/23/2016 - Scheduled for First Reading - City Council
05/10/2016 - Further Discussion - Legislative, Finance, and Administration Committee
04/26/2016 - Deferred by Legislative, Finance, and Administration Committee, due to time constraints
03/29/2016 - Deferred by Legislative, Finance, and Administration Committee for Further Discussion

Draft