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

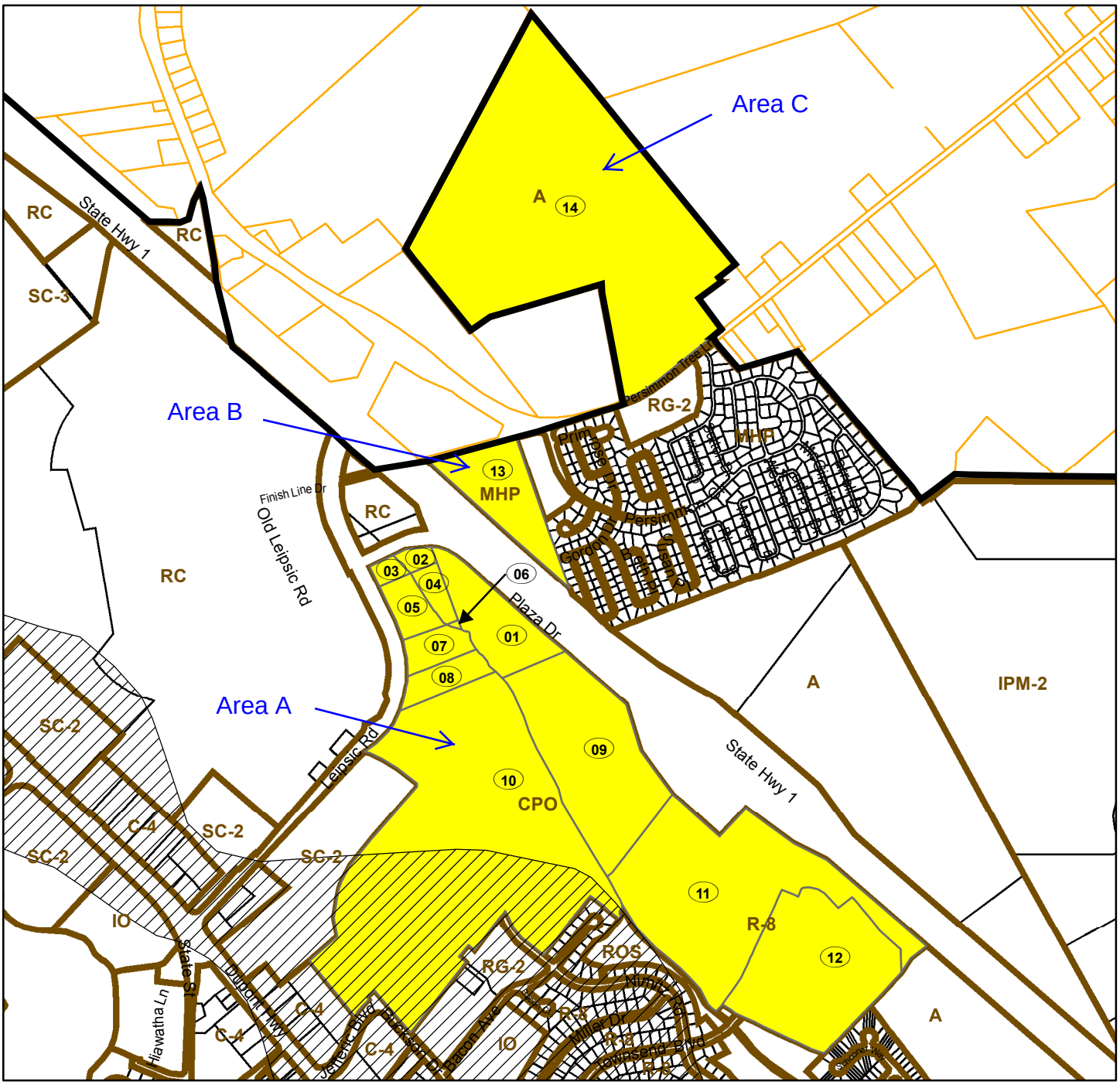
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Actions History
May 9, 2016 - Public Hearing/Final Reading - City Council
April 18, 2016 - Review - Planning Commission
March 28, 2016 - First Reading - City Council

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 (Ac.)	Address	Current Zoning	Proposed Zoning
No.	Area					
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.