LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE
A G E N D A

JUNE 24, 2013 - 6:00 P.M.

CITY HALL COUNCIL CHAMBERS
15 LOOCKERMAN PLAZA
DOVER, DELAWARE

Public comments are welcomed on any item and will be permitted at appropriate times. When possible, please notify the City Clerk (736-7008 or e-mail at CityClerk@dover.de.us) should you wish to be recognized.

AGENDA ADDITIONS/DELETIONS

1. **Proposed Ordinance #2013-10 Amending Chapter 2 - Administration, Article IV - Officers and Employees, Division 7 - General Employee Pension Plan, Section 2-331 - Form of Benefits**
   (Staff Recommends Adoption of the Ordinance for Compliance with State Law)

2. **Discussion - Fiscal Year 2013 Audit Program**

3. **Review of Ordinance Sponsorship** *(Tabled by Committee on June 10, 2013)*

4. **Proposed Amendments to Chapter 58 - Human Relations Commission**
   (During Their Meeting of June 10, 2013, Council Approved the Committee's Recommendation of May 28, 2013 That the Chair of the Legislative, Finance, and Administration Committee Schedule a Special Meeting for the Purpose of Discussing Recommendation Items #1-5 Included in the Committee Action Form Pertaining to the Dover Human Relations Commission)

5. **Adjournment by 7:00 p.m.**

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THE AGENDA ITEMS AS LISTED MAY NOT BE CONSIDERED IN SEQUENCE. THIS AGENDA IS SUBJECT TO CHANGE TO INCLUDE THE ADDITION OR THE DELETION OF ITEMS, INCLUDING EXECUTIVE SESSIONS.

COMMITTEE ACTION FORM

PROCEEDING: Legislative, Finance and Administration Committee
DEPARTMENT OF ORIGIN: Human Resources **DATE SUBMITTED**: June 14, 2013
PREPARED BY: Kim Hawkins, Human Resources Director
SUBJECT: Pension Ordinance Update to include Civil Marriages
REFERENCE: Section 1, Title 13 of the Delaware Code
RELATED PROJECT: N/A
REVIEWED BY: Kim Hawkins, Human Resources Director
EXHIBITS: City of Dover Proposed Ordinance #2013-10
EXPENDITURE REQUIRED: N/A **AMOUNT BUDGETED**: N/A **FUNDING SOURCE (Dept./Page in CIP & Budget)**: N/A
TIMETABLE:
RECOMMENDED ACTION: Staff recommends approval of the updated Pension Ordinance changing Civil Unions to Civil Marriages as approved by Governor Markell on May 7, 2013.

BACKGROUND AND ANALYSIS

On, May 7, 2013, Governor Jack Markell signed the Marriage Equality Act of 2013. This legislation changes the existing Civil Unions to Civil Marriages.

Amended Title 13 of the Delaware Code, Chapter 2 Civil Unions states that: *it is the intent of the Delaware General Assembly to establish civil marriage equality for all families by allowing two persons to marry regardless of their genders, to recognize same-gender marriages and substantially similar legal unions solemnized outside of Delaware as marriages, to convert existing civil unions previously solemnized in Delaware to civil marriages and to clarify that persons in a same gender marriage shall enjoy all the rights, benefits and protections, and shall be all subject to all the same responsibilities, obligations and duties as different-gender married persons under Delaware law."*

The Act becomes effective July 1, 2013.

The City of Dover Code of Ordinances, Chapter 2 - Administration, Article IV - Officers and Employees, Division 7 - General Employee Pension Plan, Subdivision I - updated to reflect the Marriage Equality Act of 2013.

CITY OF DOVER PROPOSED ORDINANCE #2013-10

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

That Chapter 2 - Administration, Article IV - Officers and Employees, Division 7 - General Employee Pension Plan, Section 2-331 - Form of Benefits, be amended by inserting the text indicated in bold, blue, font and deleting the text indicated in bold, red strikeout as follows:

Sec. 2-331. - Form of benefits.

(a) *Normal form*. A monthly benefit shall be payable on the first day of the second month preceding the date on which application for such benefit is filed. Payment will be retroactive to the retirement date. Payments of benefits shall be payable monthly thereafter during his lifetime, and terminating with the last payment on the first day of the month of the death of the participant.

(b) *Death of participant, etc*. Upon the death of a participant who has retired, or who is eligible to be retired under any of the provisions of this division, payment shall be made to his eligible survivors in the amount of 50 percent of the monthly payments to which the participant was or would have been entitled. Upon the death of a participant who has completed a minimum of 20 years of service but is not yet eligible to retire because of age, payment shall be made to his eligible survivors in the amount of 50 percent of the monthly payment that would have resulted by using his service time; however, the benefit is to be computed at a reduced rate of one-half percent for each month the participant was under the correct age for normal retirement. In no instance shall actual monthly payments be less than $200.00, to be effective July 1, 2000. Upon the death of both the participant and eligible survivor, if the benefit payments received in aggregate are less than the member's contributions, the balance of the member's contributions, plus 5 percent interest, will be paid to the surviving beneficiary designated or his estate if no designation has been made and submitted to the pension board. The amount of benefit payments received and the amount of the member's contributions shall be determined from the record of the pension board of trustees

(c) *Eligible survivor*. An eligible survivor shall be one of the following in the order of preference listed:

(1) *Spouse~~/partner~~*. The participant's spouse who was married to the participant for at least one year. Surviving spouse shall be required to provide supporting documents of marriage. **~~The participant's partner in a civil union, who entered into a lawful civil union in Delaware, or whose legal union is recognized as a civil union under Delaware law, will have all of the same rights, benefits, protections and responsibilities as married persons under Delaware law. (13 Del. C. c. 2). Surviving partner shall be required to provide supporting documents of legal civil union.~~**

Draft

(2) *Children, unmarried.*

a. The surviving children, biological or legally adopted, of the participant, who have not attained their 18th birthday.

b. If said child is attending school on a full-time basis and provides proof of attendance each year of eligibility, with the payment due for the month in which he ceases to attend school on a full-time basis or with the payment due for the month in which his 22nd birthday shall occur, whichever shall occur first.

(d) *Commencement of payment*. Benefits payable to eligible survivors shall commence on the first day of the month following the date of the participant's death.

(e) *Benefits payable*. Benefits payable to eligible survivors shall cease:

(1) *Spouse~~/partner~~*. With respect to an eligible survivor who is a spouse ~~or partner of a civil union~~, with the payment due for the month in which their remarriage or death shall occur, whichever occurs first.

(2) *Children*. With respect to an eligible survivor who is a child(ren), with the payment due for the month in which his 18th birthday or death shall occur, whichever shall occur first. Payments shall be made in accordance with subsections (2)a. and b.

(f) *Eligibility for benefits*. The eligibility of any person or persons to receive payment of benefits as an eligible survivor shall be determined conclusively by the pension board based on application of such person or persons and any other information which the pension board deems to be appropriate.

ADOPTED: *

S:\ORDINANCES\2013\Draft\2013-10 Amending Ch 2-Administration, Art IV, Div 7, Subdiv 1, Sec 2-331 - Form of Benefits.wpd

SYNOPSIS

Recognition of spouses and children of civil marriage as eligible survivors of pension participants.

(STAFF SPONSORED TO COMPLY WITH STATE LAW)

Actions History

June 24, 2013 - Scheduled for Introduction at Legislative, Finance, and Administration Committee

Draft

Auditor's Responsibility for Communicating with Audit Committee

Presented by:
Donna Mitchell, CPA
City Controller

Three Primary Purposes

- To clearly communicate an overview of the audit scope, the timing of the audit, and the auditor's responsibilities.
- To provide timely observations arising from the audit that are relevant to oversight of the financial reporting process.
- To obtain relevant audit-related information from those charged with governance.

Matters to Be Communicated

- Auditor's Responsibilities
  - The auditor's responsibilities under generally accepted auditing standards.
  - This will be detailed in the auditor's engagement letter, a copy of which will be provided to each audit committee member.
- Planned Scope & Timing of Audit
  - An overview of the planned scope and timing of the audit that is not so detailed as to compromise audit effectiveness.
- Significant Findings from the Audit
  - The auditor's views about findings or issues that the auditor considers to be significant and relevant to those charged with governance regarding their oversight of the financial reporting process.
  - These will be communicated near or at the end of the audit.

Audit Calendar

City of Dover
2013 Audit Calendar

JUNE

S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	Auditors - preliminary auditwork including walk throughs and inventory testing					15
16	17	18	19	20	21	22
23	24	25	26	27	Fuel measure @ plant	29
30						

JULY

S	M	T	W	T	F	S
	1	2	3	**4**	5	6
7	Detail Audit Plan Submitted	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

AUGUST

S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

SEPTEMBER

S	M	T	W	T	F	S
1	**2**	3	4	5	6	7
8	9	10	11	12	Test of Controls Completed	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

OCTOBER

S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	Draft Schedules & Statements to Auditor*	26
27	*28*	*29*	*30*	31		
	*Trial Balances & Support Schedules Completed 10/25 & reviewed by Director.					

NOVEMBER

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	**11**	12	13	Draft Report to Auditor	15	16
17	18	19	20	21	22	23
24	25	26	Draft CAFR Completed	**28**	**29**	30
	Draft CAFR completed by November 27 (includes Notes & Statistical Section)					

DECEMBER

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	Draft CAFR - LFA	17	18	19	20	21
22	23	24	Final Changes	26	27	28
29	30	CAFR to Printer				
	Meetings with Auditors if requested by LFA					

Holidays - Green

Key Dates in Yellow

ACTION FORM

PROCEEDING: Legislative, Finance, and Administration Committee	**AGENDA OF:** 06-24-2013
DEPARTMENT OF ORIGIN: City Council	**DATE SUBMITTED**: 06-06-2013
PREPARED BY: Traci A. McDowell, City Clerk on Behalf of Councilman Lynn	
SUBJECT: Review of Ordinance Sponsorship	
EXHIBITS: History of Ordinance Sponsorship	
TIMETABLE: Recommendation to City Council on 07-08-2013	
RECOMMENDED ACTION: Discussion of Sponsorship Requirements with Possible Amendment to Remove Requirement of Three (3) Sponsors for Council Members or to Impose Same Requirement for Staff-Proposed Ordinance Amendments	

BACKGROUND AND ANALYSIS

At the request of Councilman Lynn, a history of the requirement for three (3) sponsors to propose amendments to the Dover Code was compiled and is provided as an exhibit. Currently, all ordinances or proposed Charter changes must have three (3) sponsors (three (3) members of Council) before they are presented to the appropriate committee for consideration and subsequent recommendation to the Council. The only exceptions are emergency ordinances, zoning ordinances or map amendments, ordinance amendments submitted by Council-appointed staff or a committee, and ordinances passed in consideration of a comprehensive review of the Code.

During their meeting of June 10, 2013, the Committee discussed either removing or reducing the sponsorship requirement for Council members or imposing the same requirements for Council-appointed staff. As requested by the Committee, the City Clerk's Office inquired of other cities and towns in Delaware as to their policy for proposing ordinances and found the following:

- Bethany Beach - Any member of Town Council may bring forward an ordinance and no additional sponsors are needed. With the exception of the Town Manager, staff members cannot bring forward an ordinance directly. They need a sponsor from the Town Council. Charter amendments are handled the same way.

- Rehoboth Beach - Any member of the City Commission can bring forward proposed amendments to the Municipal Code and/or Charter. No additional sponsors are needed. With the exception of the City Manager and only in certain instances, staff members can bring forward a proposed amendment to the Municipal Code directly; but generally it is sponsored by the City Manager or a Commissioner. Charter amendments are brought forward by a Commissioner.

- South Bethany - Requires one Council Member to sponsor an ordinance. Staff members do not sponsor ordinances.

- Wilmington - No sponsorship requirements.

- Wyoming - Does not require ordinance sponsors. The Planning and Zoning Committee makes recommendations to Council on Land Use and Development Code amendments.

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LEGISLATIVE AND FINANCE COMMITTEE

(Required the announcement of an ordinance and its proposed adoption date during a Council Meeting and reading of the ordinance (or its synopsis) at a second Council Meeting, when it may be adopted)

The Legislative and Finance Committee met on February 27, 1990, at 8:00 p.m., with Chairman Weyandt presiding. Members present were Councilmen Lynn, and Christiansen and Mr. Townsend. Other members of Council present were Mrs. Legates, Mr. Hall and Mr. Daisey.

READING, PASSAGE, AND EFFECTIVE DATE OF ORDINANCES

As requested by the Committee during their January 23rd meeting, the City Solicitor, Mr. Rodriguez, prepared an ordinance regarding reading of ordinances prior to adoption.

Mrs. Boaman summarized the proposed ordinance, stating that it will require the announcement of an ordinance and its proposed adoption date during the first meeting and the reading of the synopsis at the second meeting when it will be adopted. Mrs. Boaman stated that the ordinance may be read in its entirety should it be requested by a member of Council. Exceptions are permitted for ordinances of an emergency nature.

Mrs. Boaman has requested Mr. Ed Baker, Public Works Department, to construct a small, wooden file rack for the Council Chambers where copies of the ordinances can be placed for the public's review. In addition, copies of committee reports will also be placed in this rack so that citizens attending Council Meetings can follow along during the committee's report to Council if they desire.

Mr. Townsend moved to recommend Council adopt the ordinance (attachment #2). seconded by Mr. Christiansen and unanimously carried.

REGULAR COUNCIL MEETING

The Regular Council Meeting was held on March 12, 1990 at 7:30 p.m. with Mayor Richter presiding. Members present were Councilmen Hall, Daisey, Legates, Lynn, Christiansen, Levitt, Salters, VanSant and Weyandt.

LEGISLATIVE AND FINANCE COMMITTEE REPORT

The Legislative and Finance Committee met on February 27, 1990, with Chairman Weyandt presiding.

Reading, Passage, and Effective Date of Ordinances

The committee considered the concept of an ordinance that will require the announcement of an ordinance and its proposed adoption date during a Council Meeting and reading of the ordinance (or its synopsis) at a second Council Meeting, when it may be adopted. The committee recommended adoption of the ordinance.

By motion of Mr. Weyandt, seconded by Mr. Lynn, Council adopted the following ordinance by a unanimous roll call vote:

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

The Dover Municipal Code is hereby amended by striking Sec. 1-6 of Chapter 1 of the Code in its entirety and by inserting a new section to be captioned and worded as follows:

Sec. 1-6. Reading, Passage, and Effective Date of Ordinances.

No ordinance, with the exception of emergency ordinances, shall be passed by Council until it is: (1) announced at one regular Council meeting, which announcement shall be made by the City Clerk outlining the nature of the ordinance and stated when it will be considered for passage at a subsequent regular Council meeting; and (2) read, by synopsis, outline or otherwise, at the subsequent announced meeting of Council prior to being voted upon by Council. Emergency ordinances may be passed by Council at any time but must be designated as such that their immediate passage is necessary to serve the health and welfare of the City. Ordinances shall be passed in accordance with the provisions of Sec. 10 of the Charter. All ordinances which do not state an effective date shall be effective immediately upon their adoption by Council and their approval by the Mayor except as otherwise provided in the Charter, Sec. 10.

COUNCIL COMMITTEES

(Requirement for two (2) members of Council and one (1) member of the Legislative and Finance Committee to Sponsor)

The Council Committees Meeting was held on **June 13, 1995**, at 7:00 p.m., with Council President Christiansen presiding. Members of Council present were Mr. Lambert, Mr. Tudor, Mr. Leary, Mr. Pitts, Mrs. Malone, Mr. Salters, Mr. Hare and Mayor Hutchison. Mr. Fenimore was absent due to active military duty in Georgia.

LEGISLATIVE AND FINANCE COMMITTEE

The Legislative and Finance Committee met with Chairman Salters presiding. Members present were Councilmen Leary and Hare and Mr. Schaefer.

Requirement for Sponsor and Co-Sponsor of Ordinance/Charter Changes

Should a member of Council wish to submit an ordinance/charter change for consideration, Council President Christiansen recommended that another member of City Council and a member of the Legislative and Finance Committee also be required to sign the proposed amendment as sponsor and co-sponsor prior to its submission to the Legislative and Finance Committee for their review and recommendation to Council.

Council President Christiansen advised members that during discussions with delegates of the National League of Cities Convention and in talking with other local municipalities, he discovered that many of those municipalities' operation procedures for ordinance and charter changes include the requirement of sponsors and a co-sponsor for the proposed amendment. It was his feeling that this procedure would give validity to issues, eliminate "lost" proposals, would give presenter of the proposed amendment a vocal ally, and would save a lot of time, effort and energy for staff as well as Committee and Council Members.

In response to Mr. Hare and Mr. Leary, Council President Christiansen explained that prior to any consideration of an ordinance or charter change, a total of three (3) sponsors [two (2) members of Council and one (1) member of the Legislative and Finance Committee] would be required to sponsor the proposed amendment. If a member of Council is requesting the amendment, they would be required to obtain another member of Council and a member of the Legislative and Finance Committee to sponsor/co-sponsor the amendment. If a member of staff or a citizen requests an amendment, they would be required to obtain two (2) members of Council and a member of the Legislative and Finance Committee to sponsor/co-sponsor the amendment.

Mr. Lambert reminded members that the Legislative and Finance Committee has recently been charged with reviewing the City Code, in segments by chapters, to determine if ordinances are in need of revision, deletions or additions. He suggested that any proposed amendment as a result of this process be exempted from the proposed requirement of a sponsor/co-sponsor.

Responding to Mr. DePrima's concerns regarding approval of rezoning ordinances, members agreed that rezoning ordinances would also be exempted from the proposed requirement.

Mr. Hare moved to recommend adoption of an ordinance (Attachment #1) that would require two (2) members of Council and one (1) member of the Legislative and Finance Committee to sponsor/co-sponsor any proposed ordinance or charter change, with the exception of review of the City Code and rezoning ordinances. The motion was seconded by Mr. Leary and unanimously carried.

REGULAR COUNCIL MEETING

(Highlighted area denotes City Council discussion not included in above minutes)

The Regular Council Meeting was held on **June 26, 1995** with Council President Christiansen presiding. Council members present were Mr. Tudor, Mr. Pitts, Mrs. Malone, Mr. Fenimore, Mr. Salters and Mr. Hare. Mr. Lambert and Mr. Leary were absent.

LEGISLATIVE AND FINANCE COMMITTEE

The Legislative and Finance Committee met on June 13, 1995 with Chairman Salters presiding.

Requirement for Sponsor and Co-Sponsor of Ordinance/Charter Changes

Should a member of Council wish to submit an ordinance/charter change for consideration, Council President Christiansen recommended that another member of City Council and a member of the Legislative and Finance Committee also be required to sign the proposed amendment as sponsor and co-sponsor prior to its submission to the Legislative and Finance Committee for their review and recommendation to Council. It was his feeling that this procedure would give validity to issues, eliminate "lost" proposals, would give presenter of the proposed amendment a vocal ally, and would save a lot of time, effort and energy for staff as well as Committee and Council Members.

Council President Christiansen explained that prior to any consideration of an ordinance or charter change, a total of three (3) sponsors [two (2) members of Council and one (1) member of the Legislative and Finance Committee] would be required to sponsor the proposed amendment. If a member of Council is requesting the amendment, they would be required to obtain another member of Council and a member of the Legislative and Finance Committee to sponsor/co-sponsor the amendment. If a member of staff or a citizen requests an amendment, they would be required to obtain two (2) members of Council and a member of the Legislative and Finance Committee to sponsor/co-sponsor the amendment.

The committee recommended adoption of an ordinance that would require two (2) members of Council and one (1) member of the Legislative and Finance Committee to sponsor/co-sponsor any proposed ordinance or charter change, with the exception of ordinance changes resulting from the current review of the City Code and rezoning ordinances.

Noting that he was on active military duty last week and was unable to attend the Committee meeting, Mr. Fenimore asked for the purpose of the proposal. Council President Christiansen responded that it is his feeling that the requirement would ensure that there is some support for a proposal before members of staff, and ultimately members of Council, spend a considerable amount of time in ordinance preparation and

review. Mr. Fenimore stated his concern of the proposal stifling individual members of Council and felt that it should not be considered unless a problem with the current system is being incurred.

Mr. Salters moved for approval of the committee's recommendation, seconded by Mrs. Malone and carried with Mr. Fenimore voting no. (The First Reading of the ordinance will take place during the latter part of the meeting.)

FIRST READING - PROPOSED ORDINANCES

Mrs. Malone moved to waive the reading of the proposed ordinances before Council, seconded by Mr. Pitts and unanimously carried. Council President Christiansen reminded the public that copies of the proposed ordinances are available at the entrance of the Council Chambers or can be obtained from the City Clerk's Office. Final action by Council on the proposed ordinances will take place during the Council Meeting of July 10, 1995.

Mrs. Malone moved for acknowledgment of the first reading of the following proposed ordinances, by title only, seconded by Mr. Pitts and unanimously carried:

SECTION 1-6 - SPONSORING, CONSIDERATION, PASSAGE AND EFFECTIVE DATE OF ORDINANCES AND CHARTER AMENDMENTS

REGULAR COUNCIL MEETING

The Regular Council Meeting was held on July 10, 1995 with Council President Christiansen presiding. Council members present were Mr. Lambert, Mr. Tudor, Mr. Leary, Mr. Pitts, Mrs. Malone, Mr. Fenimore, Mr. Salters and Mr. Hare.

FINAL READING - PROPOSED ORDINANCES

The First Reading of the following proposed ordinances was accomplished during the Council Meeting of June 26, 1995.

Section 1-6 - Sponsoring, Consideration, Passage and Effective Date of Ordinances and Charter Amendments

Mr. Hare moved that the final reading of the proposed ordinances be acknowledged by title only, seconded by Mr. Leary and unanimously carried.

Mr. Hare moved for adoption of the following ordinance, seconded by Mr. Leary and carried by a roll call vote of eight (8) yes, one (1) no (Mr. Fenimore):

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

The Dover Code is amended by adding a new paragraph to Chapter 1, Section 1-6, and by changing the heading of this section, these amendments to read as follows:

Section 1-6. Sponsoring, consideration, passage, and effective date of ordinances and charter amendments.

With the exception of emergency ordinances, rezoning ordinances, and ordinances passed in consideration of a comprehensive review of the Code, all other ordinances or proposed charter changes must be sponsored by two members of Council and one member of the Legislative and Finance Committee before they may be presented to the Legislative and Finance Committee for

consideration and subsequent recommendation to Council.

ADOPTED: July 10, 1995

COUNCIL COMMITTEES

(Allows Council appointed staff and City committees to submit ordinance amendments for review by the Legislative and Finance Committee without the requirement of sponsors)

The Council Committees Meeting was held on January 8, 2001, at 6:00 p.m., with Council President Christiansen presiding. Members of Council present were Mr. McGlumphy, Mr. Pitts, Mr. Gorman, Mr. Truitt, Mr. Carey, Mrs. Malone (arrived at 6:38 p.m.), Mr. Salters, Mr. Weller and Mayor Hutchison.

AGENDA ADDITIONS/DELETIONS

Mr. Weller moved for approval of the agenda, seconded by Mr. Truitt and unanimously carried.

LEGISLATIVE AND FINANCE COMMITTEE

The Legislative and Finance Committee met with Chairman Salters presiding. Members present were Councilmen Carey and Gorman, and Mr. Merritt. Mr. McGlumphy was deputized to serve in the absence of Mrs. Street.

Comprehensive Review of City Code of Ordinances - Chapter 1 - General Provisions

In conjunction with the Comprehensive Review of the City Code, staff submitted proposed amendments to Section 1-2 - Rules of Construction and Definitions, and Section 1-6 - Sponsoring, Consideration, Passage and Effective Date of Ordinances and Charter Amendments. The proposed amendments will allow Council appointed staff and City committees to submit ordinance amendments for review by the Legislative and Finance Committee without the requirement of sponsors.

Mrs. Green, City Clerk, explained that staff often has requests for minor amendments to ordinances that require very little preparation time and are typically of a noncontroversial nature. Elimination of this requirement would speed up the processing time for such amendments. In addition, it was felt that amendments proposed by a City committee (such as the Planning Commission, Election Board, etc.) should be given consideration without requiring sponsors. Current exceptions to the requirement already include: 1) emergency ordinances; 2) rezoning ordinances; and 3) ordinances passed in consideration of a comprehensive review of the Code.

Staff recommended that Section 1-2 be amended by adding a definition for "Council Appointed Staff" and that the second paragraph of Section 1-6, subsection (2), be amended to include the words "ordinance amendments proposed by Council appointed staff or a City committee". It was noted that there are other amendments to clarify the requirements as well as some typographical corrections included in the proposed amendment.

Mr. Carey moved to recommend adoption of the proposed amendments to Chapter 1 of the Dover Code as recommended by staff (**Attachments #3 and #4**). The motion was seconded by Mr. Gorman and unanimously carried.

The Regular Council Meeting was held on January 22, 2001 at 7:30 p.m. with Council President Christiansen presiding. Council members present were Mr. McGlumphy, Mr. Pitts, Mr. Gorman, Mr. Truitt, Mr. Carey, Mrs. Malone, Mr. Salters, and Mr. Weller.

LEGISLATIVE AND FINANCE COMMITTEE REPORT

The Legislative and Finance Committee met on January 8, 2001 with Chairman Salters presiding.

Comprehensive Review of City Code of Ordinances - Chapter 1 - General Provisions

In conjunction with the Comprehensive Review of the City Code, staff submitted proposed amendments to Section 1-2 - Rules of Construction and Definitions, and Section 1-6 - Sponsoring, Consideration, Passage and Effective Date of Ordinances and Charter Amendments. The proposed amendments will allow Council appointed staff and City committees to submit ordinance amendments for review by the Legislative and Finance Committee without the requirement of sponsors.

Mrs. Green, City Clerk, explained that staff often has requests for minor amendments to ordinances that require very little preparation time and are typically of a noncontroversial nature. Elimination of this requirement would speed up the processing time for such amendments. In addition, it was felt that amendments proposed by a City committee (such as the Planning Commission, Election Board, etc.) should be given consideration without requiring sponsors. Current exceptions to the requirement already include: 1) emergency ordinances; 2) rezoning ordinances; and 3) ordinances passed in consideration of a comprehensive review of the Code.

Staff recommended that Section 1-2 be amended by adding a definition for "Council Appointed Staff" and that the second paragraph of Section 1-6, subsection (2), be amended to include the words "ordinance amendments proposed by Council appointed staff or a City committee". It was noted that there are other amendments to clarify the requirements as well as some typographical corrections included in the proposed amendment.

The committee recommended adoption of the proposed amendments to Chapter 1 of the Dover Code as recommended by staff.

Mr. Salters moved for approval of the committee's recommendation by consent agenda, seconded by Mrs. Malone and unanimously carried. (The First Reading of the ordinances will take place during the latter part of the meeting).

FIRST READING - PROPOSED ORDINANCES

Mr. Weller moved to waive the reading of the proposed ordinances before Council, seconded by Mrs. Malone and unanimously carried. Council President Christiansen reminded the public that copies of the proposed ordinances are available at the entrance of the Council Chambers or can be obtained from the City Clerk's Office. Final action by Council on the proposed ordinances will take place during the Council Meeting of February 12, 2001.

Mr. Weller moved for acknowledgment of the first reading of the following proposed ordinances, by title only, seconded by Mrs. Malone and unanimously carried:

- SECTION 1-6 - SPONSORING, CONSIDERATION, PASSAGE AND EFFECTIVE DATE OF ORDINANCES AND CHARTER AMENDMENTS, SUBSECTION (2)

REGULAR COUNCIL MEETING

The Regular Council Meeting was held on February 12, 2001 at 7:30 p.m. with Council President Christiansen presiding. Council members present were Mr. McGlumphy, Mr. Pitts, Mr. Gorman, Mr. Truitt, Mr. Carey, Mrs. Malone, Mr. Salters, and Mr. Weller.

Section 1-2 - Rules of Construction and Definitions
Mr. Carey moved for adoption of the following ordinance, seconded by Mr. Pitts and carried by a unanimous roll call vote:

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

That Section 1-2 - Rules of construction and definitions, be amended by adding the definition in alphabetical order, as follows:

Council Appointed Staff shall mean city employees that are appointed by Council.

ADOPTED: February 12, 2001

Section 1-6 - Sponsoring, Consideration, Passage and Effective Date of Ordinances and Charter Amendments, Subsection (2)
Mr. Gorman moved for adoption of the following ordinance, seconded by Mr. Truitt and carried by a unanimous roll call vote:

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

That Section 1-6 - Sponsoring, consideration, passage and effective date of ordinances and charter amendments, be amended by deleting the second paragraph of Subsection (2), and inserting in lieu thereof the following:

> With the exception of emergency ordinances, zoning ordinance or map amendments, ordinance amendments submitted by Council appointed staff or a committee, and ordinances passed in consideration of a comprehensive review of the Code, all other ordinances or proposed charter changes must have three (3) sponsors to consist of two (2) members of council and one (1) member of the legislative and finance committee before they may be presented to the legislative and finance committee for consideration and subsequent recommendation to council.

ADOPTED: February 12, 2001

COUNCIL COMMITTEES

(Eliminates requirement that a member of the LF&A be a sponsor/co-sponsor)

The Council Committees Meeting was held on September 22, 2003, at 6:00 p.m., with Council President McGlumphy presiding. Members of Council present were Mr. Carey, Mr. Pitts, Mrs. Williams, Mr. Truitt, Mr. Ritter, Mr. Speed, Mr. Salters, Mr. Ruane, and Mayor Hutchison.

LEGISLATIVE AND FINANCE COMMITTEE

The Legislative and Finance Committee met with Chairman Speed presiding. Members present were Mr. Ritter, Mr. Truitt, Mr. Gorman, and Mr. Shelton.

Proposed Ordinance Amendment - Section 1-6 Sponsoring, Consideration, Passage and Effective Date of Ordinances and Charter Amendments (Sponsors: Councilmen Ritter, Ruane, and Speed)

Mr. Speed informed members that the proposed ordinance amendments to Section 1-6 of the Dover Code would eliminate the need for a member of the Legislative and Finance Committee to sponsor Charter and/or Code amendments. Currently, in order to bring Charter and/or Code amendments before the Legislative and Finance Committee, it is required to have three (3) sponsors to consist of two (2) members of Council and one (1) member of the Legislative and Finance Committee. The proposed ordinance amendments would allow any three (3) members of Council to bring items before the Legislative and Finance Committee.

Referring to the language in the proposed amendment, Mr. Ritter suggested that staff also have the ability to be one (1) of the three (3) sponsors.

Responding to Mr. Truitt, Mr. Speed indicated the rationale for the proposed amendments was to make the current ordinance less restrictive. Mrs. Williams and Mr. Salters questioned the reasoning behind the proposed ordinance amendments and suggested leaving the ordinance as it stands.

Mr. Ritter moved to recommend the proposed amendment to Section 1-6 of the Dover Code, as presented. The motion failed for lack of a second.

REGULAR COUNCIL MEETING

The Regular Council Meeting was held on October 13, 2003 at 7:30 p.m. with Council President McGlumphy presiding. Council members present were Mr. Carey, Mr. Pitts, Mrs. Williams, Mr. Truitt, Mr. Ritter, Mr. Speed, Mr. Salters, and Mr. Ruane.

LEGISLATIVE AND FINANCE COMMITTEE REPORT - SEPTEMBER 22, 2003

The Legislative and Finance Committee met on September 22, 2003, with Chairman Speed presiding.

Proposed Ordinance Amendment - Section 1-6 Sponsoring, Consideration, Passage and Effective Date of Ordinances and Charter Amendments (Sponsors: Councilmen Ritter, Ruane, and Speed)

Mr. Speed informed members that the proposed ordinance amendments to Section 1-6 of the Dover Code would eliminate the need for a member of the Legislative and Finance Committee to sponsor Charter and/or Code amendments. Currently, in order to bring Charter and/or Code amendments before the Legislative and Finance Committee, it is required to have three (3) sponsors to consist of two (2) members of Council and one (1) member of the Legislative and Finance Committee. The proposed ordinance amendments would allow any three (3) members of Council to bring items before the Legislative and Finance Committee, making it less restrictive.

The committee did not act on the proposed ordinance amendment and; therefore, there was no recommendation.

Mr. Speed moved for approval of the ordinance amendment, as presented, seconded by Mr. Ritter and carried by a roll call vote of five (5) yes, four (4) no (Mr. Carey, Mrs. Williams, Mr. Truitt, and Mr. Salters). The First Reading of the ordinance will take place during the Committee Meeting of October 27, 2003.

REGULAR COUNCIL MEETING

The Regular Council Meeting was held on October 27, 2003 at 7:30 p.m. with Council President McGlumphy presiding. Council members present were Mr. Carey, Mr. Pitts, Mrs. Williams, Mr. Truitt, Mr. Ritter, Mr. Speed, Mr. Salters, and Mr. Ruane.

FIRST READING - PROPOSED ORDINANCES

Mr. Speed moved to waive the reading of the proposed ordinances before Council, seconded by Mrs. Williams and unanimously carried. Council President McGlumphy reminded the public that copies of the proposed ordinances were available at the entrance of the Council Chambers or could be obtained from the City Clerk's Office. Final action by Council on the proposed ordinances will take place during the Council Meeting of November 10, 2003.

Mr. Speed moved for acknowledgment of the First Reading of the following proposed ordinances, by title only, delaying final action by Council until November 24, 2003. The motion was seconded by Mr. Ruane and carried by a roll call vote of five (5) yes, four (4) no (Mr. Carey, Mrs. Williams, Mr. Truitt, and Mr. Salters):

- SECTION 1-6 - SPONSORING, CONSIDERATION, PASSAGE AND EFFECTIVE DATE OF ORDINANCES AND CHARTER AMENDMENTS

REGULAR COUNCIL MEETING

The Regular Council Meeting was held on November 24, 2003 at 7:30 p.m. with Council President McGlumphy presiding. Council members present were Mr. Carey, Mr. Pitts, Mrs. Williams, Mr. Truitt, Mr. Ritter, Mr. Speed, Mr. Salters, and Mr. Ruane.

FINAL READING - PROPOSED ORDINANCES

The First Reading of the following proposed ordinances was accomplished during the Council Meeting of October 27, 2003:

Section 1-6 - Sponsoring, Consideration, Passage and Effective Date of Ordinances and Charter Amendments

Mr. Speed moved that the Final Reading of the proposed ordinance be acknowledged by title only, seconded by Mrs. Williams and unanimously carried.

Mr. Speed moved for adoption of the following ordinance, seconded by Mr. Ruane and carried by a roll call vote of five (5) yes, and four (4) no (Carey, Williams, Truitt, and Salters):

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

That Section 1-6 - Sponsoring, consideration, passage and effective date of ordinances and charter amendments, of the Dover Code, be amended to read as follows:

No ordinance with the exception of emergency ordinances shall be passed by council until it is:

(1) Announced at one regular council meeting, which announcement shall be made by the city clerk, outlining the nature of the ordinance and stated when it will be considered for passage at a subsequent regular council meeting; and

(2) Read by synopsis, outline, or otherwise at the subsequent-announced meeting of council prior to being voted upon by council.

Emergency ordinances may be passed by council at any time but must be designated as such that their immediate passage is necessary to serve the health and welfare of the city. Ordinances shall be passed in accordance with the provisions of Section 10 of the Charter. All ordinances which do not state an effective date shall be effective immediately upon their adoption by council and their approval by the mayor except as otherwise provided in the Charter, Section 10.

With the exception of emergency ordinances, zoning ordinance or map amendments, ordinance amendments submitted by council appointed staff or a committee, and ordinances passed in consideration of a comprehensive review of the Code, all other ordinances or proposed charter changes must have three (3) sponsors to consist of three (3) members of council before they may be presented to the appropriate committee for consideration and subsequent recommendation to council.

ADOPTED: NOVEMBER 24, 2003

ACTION FORM

PROCEEDING: Legislative, Finance, and Administration Committee	**MEETING DATE:** 06/24/13
DEPARTMENT OF ORIGIN: City Council	
PREPARED BY: Traci McDowell, City Clerk	

SUBJECT: Dover Human Relations Commission	**DATE SUBMITTED**: 06/17/2013
RELATED PROJECT: N/A	
APPROVALS: LF&A Committee and City Council	
EXHIBITS: Exhibit #1 - Historical Overview Provided to Committee on May 28, 2013 Exhibit #2 - DHRC 2013 Meetings Summary Exhibit #3 - List of Committees Which Meet as Needed Exhibit #4 - DHRC Membership Summary and List of Resignations 2010-2013	
TIMETABLE: Recommendations to City Council on July 8, 2013	

RECOMMENDED ACTION: Examine the role and performance of the Dover Human Relations Commission by reviewing Items #1-5 below and formulating recommendations for Council's consideration.

BACKGROUND AND ANALYSIS

During their Regular meeting of June 10, 2013, City Council approved the Legislative, Finance, and Administration Committee's recommendation that the Chair of the committee schedule a special meeting for the purpose of discussing recommendation items #1-5 included in the May 28, 2013 committee action form pertaining to the Dover Human Relations Commission, as follows:

1) If the Commission is fulfilling its purpose (below)

Sec. 58-31. - Purpose.

The city council has deemed it to be in the best interest of the city to establish a human relations commission to include members who are broadly representative of the entire community and who are committed to a philosophy of inclusion, intergroup cooperation, and fair treatment that will effectively help the city meet the following needs:

(1) Fairness, respect. Promote and develop an environment of fairness and respect among its citizens;
(2) Monitoring. Develop ways to measure and monitor community relations, particularly those that are sources of intergroup conflict;
(3) Intergroup relations. Involve all segments of the community in understanding and appreciating the benefits of positive intergroup relations;
(4) Issues. Offer a range of programs and services that will help its residents and neighborhoods prevent and resolve issues of human relations; and
(5) Intergroup conflict. Develop ways of anticipating, preparing for, and relieving community tensions arising from intergroup conflict.

Sec. 58-36. - Powers and duties.

The powers and duties of the human relations commission shall be to:

(1) Recommendations. Review city programs, activities, functions and ordinances, and make recommendations to the city council for new, amended or changed programs, functions, activities or ordinances which would support inclusiveness and civility among city residents and enhance communication and understanding among residents of the city;
(2) Intergroup conflicts. Inquire into incidents of intergroup conflicts and disputes within the city and take such action as may be designed to alleviate such conflicts and disputes;
(3) Intergroup cooperation. Promote and encourage communications between and cooperation of all groups interested in bettering human relations in the city;
(4) Complaints. Seek the active assistance of the state human relations commission in the solution of complaints of alleged discrimination which fall within the jurisdiction of the state commission;
(5) Research, education, etc. Engage in such research, education and advocacy as, in the judgment of the commission or the city council, may be needed to improve human relations in the city;
(6) Programs. Develop and maintain programs that build positive relations among communities and enhance problem-solving skills among residents throughout the city;
(7) Other functions. Do all other acts and deeds necessary and proper to carry out and effectively accomplish the objectives, functions and services contemplated by the provisions of this article.

2) If there is evidence of a continued necessity for the Commission, or if it is a duplication of services provided by other agencies, committees, etc. within the City and/or State of Delaware.

(See Exhibit #2 - DHRC 2013 Meetings Summary)

3) The possibility of amending Sec. 58-33 (c) - Meetings, of the Dover Code to limit the Commission to meeting on an as needed basis, in the same manner as many other City committees, commissions and boards, including the Awards Committee, Election Board, Ethics Commission, and Property Maintenance Code Board of Appeals.

(See Exhibit #3 - List of Committees Which Meet as Needed)

4) The possibility of amending Sec. 58-32 (b) - Composition; appointment, of the Dover Code to reduce the membership of the Commission from fifteen (15) to seven (7), which would maintain the threshold originally proposed during the Dover Community Meeting of December 4, 2001.

(See Exhibit #4 - DHRC Membership Summary and List of Resignations 2010-2013)

5) Direct staff to prepare a Proposed Ordinance reflecting the recommendations of the Committee.

/tam
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ACTION FORM

PROCEEDING: Legislative, Finance, and Administration Committee	**MEETING DATE:** 05/28/13
DEPARTMENT OF ORIGIN: City Council	
PREPARED BY: Denise L. Devine, Assistant City Clerk, on Behalf of Councilman James Hutchison, Sr.	

SUBJECT: Dover Human Relations Commission	**DATE SUBMITTED**: 05/23/2013
RELATED PROJECT: N/A	
APPROVALS: LF&A Committee and City Council	
EXHIBITS: Dover Community Meeting Minutes (May 1, 2001 - December 4, 2001); Chapter 58 - Human Relations, Article II - Human Relations Commission of the Dover Code	
TIMETABLE: Direct staff to prepare a Proposed Ordinance reflecting the recommendation of the Committee for First Reading by City Council during the Regular Meeting of June 10, 2013	

RECOMMENDED ACTION: Councilman Hutchison requests that the Legislative, Finance, and Administration Committee examine the role and performance of the Dover Human Relations Commission to determine the following: 1) if the Commission is fulfilling its purpose; 2) if there is evidence of a continued necessity for the Commission, or if it is a duplication of services provided by other agencies, committees, etc. within the City and/or State of Delaware; 3) the possibility of amending Sec. 58-33 (c) - Meetings, of the Dover Code to limit the Commission to meeting on an as needed basis, in the same manner as many other City committees, commissions and boards, including the Construction Code Appeals Committee, Election Board, Ethics Commission, and Property Maintenance Code Board of Appeals; 4) the possibility of amending Sec. 58-32 (b) - Composition; appointment, of the Dover Code to reduce the membership of the Commission from fifteen (15) to seven (7), which would maintain the threshold originally proposed during the Dover Community Meeting of December 4, 2001; and 5) direct staff to prepare a Proposed Ordinance reflecting the recommendation of the Committee for First Reading at City Council during the Regular Meeting of June 10, 2013 and Final Reading on June 24, 2013.

BACKGROUND AND ANALYSIS

In 2001, two (2) incidents occurred during the month of March (one (1) involving the shooting of a police officer in the Capital Green area, and one (1) involving the death of Mr. Reginald Hannah) which caused racial tension and divisiveness within the City of Dover. As a result, Mayor Hutchison requested an Emergency Council Meeting to discuss the conflicting issues involving the community, which was held on March 25, 2001. Subsequently, the Delaware Human Relations Commission held a series of Dover Community Meetings throughout the year **(Exhibits)**, to begin a dialogue and develop objectives to restore and rebuild the community, together with all citizens of Dover. Those in attendance at these Community Meetings worked to develop and prioritize a list of issues as well as strategies and objectives for resolution.

During the Dover Community Meeting held on August 28, 2001, those present reviewed five (5) alternatives for developing a forum for the community. During the Dover Community Meeting of September 25, 2001, Councilman Eugene Ruane reviewed a list of what he felt the responsibilities of a local Human Relations Commission would entail.

During their Regular Meeting of February 22, 2002, Dover City Council adopted an ordinance establishing the City of Dover Human Relations Commission.

The Commission was established to restore and rebuild the community, however, during the past several years, the Commission has experienced low meeting attendance rates, by both members and citizens, and the Mayor and Council have received resignations from numerous members. As a result, the Commission has experienced difficulty in obtaining the required quorum of members to convene meetings and conduct official business.

Additionally, there is a lack of communication between the Commission and Council, as well as between the Commission and members of City staff. The Commission has repeatedly jeopardized the City's compliance with the Freedom of Information Act (FOIA) through its disregard of requests to provide detailed meeting minutes.

Councilman Hutchison requests that the Legislative, Finance, and Administration Committee examine the role and performance of the Dover Human Relations Commission to determine the following:

1) if the Commission is fulfilling its purpose;

2) if there is evidence of a continued necessity for the Commission, or if it is a duplication of services provided by other agencies, committees, etc. within the City and/or State of Delaware;

3) the possibility of amending Sec. 58-33 (c) - Meetings, of the Dover Code to limit the Commission to meeting on an as needed basis, in the same manner as many other City committees, commissions and boards, including the Construction Code Appeals Committee, Election Board, Ethics Commission, and Property Maintenance Code Board of Appeals;

4) the possibility of amending Sec. 58-32 (b) - Composition; appointment, of the Dover Code to reduce the membership of the Commission from fifteen (15) to seven (7), which would maintain the threshold originally proposed during the Dover Community Meeting of December 4, 2001; and

5) direct staff to prepare a Proposed Ordinance reflecting the recommendation of the Committee for First Reading at City Council during the Regular Meeting of June 10, 2013 and Final Reading on June 24, 2013.

Highlights
Dover Community Meeting
May 1, 2001

- **Partnership**

  Delaware State Housing Authority, Community Leaders, Government Officials, Attorney General Offices, U.S. Department of Justice, HUD, Delaware State University, Wesley College and Delaware Technical Community College, Civic Organizations, and Law Enforcement

- **Media Issues**

  How to approach the Media

- **Education/Community Outreach**

  Feedback from citizens – Dialogue with community leaders
  Market the city
  Hold community meetings
  Proactive v. Reactive Approaches

- **Citizen Police Academy**

- **Involvement of Clergy**

- **Develop a plan of action before the end of school**

DOVER COMMUNITY MEETING MINUTES

The Delaware Human Relations Commission held a meeting on May 15, 2001 at the University of Delaware Paradee Building, Route 113 and Bay Road, Dover, Delaware. The meeting was called to order by Commissioner David W. Hill at 6:45 p.m.

Those present were: Commissioner David Hill, Director of the Human Relations Office, Juana Fuentes-Bowles, Councilpersons, Carleton Carey, Sr., William McGlumphy, John Pitts, Robert Ritter, Eugene Ruane, Stephen Speed, William Truitt, Charles Weller, President of Kent County NAACP, Cecil Wilson, Bishop Marion Lott, Mayor James Hutchinson, Chief of Police designees, Lt. Keith O'Connell and Capt. Ray Taraill, NAACP Community Activist, Travis Mishoe Sudler and NAACP Chair of Labor, Ray Sudler, Jr.

The purpose of the meeting was to begin a dialogue and develop objectives to restore and rebuild the community together with all citizens of Dover. Highlights of the May 1st meeting was discussed. Those highlights were as follows:

Partnership:

Partnering with other entities to establish a working relationship (Delaware State Housing Authority, community leaders, Government Officials, Attorney General Office, U.S. Department of Justice, HUD, Delaware State Housing Authority, Wesley College, Delaware Technical and Community College, Civic Organizations and Law Enforcement).

Media Issues:

How they can approach the Media. How the media portrays races and cultures. How media self-evaluates news.

Education/Community Outreach:

Feedback from citizens – Develop ways to dialogue with community leaders; ways to market the City of Dover, holding public meetings and how to be proactive vs. reactive approaches.

Citizen Police Academy:

How the academy functions. How it can be a resource to the community.

Involvement from the Clergy:

Participation from all clergy.

The group felt that a plan of action should be developed before the end of the 2001 school year.

From those Highlights of the May 1, 2001 meeting, seven issues were developed:

(1) Isolation
(2) How citizens are viewed by local officials; i.e. stereotyping, race profiling, labeling.
(3) Media
(4) Dover Police Department
Recruitment, Promotion, Retention of minority group members
(5) How citizens view police, i.e. stereotyping, fear, advocacy role.
(6) Capitol School District role
Recruitment of minority teachers and administrators, school board issues.
Ratio of minority students vs. minority teachers and administration
(7) The anger of citizens

Several strategies were discussed; citizen police academy, opportunities, hold council meetings in council members districts, partner with groups, proactive approaches, develop diversity programs, community league, community review boards, civic association involvement, partner with multi-housing units and their managers, invite the community to the roundtable.

The group agreed with the issues discussed and a ranking should take place to address immediate issues first and respectively followed. They further discussed inviting other members to the table. The group felt that once the issues have been identified and agreed upon, strategies and objectives should be developed for implementation.

All members present were asked to prioritize the issues and be prepared to talk about strategies and objectives for each issue by next meeting.

The meeting was adjourned at 8:45 p.m.. The next meeting is scheduled for June 6, 2001 at 6:30 p.m. at University of Delaware, Paradee Building, Route 113 and Bay Road, Dover, Delaware.

DOVER COMMUNITY MEETING MINUTES

The Delaware Human Relations Commission held a meeting on June 6, 2001 at the University of Delaware, Paradee Building, Route 113 and Bay Road, Dover, Delaware. The meeting was called to order by the Director of the Division of Human Relations, Juana Fuentes-Bowles. Commissioner David Hill was unable to attend the meeting due to illness.

Those present: Director of the Division of Human Relations, Juana Fuentes-Bowles, Mayor James Hutchinson, Lt. Keith O'Connell, Roy Sudler, Jr. Evangelist Shirley Caldwell, Pastor Richard Avant, Bishop Marion Lott, Pastor William Fitzhugh, Councilpersons, John Pitts and Gene Ruane, Elder W.R. Dixon, Elder Paul Caldwell, Bridget Avant and Ray (FAMBCF).

The meeting opened with an introduction of the people present. The meeting was a continuation from the last meeting (May 15, 2001) on the development of strategies and objectives to restore and rebuild the Dover Community. The highlights of the May 15 meeting were discussed. The issues were prioritized as follows:

Issues

(1) Concern of Citizens
(2) How citizens are viewed by local officials
(3) How citizens view the Police Department
(4) Isolation
(5) Dover Police Department (Recruitment, promotions, retention, new hires, etc.)
(6) Role of the Capital School District
(7) Media

Discussion took place on different strategies and objectives that can be placed under some of the issues. Those Strategies and objectives were as follows:

Strategies ad Objectives

- How to get citizens involved (i.e. clergy)
- Neighborhood watch program
- Talk with citizens
- Identify communities
- Identify representation from those communities
- Communication
- Meetings being conducted (i.e. neighborhoods)
- Council to hold district meetings
- Hold community meetings
- Mobilization of a Task Force
- Develop a Citizen Concern Board

- Information meetings held by identified entities
- Establish community organizations
- Hold Block Parties
- Citizen Police Academy
- Opportunities
- Partner with Groups
- Develop Diversity Programs
- Develop Civic Associations
- Invite community to a roundtable

All members present were asked to look at some of the strategies that were identified and place them under a issue that was identified and to develop other strategies for the identified issues.

Discussion took place in identifying communities within Dover that are not organized. Some that were mentioned are: Capital Green, Manchester Square, Liberty Court, Whatcoat, Simmon Circle and Schoolview.

Roy Mishoe Sudler introduced information entitled "Meeting Agenda for the NAACP reference to the State of Delaware, Division of Human Relations Commission" to the group. It was decided by the group to review the information for discussion at the next meeting. (Attached)

The group agreed to invite Diane Mitchum, U.S. Department of Justice at the next meeting.

The meeting was adjourned at 8:10 p.m.. The next meeting is scheduled for June 19 at 6:30 p.m.

DOVER COMMUNITY MEETING MINUTES

The Delaware Human Relations Commission held a meeting on June 19, 2001 at the Del Dot Administrative Building, Route 113 and Bay Road, Dover, Delaware. The meeting was called to order by the Director of the Division of Human Relations Juana Fuentes-Bowles at 6:45 p.m. Commissioner David W. Hill was unable to attend. The meeting opened with a prayer from Bishop Marion Lott.

Those present were: Director of the Human Relations Office, Juana Fuentes-Bowles, Captain Ray Taraila, Evangelist Shirley Caldwell, Pastor Anthony Wallace, Pastor Dan Burton, Bishop Marion Lott, Pastor William Fitzhugh, Councilpersons, Carleton Carey, Sr., William McGlumphy, and Eugene Ruane, Reverend James Hill, Sr., Jerry Alston, Paul Caldwell, House of Pride, Ray Famble, Don Doyle, Alphonso Cottman, Victor Couch and Samuel Rodgers, Reverend Anna Watson and Commissioner Marian Harris. There were two other individuals present whose names could not be translated.

The meeting opened with an introduction of the people present. The meeting was a continuation from the June 6, 2001 on the development of strategies and objectives to restore and rebuild the Dover Community.

Discussion took place on the issues that were prioritized by the group. Those issues were:

Concern of Citizens:

How citizens are viewed by local officials. How citizens view the Police Department, Isolation, Dover Police Department recruitment, promotions, retention and new hires, Role of the Capitol School District and the Media. The group decided to address the first issue (Concern of Citizens) strategically. The group felt that Citizens felt they were in fear if they made a complaint at the Police Station. Also citizens did not know the process to file a complaint.

A discussion took place on how to implement a Citizen Police Review Board as a strategy to the issue. Information has been offered by Captain Ray Taraila on what the Dover Police Department Complaint Process is presently.

The Group decided to develop a task force to develop a complaint process and report to the group. The task force members are Bishop Marion Lott, Jerry Alston, Reverend James Hill, Reverend Anna Watson and Captain Ray Taraila. The next scheduled meeting for the **Task Force** is June 26th at 4:00 p.m. at the Dover Police Department, 400 S. Queen Street, Dover, Delaware.

The meeting adjourned at 8:00 p.m. along with a closing prayer by Pastor William Fitzhugh. The next **Community Harmony** meeting is scheduled for July 24th at 6:30 p.m. at the Dover Police Department, 400 S. Queen Street, Dover, in the Public Assembly Room.

Minutes of the Dover Community Meeting
Dover City Police Department, July 24, 2001

The DHRC held a meeting on July 24, 2001 at the Dover City Police Department, Dover, Delaware. Juana Fuentes-Bowles, the Director of the Division of Human Relations, was away on business. Therefore, the meeting was called to order by Human Relations Investigator, Sharese McGhee at 6:40 p.m.

Those present were: Human Relations Investigator, Sharese McGhee, Mayor James Hutchison, Captain Ray Taraila, Evangelist Shirley Caldwell, Bishop Marion Lott, Pastor William Fitzhugh, Councilman Eugene Ruane, Councilman Stephen Speed, Clergy Paul Caldwell, Elder Wallace Dixon, City Manager Anthony De Prima.

The meeting opened with silent meditation. The group remembered Emily Morris. The meeting started with each one introducing him/herself to the group. There was further discussion on developing strategies and formulating objectives on how to restore and rebuild the Dover community. The discussion was a continuation from the groups' first prioritized issue.

Concern of Citizens

Draft citizen's complaint form. Bishop Lott along with Capt. Ray Taraila presented a draft. The information was pulled from the Wilmington Police, NCC Police, Human Relations and Department of Corrections. Prior to this, the Dover City Police Department did not have forms in place that a person would receive. Complaints are logged in. Suggestions were made to (1) make the complaint form on one piece of paper; (2) title needs to express the message of complaint; (3) add lines concerning if force was used e.g. physical, injuries, chemical, hospitalization, etc.; (4) swearing or affirming should be placed by the signature line; (5) form to be housed at Dover City Police Department.

Capt. Ray will draft a brochure/flyer to explain the complaint process. Human Relation Commission will submit final draft to Dover Police for final decision. The group wants it to be noted that this form came out of discussion from citizen's perspective rather than the state agency. This matter was referred back to the task force to complete final draft. A meeting with the task force is in the process of being scheduled.

Police Citizens Review Board

Lengthy discussion took place regarding this topic. The group had concerns about the title. The title needs to be changed. Suggestion: Citizens Advisory Council.

Discussion on the implementation of the mayor's new Executive Advisory Board. The group wanted to know if this board would serve the group's purpose. It was decided that a board is still needed. This issue was tabled for next meeting's agenda.

Bridging the Gap in the Community

The group decided it needed to identify the leaders in the community, that more that one or two leaders should be identified. To be able to identify leaders, sections of the city must be defined which would require a review of the city's map. It was agreed that leaders would be able to foster dialogue within the community.

Mayor Hutchison will contact Dr. DE Lauder of Del-State University to elicit his help in drawing a list. Gene Ruane will do the follow-up. This item was tabled for next meeting's agenda.

The meeting adjourned at 8:10 p.m. The next meeting is scheduled for **Tuesday, August 28, 2001 at 6:30 p.m. at the Paradee Building Conference Room of the University of Delaware, located at Rt. 113 & Bay Road, Dover.**

The task force will set its own meeting date.

DOVER COMMUNITY MEETING MINUTES
U. of DE Parade Building
August 28, 2001

The Delaware Human Relations Commission held a meeting on August 28, 2001 at the University of Delaware Paradee Building, Dover, Delaware. The meeting was called to order by Juana Fuentes-Bowles, Director of the Division of Human Relations, at 6:35 p.m.

Those present were: Director of the Human Relations Office, Juana Fuentes-Bowles, Rev. James Hill, Jr., Bishop Marion Lott, Sr., Pastor Dan Burton, Rev. William Fitzhugh, Tony DePrima, Paul Caldwell, Shirley Caldwell, Eugene Ruane, Elder Dixon, Rev. Richard Avant, Reuben Salters, and John Pitts.

Bishop Lott revised the discussion regarding the complaint form. He updated the group on the status. Captain Ray Taraila called and indicated he was not able to attend the meeting. Bishop Lott stated that the only outstanding issue with the complaint form was it being a 4-copy form. One copy would go to the Police Department, one to Internal Affairs, and one to the Advisory Board, if this is developed, or some sort of Board or Council that would be a neutral body to look at the complaint. The other outstanding issue was to educate the community on the new form. Captain Taraila is to develop a media campaign to educate the community. Bishop Lott and Juana Fuentes-Bowles will follow-up with Captain Taraila to see where the complaint and media information stands.

Discussion took place what route the group should have on how to develop a forum for the community, to express their concern on issue for resolution. Several suggestions were offered:

- Each city council person elect a person from their District to be a member of a sub -committee that would report to the council.
- Citizen Review Board
- Develop a Task Force
- Develop a local Human Relations Commission
- Police Review Board

The group discussed the possible purpose of such a committee, i.e., Data Bank, Diverse Group of Members, something permanent, handle <u>all</u> issues not just police issues.

The group decided to look into developing a local Human Relations Commission. They felt that this idea would benefit the whole community. They requested the Human Relations Commission find other local government that have Human Relations Commissions and get information forwarded to them for review. Juana Fuentes-Bowles indicated there are many local governments that have Human Relation Commissions. She will follow-up and see what information she can gather to forward to the group.

Eugene Ruane discussed a Police Ad that was recently in the paper that was recruiting for a Police Officer. Bishop Lott will follow-up with the police ad to see if the Police Department can

extend the recruitment date. Talk to local churches about the recruitment. They are going to also see if someone can go to local churches to talk about police recruiting.

Discussion took place regarding bridging the gap in the community. Tony DePrima indicated Mayor Hutchison did talk with Dr. DeLauder regarding assistance with identifying community leaders, and he gave him full cooperation in assisting. Eugene Ruane talked with Dr. Altson(?) and Dr. Johnson from Delaware State University and they said they would be willing to talk to the Group about how they can assist with identifying community leadership. They are willing and wanting to assist. This is through the social of social work about Delaware State University. Eugene Ruane will follow-up and see if they can attend the October 23, 2001 group meeting at 6:30 p.m.

The group was charged with attending the next meeting with a list of leaders they know of in their community. This list will be completed and it will be a starting point.

Reuben Salters mentioned to the group about the League of Government promoting race relations. He indicated last year the Mayor recognized a day for race relations. He will like to continue this effect and asked the group to endorse his effects. The group agreed to send a letter to the mayor and Bishop Lott, along with Elder Caldwell will draft the letter. The meeting adjourned at 8:10 p.m. The next meetings scheduled are September 25th at 6:30 p.m. and October 23rd at 6:30 p.m.

DOVER COMMUNITY MEETING MINUTES
Del Dot Building
September 25, 2001

The Delaware Human Relations Commission held a meeting on September 25, 2001 at the Department of Transportation (DelDot), Dover, Delaware. The meeting was called to order by Juana Fuentes-Bowles, Director of the Division of Human Relations, at 6:35 p.m.

Those present were: Director of the Human Relations Office, Juana Fuentes-Bowles, Evangelist Shirley Caldwell, Councilman Carleton E. Carey, Sr., Tony DePrima, Honorable James L. Hutchison, Bishop Marion Lott, Lt. Keith O'Connell, Councilman Eugene B. Ruane, Roy Sudler, Jr., Captain Ray I. Taraila, and Cecil Wilson.

The meeting opened with a discussion of the complaint form and understanding of the complaint process. Captain Taraila went over the Complaint Process. There were minor changes to the document and Captain Taraila will make the changes for final form. The group agreed to have a press conference introducing the new process. The Press Conference will be held on October 22, 2001 at 7:30 p.m. in Council Chambers.

A letter will go out to the Chief of Police recommending his acceptance of the complaint form and process prior to the Press Conference. Further discussion took place on how the process was going to inform the public. The group agreed that a promotional campaign should take place, and the Police Department will follow through with promoting the process to the citizens of Dover.

Councilman Ruane briefly discussed the development of a local Human Relations Commission. He handed out what he felt should be the responsibilities of this Commission. They are:

- Review City programs, activities, functions and ordinances, and make recommendations to the City Council for new, amended or changed programs, functions, activities, or ordinances which would improve human relations in the city.
- Inquire into incidents of inter-group conflicts and disputes within the city and take such action, as may be designed to alleviate such conflicts and disputes.
- Promote and encourage communication between, and cooperation of, all groups interested in bettering human relations in the city.
- Seek the active assistance of the State Human Relations Commission in the solution of complaints of alleged discrimination, which fall within the jurisdiction of the State Commission.
- Engage in such research, education, and advocacy as in the judgement of the Commission of the City Council, may be needed to improve human relations in the city.

Councilman Ruane asked the group to review the responsibilities of a commission for discussion at the next scheduled meeting, November 20, 2001 at 6:30 p.m. The meeting was adjourned at 8:30 p.m.

DOVER COMMUNITY MEETING MINUTES
155 S. Bradford Street, Dover
December 4, 2001

A meeting for the Community Harmony Ad Hoc Committee for establishing City of Dover Human Relations Commission was held on December 4, 2001 at 1:00 p.m. at 155 S. Bradford Street, Dover, Delaware. The meeting was called to order by Sharese McGhee, Investigator with the Division of Human Relations.

Those present were: Human Relations Office Investigator, Sharese McGhee, Councilman Reuban Salters, Bishop Marion Lott, Councilman Eugene Ruane, Pastor William Fitzhugh, and Pastor Anthony Wallace.

Councilman Ruane submitted an extended draft of Human Relations Ordinance. Councilman Salters raised the issue of whether or not there would be a 'conflict of interest,' because the City Council will have to approve it. Councilman Ruane didn't believe that it would be a conflict, because members of the City Council who vote will not be a part of this meeting. It was decided that this was not a conflict of interest. Powers and duties will be approved by the large committee. The rest of draft needs to be decided upon. Using the Department of Justice effective guidelines, re-define the bullets on Page 9 on the goals, to not hit civil rights issues, this draft is for consideration. This Commission will work on the State Commission. Need to make sure it is known that this Commission not trying to replace the State Human Relations Commission.

This Commission will refer issues to other agencies.

This group is basically a mediation group to make sure things are equal.

This group would give Mayor an outlet to turn to.

This draft suggests giving Mayor and Council authority to appoint Commissioner's.

This Commission should be made up of the population of diverse group; i.e., minorities representing 37% minorities, then committee will respect that.

Guideline represent 7-15 members. Councilman should appoint someone from their district and Mayor appoints. Noted in the draft on page (2) Establishment appointment; composition; terms of office (d) the group decided the members selected should be 15 members; 5 Mayor, 10 appointed by President.

The members felt that under the expenses there probably wouldn't be funding for the budget this year.

The members of the Ad Hoc committee were in agreement with the draft of the ordinance for the Human Relations Commission submitted by Councilman Ruane.

The members of this committee wanted this draft to be submitted to the entire Community Harmony Committee at a brief meeting to discuss the draft of the ordinance. The next meeting will be held on December 17th at 6:30 p.m. at 155 S. Bradford Street, Dover.

EXCERPT FROM CITY COUNCIL MEETING MINUTES OF OCTOBER 22, 2001

HUMAN RELATIONS COMMITTEE UPDATE

Ms. Juana Fuentes-Bowles, Director of the Delaware State Division of Human Relations advised members that a group of community members have worked diligently to begin dialogue, and develop objectives and strategies to restore and rebuild the community. As an enforcement agency of the State Human Relations Commission, she stated that there are many tasks one of which is to promote amicable relationships among all racial ethnical groups in the State of Delaware. During the past six (6) months, the State Human Relations Commission felt that due to the climate in the Dover community, it was important to take necessary steps to develop strategies to avoid potential escalating tension within the community.

Ms. Fuentes-Bowles relayed appreciation for those members of Council and staff that have been participating in the meetings that have occurred for the past several months. As a result, she stated that the group has identified seven (7) priority issues that need to be addressed, as follows: 1) concerns of citizens; 2) how citizens are viewed by local officials; 3) how citizens view the Dover Police Department; 4) isolation; 5) Dover Police Department recruitment, promotions, retention, new hires, minority group members, etc.; 6) role of the Capital School District; and 7) the media.

Referring to the first issue being citizens' concerns, Ms. Fuentes-Bowles explained that citizens feared that if they made a complaint, there would be adverse actions towards them, and that many were not aware of how to make a complaint to the City or the Police Department. A Task Force was developed in formulating a process to address these issues. On behalf of the Task Force, she presented a new Citizen Complaint Form and Citizen Complaint Process Brochure to Chief Horvath developed to be used by the City of Dover Police Department. It is hoped that the Chief, as well as Mayor and Council will welcome and implement the form and brochure as a part of City policy.

On behalf of the Dover Police Department, Chief Horvath commended all those that worked on this project and relayed assurance that the new form and brochure will be utilized, stating his feeling that it will enhance the department's public service.

Ms. Fuentes-Bowles advised members that the next Human Relations Commission's meeting is scheduled to be held on November 20, 2001 at 6:30 p.m. at the State DelDOT facility. The topic for discussion is to consider the establishment of a local Human Relations Commission.

Council President McGlumphy thanked Ms. Fuentes-Bowles and the members of the Human Relations Commission and other community participants for beginning the building of harmony in the City and for taking positive action in this regard.

ARTICLE II. - HUMAN RELATIONS COMMISSION

Sec. 58-31. - Purpose.
Sec. 58-32. - Established; composition; appointment; representation; holding other office; removal from office; terms of office; vacancies; reappointments.
Sec. 58-33. - Organization; quorum; meetings; rules of procedure; limitation of functions; agreements; compensation; legal counsel; reports.
Sec. 58-34. - Expenses.
Sec. 58-35. - Conflicts of interest.
Sec. 58-36. - Powers and duties.

Sec. 58-31. - Purpose.

The city council has deemed it to be in the best interest of the city to establish a human relations commission to include members who are broadly representative of the entire community and who are committed to a philosophy of inclusion, intergroup cooperation, and fair treatment that will effectively help the city meet the following needs:

(1) *Fairness, respect.* Promote and develop an environment of fairness and respect among its citizens;

(2) *Monitoring.* Develop ways to measure and monitor community relations, particularly those that are sources of intergroup conflict;

(3) *Intergroup relations.* Involve all segments of the community in understanding and appreciating the benefits of positive intergroup relations;

(4) *Issues.* Offer a range of programs and services that will help its residents and neighborhoods prevent and resolve issues of human relations; and

(5) *Intergroup conflict.* Develop ways of anticipating, preparing for, and relieving community tensions arising from intergroup conflict.

(Code 1981, § 2-16; Ord. of 2-11-2002)

Sec. 58-32. - Established; composition; appointment; representation; holding other office; removal from office; terms of office; vacancies; reappointments.

(a) *Established.* There is hereby established an advisory commission to be known as the "City of Dover Human Relations Commission," to carry out the objectives as described in this article.

(b) *Composition; appointment.* The commission shall consist of 15 members, all residents of the city. Five of these members shall be appointed by the mayor and confirmed by the city council. Ten of these members shall be appointed by the president of the council, based upon recommendations from the council and confirmed by the council.

(c) *Representation.* In selecting the membership of the commission, the mayor and president of the council and the council shall take particular care to ensure that the commission is broadly representative of racial, religious, gender and ethnic groups residing in the city.

(d) *Holding other office; removal.* No member of the commission shall hold any elected or appointed office under the government of the United States or the state, county, or city. The mayor or the city council president may remove members of the commission, with the concurrence of the city council, for substantial neglect of duty, or gross misconduct in office.

(e) *Terms of office; vacancies.* A member of the commission shall be appointed for a term of office of three years and until his successor has been appointed and has qualified. The appointees shall be appointed for staggered terms of office. When a vacancy occurs in the membership of the commission, it shall be filled by appointment for the unexpired portion of the term in the same manner as the original appointment.

(f) *Reappointments.* Members may be reappointed.

(Code 1981, § 2-17; Ord. of 2-11-2002; Ord. No. 2010-23, 8-23-2010)

Sec. 58-33. - Organization; quorum; meetings; rules of procedure; limitation of functions; agreements; compensation; legal counsel; reports.

(a) *Organization.* The human relations commission shall annually elect its own chairperson to preside over its meetings and may create and fill such other offices and committees among its members as may be found necessary and proper for its effective organization.

(b) *Quorum.* A majority of the membership of the commission shall constitute a quorum and, if a quorum is present, a vacancy on the commission shall not impair the right of the remaining members to exercise all the powers of the commission.

(c) *Meetings.* The commission shall hold such meetings as may be deemed necessary for the completion of its purposes, responsibilities and functions. Regular meetings shall be held at least once per month unless there is no business to be considered by the commission. Special meetings may be called by the chairperson or three members of the commission.

(d) *Rules of procedure.* The commission is also authorized to adopt rules of procedure for the conduct of its meetings.

(e) *Functions limited.* The commission shall not involve itself in activities or functions already assigned by law or decree to other governmental bodies.

(f) *Agreements.* The commission may enter into agreements and build partnerships with other entities and organizations for the purpose of more efficiently and effectively carrying out its responsibilities.

(g) *Compensation.* Members of the commission shall receive no compensation.

(h) *Legal counsel.* The city solicitor shall provide legal counsel to the commission and shall be the legal representative of the commission in connection with its duties hereunder, on a case-by-case basis, or determine that outside counsel is needed and obtain such outside counsel for a particular matter.

(i) *Reports.* The commission shall make such reports to the mayor and city council as shall be periodically necessary. An annual report of its accomplishments and a summary of its recommendations, as appropriate, shall be sent to the mayor and the city council.

(Code 1981, § 2-18; Ord. of 2-11-2002)

Sec. 58-34. - Expenses.

(a) *Budget.* The city council may appropriate a budget for the city human relations commission to provide for necessary expenses and expenditures.

(b)

Other funding. The commission may also receive funding from other governmental, philanthropic or private organizations for the exclusive purpose of carrying out its responsibilities.

(Code 1981, § 2-19; Ord. of 2-11-2002)

Sec. 58-35. - Conflicts of interest.

If any member of the human relations commission concludes that he has a conflict of interest with respect to a matter which is pending before the commission, that member shall disqualify himself from participating in any deliberations, discussions and decision making processes of the commission.

(Code 1981, § 2-20; Ord. of 2-11-2002)

Sec. 58-36. - Powers and duties.

The powers and duties of the human relations commission shall be to:

(1) *Recommendations.* Review city programs, activities, functions and ordinances, and make recommendations to the city council for new, amended or changed programs, functions, activities or ordinances which would support inclusiveness and civility among city residents and enhance communication and understanding among residents of the city;

(2) *Intergroup conflicts.* Inquire into incidents of intergroup conflicts and disputes within the city and take such action as may be designed to alleviate such conflicts and disputes;

(3) *Intergroup cooperation.* Promote and encourage communications between and cooperation of all groups interested in bettering human relations in the city;

(4) *Complaints.* Seek the active assistance of the state human relations commission in the solution of complaints of alleged discrimination which fall within the jurisdiction of the state commission;

(5) *Research, education, etc.* Engage in such research, education and advocacy as, in the judgment of the commission or the city council, may be needed to improve human relations in the city;

(6) *Programs.* Develop and maintain programs that build positive relations among communities and enhance problem-solving skills among residents throughout the city;

(7) *Other functions.* Do all other acts and deeds necessary and proper to carry out and effectively accomplish the objectives, functions and services contemplated by the provisions of this article.

(Code 1981, § 2-21; Ord. of 2-11-2002)

DOVER HUMAN RELATIONS COMMISSION - 2013 MEETINGS SUMMARY

JANUARY 23, 2013

Four (4) members present - Sudler, Allen-Pyne, Wasfi, and Edamatsu
Five (5) members absent - (Senato), Hackett, White, Warfield, Baccio-Walker, and Brewington
Vacancies (6)
( ) = in minutes (Mr. Senato resigned September 14, 2012)
__ = omitted from minutes

Adoption of Minutes of November 28, 2012
No Action Taken - Lack of a Quorum

Comments/Presentations from Members of the Community
There were no comments made at this time

Chair's Report
Chairman Sudler reported that on January 15, 2013 at approximately 7:30am, he attended the Capital School District's School Board Meeting. There were two major concerns expressed by the parents and teachers:

1) The need for strengthening how we teach and reach students with special needs in the DCAS Testing.

2) The Contract Extensions and Specifications for Arthur Thomas with a two year renewal contractual agreement.

PURPOSE: Not within the defined purpose or powers and duties of the Commission.

Chairman Sudler reported that on January 19, 2013 at approximately 7am a historical moment took place in downtown Dover on Legislative Mall with the unveiling of the Martin Luther King Boulevard street sign.

On January 21, 2013 Chairman Sudler reported that he attended the 30th Annual Martin Luther King Prayer Breakfast in which he commented was highly attended and excellently done.

Committee Reports
School Programs: Commissioner Wasfi reported on the proposed "Study Circle" Project. This is a five week project that would run for 2 hours for five consecutive weeks and should have a minimum of 10 people participating. Commissioner Wasfi also advised that Don Blakely agreed to be the Facilitator if he can fit it into his schedule. Sessions can be held at the Dover Library on Saturday mornings from 10:00am to 12:00pm or during the week from 6:00pm to 8:00pm, if convenient for the Commissioners. It should also be noted that the Dover Library does close at 9:00pm which could create an issue if the sessions run over.

PURPOSE: Difficult to determine the purpose without knowing more about the Study Circle Project.

Community Programs: Commissioner Dawn Allen-Pyne- nothing to report at this time.

Assessment: Commissioner Edamatsu- nothing to report at this time.

Intake Forms: Commissioner Warfield - not present to report.

Brief discussion took place regarding intake forms. Commissioner Wasfi asked about the Commissions role in intake form process. She stated that the intake forms provide a channel for the citizens of Dover. It was suggested that a letter be drafted regarding the intake process.

Chairman Sudler stated that he would like to appoint Commissioner Wasfi as a liaison to get a point of clarity.

Commissioner Wasfi stated that we need to respond to the Henry Fordham matter. She also expressed the importance of letting Dr. Warfield know that those who were present for this meeting share her concerns.

CITY CLERK'S OFFICE NOTE: The Commission was advised on October 3, 2012 that the City of Dover and the DHRC should not be involved in this matter and that the complainant be referred to the State Human Relations Commission or the Attorney General.

Sec. 58-33. - Organization; quorum; meetings; rules of procedure; limitation of functions; agreements; compensation; legal counsel; reports.

(e) Functions limited. The commission shall not involve itself in activities or functions already assigned by law or decree to other governmental bodies.

New Business

2012 Annual Report:

(Final report must be submitted to the City Clerk's Office by 12:00 noon on February 1, 2013 for consideration by City Council at the regular Council Meeting on February 11, 2013}
[Chairman Sudler forwarded report to all of the Commissioners via email for review]

PURPOSE:

Sec. 58-33. - Organization; quorum; meetings; rules of procedure; limitation of functions; agreements; compensation; legal counsel; reports.

(i) Reports. The commission shall make such reports to the mayor and city council as shall be periodically necessary. An annual report of its accomplishments and a summary of its recommendations, as appropriate, shall be sent to the mayor and the city council.

FEBRUARY 27, 2013

Seven (7) members present	-	Sudler, Allen-Pyne, Wasfi, Hackett, Brewington, White, and Edamatsu
One (1) member absent	-	Baccio-Walker and (Warfield)

Vacancies (7)
( ) = in minutes (Ms. Warfield resigned on February 27, 2013)
__ = omitted from minutes

Agenda Additions & Deletions:
Chairman Sudler added item (a) Adoption of Minutes to the Agenda and items (b) Ad Hoc Committee for Resolution Proposal (c) Ad Hoc Committee for Grant Proposal and (d) Commissioners Wasfi report on her meeting with a Native American Chief to the New Business section of the Agenda

CITY CLERK'S OFFICE NOTE: Unless considered an emergency, items are to be added to an agenda at least six (6) hours in advance of the meeting.

Adoption of the Minutes of January 23, 2013
After reviewing the minutes of 1/23/13, Chairman Sudler asked for a motion to accept the minutes Ellen Wasfi motioned to accept the minutes of January 23, 2013 with the proper corrections.
Dr. Linda Hackett second.
Motioned carried.

Adoption of the Minutes of November 28, 2012
After reviewing the minutes of 11/28/12, Chairman Sudler asked for a motion to accept the minutes Dr. Edamatsu motioned to accept the minutes of November 28, 2012 with the proper corrections.
Vice Chair Dawn Allen-Pyne Second.
Motioned carried.

Commissioner Wasfi suggested that the Commissioners should draft a follow up letter to the Dover Police Department in regards to Henry Fordham complaint that was mentioned in November 28, 2012 minutes.

Commissioner Wasfi also suggest that we check with the State Human Relations Commission to see if they received any information on this matter first and then ask if they would jointly sign off on the letter of inquiry that will be sent to the Dover Police Department.

CITY CLERK'S OFFICE NOTE: The Commission was advised on October 3, 2012 that the City of Dover and the DHRC should not be involved in this matter and that the complainant be referred to the State Human Relations Commission or the Attorney General.

Presentation – Capital Mentoring Program:
Capital School District Mentor Coordinator, Steffi Holmes gave a presentation for the Capital School District's Mentoring Program. Miss Holmes informed the Commission that the program is geared for children grades K-12. Mentors are loving adults from the community ages 18 and up who are looking to make a positive impact in a child's life. The program offers free 3 hour training session every month for those who are interested in becoming a Mentor as well as free background checks which are completed every two years. It is a 6 week process to become a Mentor. Ms. Holmes concluded her presentation by handing out brochures and applications to everyone present and personally inviting each Commissioner to join Capital School District's Mentoring Program.
(Adjourned - 10 Minute Recess)

PURPOSE: In accordance with the following sections of the Dover Code:
Sec. 58-31. - Purpose.
(3) Intergroup relations. Involve all segments of the community in understanding and appreciating the benefits of positive intergroup relations; and

Sec. 58-36. - Powers and duties.
The powers and duties of the human relations commission shall be to:
(3) Intergroup cooperation. Promote and encourage communications between and cooperation of all groups interested in bettering human relations in the city;

(5) Research, education, etc. Engage in such research, education and advocacy as, in the judgment of the commission or the city council, may be needed to improve human relations in the city;

Comments/Presentations from Members of the Community:
There were no comments made at this time.

Chair's Report:
Chairman Suddler reported that in February 2013 he worked on a letter that needed to be drafted to the Mayor and City Council in regards to the intake form process and the Commissioners concerns.

That concluded the Chairman's Report of February 2013.

Committee Reports:

School Programs
Commissioner Wasfi – mentioned that having the Study Circle at the Dover Library during the week will not work being that the library closes at 8pm and not 9pm. It was suggested that we facilitate the Study Circle on the weekends to avoid interruption in dialogue if we go over time. After making observation it was noted that the Study Circle for the Commissioners should to be more diverse both in race and gender.

PURPOSE: Difficult to determine the purpose without knowing more about the Study Circle Project.

Community Programs:
Commissioner Dawn Allen-Pyne – nothing to report at this time.

Assessment:
Commissioner Edamatsu – nothing to report at this time.

Intake Forms:
Commissioner Warfield – not present to report.

New Business:
Annual Report – Commissioners reviewed final report that will be submitted at the next City Council Meeting for Council approval.

Chairman Sudler asked for a motion to accept the 2012 Annual Report

PURPOSE: In accordance with the following section of the Dover Code:
Sec. 58-33. - Organization; quorum; meetings; rules of procedure; limitation of functions; agreements; compensation; legal counsel; reports.

(i) Reports. The commission shall make such reports to the mayor and city council as shall be periodically necessary. An annual report of its accomplishments and a summary of its recommendations, as appropriate, shall be sent to the mayor and the city council.

Commissioner Edamatsu motioned to accept the 2013 Annual Report with the proper corrections.
Dr. Hacket Second.
Motioned carried.

Chairman Sudler suspended items b, c and d that are listed below until our next meeting.
b. Ad Hoc Committee for Resolution Proposal
c. Ad Hoc Committee for Grant Proposal
d. Commissioners Wasfi report on her meeting with a Native American Chief

Announcements:
Chairman Sudler asked if all the Commissioners could show up for the March 11th City Council Meeting at 7:30pm regards to acceptance and approval of the Dover Human Relations Commission Annual Report.

Adjournment:
Commissioner Sudler asked for motion to adjourn the meeting
Commissioner Wasfi made motion for the meeting to be adjourned
Commissioner Edamatsu second.
Motion carried.

Meeting adjourned at 9:30pm

CITY CLERK'S OFFICE NOTE: The agenda stipulated an adjournment time of 9:00 p.m.

MARCH 27, 2013

Six (6) members present - Sudler, Wasfi, Hackett, Brewington, White, and Edamatsu
Two (2) members absent - Allen-Pyne, and Baccio-Walker

Vacancies (7)
__ = omitted from minutes

Adoption of the Minutes of February 27, 2013
Chairman Sudler asked for a motion to accept the minutes of February 27, 2013.
Commissioner Ellen Wasfi motioned to accept the minutes of February 27, 2013 with the proper corrections.
Commissioner White second.
Motioned carried.

Comments/Presentations from Members of the Community:
There were no comments made at this time.

Chair's Report:
Chairman Sudler reported that on March 25, 2013 at approximately 8:33 p.m., he presented to the Mayor and City Council of Dover, Delaware the Dover Human Relations Commission's Annual Report for 2012. The PowerPoint presentation content consisted of the following:

1. Origin of the Commission
2. Enabling Legislative Powers and Duties
3. Operating Procedural Flow Chart
4. Intake Forms Reported
5. Complaint Against DHRC
6. DHRC Concerns
7. Certificates of Training
8. Special Forum on How to Report Hate Crimes
9. Proposed Resolution and Funding
10. Questions

The DHRC Annual Report for 2012 and PowerPoint Presentation were accepted by a unanimous vote. **Councilman David Anderson made a motion to forward the Cessation of Illegal Gang Formation in Dover, Delaware Resolution to the proper committee for consideration of adoption for the City of Dover.** There were no questions asked from the Mayor or City Council Members. At this meeting Dr. Wilma Mishoe was honored and recognized by the City of Dover for being inducted into the Women's Hall of Fame for the State of Delaware. Congratulations were given to Dr. Wilma Mishoe and other individuals recognized on March 25, 2013.

That concluded the Chair's report.

CITY CLERK'S OFFICE NOTE: To date, the Commission has not approved the draft resolution.

Committee Report:

School Programs
Commissioner Wasfi – nothing to report at this time.

Community Programs:
Commissioner Dawn Allen-Pyne – not present to report at this time.

Assessment:
Commissioner Edamatsu – nothing to report at this time.

Intake Forms:
Chairman Sudler asked if anyone was interested in fulfilling the Intake Form Chair position.
Commissioner Brewington asked, what were the duties of the Intake Form Chairperson?
Chairman Sudler and Commissioner Wasfi described the various duties of an Intake Chairperson.

New Business:
Formation of an Ad Hoc Committee for Resolution Proposal – Chairman Sudler asked if anyone was interested in overseeing this Committee.

Formation of an Ad Hoc Committee for Grant Proposal– Chairman Sudler asked if anyone was interested in heading up this Committee.

Commissioners Wasfi report on her meeting with a Native American Chief
Chairman Sudler deferred item (c) until the City Clerk places it on the agenda.

CITY CLERK'S OFFICE NOTE: Other than the minutes, this request was not communicated directly.

Dr. Hackett stated that she was upset about the article in March 27, 2013 Dover Post.
Dr. Hackett made a motion to address the article in the newspaper
Dr. Edamatsu second

Dr. Hackett amended the motion to address the facts used in the article in the newspaper
Commissioner White second

Chairman Sudler advised that the Commissioners should go back to the person who appointed them and express their concerns of how Commissioners not wanting to participate because of lack of follow-up.

Chairman Sudler made motion that we look for a location to have an outreach meeting or assist Vice Chair Pyne. Chairman Sudler also stated that if there is an event you would like to see the Commission participate let DHRC know of the event.

Commissioner White second
Motion carried unanimously

Announcements:
Commissioner Wasfi made an announced that November is Native American Month and stated she would like to draft a resolution. Commissioner Wasfi asked if there was a single file for all resolutions DHRC passed. Chairman Sudler said he will check with the City Council office.

CITY CLERK'S OFFICE NOTE: Other than the minutes, this request was not communicated directly.

It was also announced that Kent Count League of Women Voters held a meeting Document of Discovery. They will be showing a film of Women in the Military in April.

Edamatsu announced March is Woman's History Month and mentioned a resolution. Commissioner Sudler asked Dr. Edamatsu if she would be the liaison to find out if the previous Chair has a file of past resolutions.

Dr. Hackett announced the release of the new movie God's Amazing Grace that was filmed at Calvary Baptist Church.

APRIL 24, 2013

Four (6) members present - Sudler, Allen-Pyne, Wasfi, Hackett, Brewington, and White
Two (2) members absent - Edamatsu, and Baccio-Walker

Vacancies (7)
__ = omitted from minutes

Commissioner Wasfi motioned to have Approval of Minutes automatically placed on agenda as item number three on the agenda.

Vice Chairman Dawn Allen-Pyne second

Motioned Carried.

CITY CLERK'S OFFICE NOTE: The minutes were not placed on the agenda for approval because they had not been provided for the meeting packet. The Clerk's Office received the minutes from Ms. Talton on April 29, 2013.

Comments/Presentations from Members of the Community: **There were no comments made at this time.**

Chair's Report:
Chairman Sudler asked the Commissioners to review the Chair's Report. Chairman Sudler advised that the Flow Chart that was presented at the meeting he attended will be presented to the Commissioners at the next meeting. Chairman Sudler reported that on April 13, 2013 at

approximately 8:30 p.m. to 3:00 pm he participated in the Delaware Department of Justice Crime Free Multi-Housing Program Training which reviewed:

- City of Dover's Property Inspection Tips
- Best Practices For Landlords
- Best Eviction Process For Landlords
- Fair Housing and Tenant Screening Techniques

On April 16, 2013 at approximately 5:46pm, a resident of Dover inquired about the process for filing an intake form with the Dover Human Relations Commission. Chairman Sudler explained to the person to the process and gave them an intake form.

On April 17, 2013 at approximately 11:17am, Chairman Sudler was contacted by a resident of Dover who recently inquired about the Intake process for DHRC on April 16, 2013. The resident is working on a statement of events to file as an intake form with DHRC.

DHRC-(PO) Case #01.2013-04-17
[01=Number of Cases 2013=Year-04=Month-17Day]

On April 22, 2013 at approximately 8:30pm, Chairman Sudler spoke with Chief James E. Hosfelt of the Dover Police Department and Ann Marie Townsend, City Developer and both individuals agreed to participate in a special forum titled Landlord's and Tenant's Obligation to Adhere to New City Ordinance #2013-04 Sec 22-331 (Purpose, Applicability, Definition and Compliance).

On March 25, 2013 at approximately 7:47pm, Chairman Sudler presented the following items for review of content of the Speech Flowchart for Annual Presentation.:

- ORIGIN OF THE DHRC

In the year 2001, a Resident of Dover, Delaware named Reginald L. Hannah age 39, died while in custody of the Dover Police during a routine traffic stop. Reginald L. Hannah's controversial death accompanied by death threats and shots fired towards Dover Police Officers, in result, sparked racial tension and intergroup conflict between most Caucasian and African American Communities.

In an effort to relieve the racial tension in Dover, Delaware; Director of the State Human Relations Commission in 2001, Juana Fuentes-Bowles, NAACP, IMA, Councilman James Hutchison who was at that time was Mayor James Hutchison, Councilman Wallace R. Dixon, at that time Elder Wallace R. Dixon and myself Roy Sudler, Jr. all participated on the "Dover Community Harmony Panel" which helped to create the Dover Human Relations Commission.

The issues, strategies, objectives and clergy involvement is provided for review in your annual report packet.

2. Enabling Legislative Powers and Duties

Of the Dover Human Relations Commission is Pursuant to Chapter 2 - Administrative, Article I, Division 6, Section 2 - 21 and Article II Section 58 - 31 Titled Human Relations Commission's Purpose;

(1) Fairness and Respect among all citizens of Dover
(2) Monitoring and developing ways to measure community relations particularly those that are a source of intergroup conflict
(3) Involve all segments of the community in understanding and appreciating the benefits of positive intergroup relations
(4) Offer a range of programs and services that will help its residents and neighborhoods prevent and resolve issues of human relations; and
(5) Develop ways of anticipating, preparing for, and relieving community tensions arising from intergroup conflict.

- The Commission Members are [Look at Slide]

We will now review item #3

3. **The Commission's Meeting and Procedural Flowchart**
States that once the Commission has received an Intake Form from a Resident of Dover, it is then submitted to the City Clerk's Office for a case number and placed on the Commission's Business Meeting Agenda under New Business, ten [10] days prior to the next scheduled meeting.

Pursuant to the Flowchart, the Commission is responsible and charged with investigating the facts, merit and jurisdiction of the complaint in a hearing session.

The Commission only hears both parties testimony and does not make a decision during the night of the hearing.

The Commission's Recommendation for Action and Jurisdiction is assessed at the Decision-Making Meeting which is held at a later date determined by the Commission after considering all of the facts and circumstance related to the complaint.

CITY CLERK'S OFFICE NOTE: Intake forms are not placed directly on the Commission agenda; City staff reviews each intake form to determine the appropriate course of action, and requests the opinion of the City Solicitor when necessary. In most cases, the intake forms received involve matters that are not within the Commission's jurisdiction.

We will now review item #4

4. 2012 INTAKE FORMS REPORTED

The first report was filed in January 2012, which involved an array of
1. 3/5 Index Cards that were disseminated on the streets of Down - Town Dover and Delaware State University's Campus which displayed an image of a person of color hanging by a rope tied to his or her neck from a tree with a racial slur statement saying, "Cleaning Up the Streets One Nigger at a Time"

The second report was also filed in January 2012, which involved an

2. Alleged Excessive Force Complaint between a Dover Police Officer and a Dover Resident. The witness to the alleged assault feared for his or her safety and chose not to report the incident to Industrial Affairs for the Dover Police Department.

The third report was filed in September 2012, which involved an

3. Alleged Hanging Report that according to Henry Fordham, took place at Silver-Lake Recreational Park located in Dover, Delaware on September 21, 2012.

On September 28, 2012, The Dover Human Relations Commission scheduled a Special Roundtable Meeting for October 5, 2012, to hear the testimony of Mr. Henry Fordham.

[Please see Roundtable Agenda pg. 30, City Solicitor's Opinion pg.34 and 4th District Councilmen Andersons Opinion on pg. 35 in Annual Report]

PURPOSE: The City Solicitor opined that the complaints alleged in these intake forms were not within the jurisdiction of the Commission, in accordance with Sec. 58-33. - Organization; quorum; meetings; rules of procedure; limitation of functions; agreements; compensation; legal counsel; reports - (e) Functions limited. The commission shall not involve itself in activities or functions already assigned by law or decree to other governmental bodies.

We will now review item # 5.
ITEM 5
Complaint against DHRC
On November 5, 2012, the City Clerk's Office and City Manager received an official complaint from Mr. Eshed Alston a resident of Dover, who claims that the Commission is not investigating or informing the Black Community of the factual existence of lynching activity in the City of Dover.
[Please review pg. 33 of Annual Report

Item 6
DHRC - CONCERNS:
The Dover Human Relations Commission is very concerned about the amount of intake forms that indicate racial tension in the City of Dover being deferred out to other agencies for investigation. Pursuant to Chapter 2 - Administrative, Article I, Division 6, Section 2 - 21 and Article II Section 58 - 31 Titled Human Relations Commission's Purpose; the Commission has been granted the Powers and Duties to investigate claims of unfair treatment and develop ways to monitor intergroup conflict among all segments of the City of Dover.

The ambiguity of our purpose and constant deferrals of intake complaint forms followed by constant ostracism from constituents of Dover regarding the Commission's lack of investigating official intake complaint forms have unfortunately, contributed significantly to the resignation of current and previous commission members, especially after hearing the nature and urgency of resident's concerns and not being able to investigate the merit of their complaint.

In an effort to avoid further resignations of current and future Commission Members, it is my recommendation, as Chairman of the Dover Human Relations Commission, that the Mayor and City Council of Dover, Delaware, conduct a Special Meeting with the Dover Human Relations Commission, City Clerk's Office and City Solicitor in quest of interpreting Chapter 2 - Administrative, Article I, Division 6, Section 2 - 21 of the Dover Code and Article II.

Human Relations Commission, Sec. 58-31. Purpose: to mitigate or eradicate current and future Commission Member's concerns and feelings of not fulfilling their duties as Commissioners who advocate Human and Civil Rights for all segments of Dover, Delaware.

We will now review item # 7.
Item 7 Certificates of Training
Were received in the areas of
1) Title 25 State of Delaware's Landlord / Tenant Codes
This training covered key issues involving:
Fair Housing Initiatives
Landlord & Tenant's Remedies for Breach of Rules and Covenants; and
Zero-Tolerance Rules & Regulations for Subsidy Housing [HUD]
[Please refer to pg. 16 of your annual report packet]
The second training identified
2) How to Investigate and Prosecute Hate Crimes
The training covered an array of topics such as the need for Non-Governmental Organizations to be more proactive and aware of the statutes and laws involving hate crimes.
" This training was the foundation of the Dover Human Relations Commission's Special Meeting conducted on August 9, 2012
[Please review attachment for training outline on pg. 7 of your Annual Report Packet]

Item 8
****
SPECIAL FORUM ON COMMUNITY AND STUDENT INVOLVEMENT IN REPORTING AND RESOLVING HATE CRIMES IN COMMUNITIES AND HIGHER LEARNING INSTITUTIONS:
****
Was a partnership initiative with the State Human Relations Commission, Delaware Department of Justice, Delaware State University Police Department, Delaware State University's Counseling Division, 31st District House of Representative Darryl Scott and the Dover Human Relations Commission in accordance with Article II. Section 58 - 21 (1) Fairness \ Respect and (4) Prevent and Monitor Human Relations in Dover, Delaware.

The forum focused on raising the awareness and involvement in resolving and reporting racial and sexual orientation hate crimes in Dover and throughout the State of Delaware.
In addition, to review ethical remedies for dealing with emotional, spiritual, and social challenges for victims of bias-motivated violence.
Some of the highlighted information discussed was Title 42 U.S.C. Code 3631 as a Hate Crime covered under the State of Delaware's Title 11 Code 1304 Section (a) (2), selection of victim due to race and sexual orientation.
Chief Prosecutor of Kent County, Delaware {Ken Haltom Esq.} from the Department of Justice stated, "He knows that hate crimes occur more often than what is being reported and he feels and understands the frustration that a person can experience, but he believes that forums such as this one would help to promote healthy dialogue and change in the State of Delaware.
In fact, Chief Haltom shared with the Commission that out of 15 years of practicing law, this forum was the first of its kind according to his experience, which he feels is a big change for him, one which he embrace and is eager to be a big part of.

[Please Review Special Forum Minutes Located on pg. 18 - 29 Annual Report]

In conclusion of the Dover Human Relations Commission's 2012 Annual Report Presentation, Item number 9 titled:
PROPOSED RESOLUTION AND FUNDING
was approved by the Commission on June 27, 2012,
The Commission's approval of the final resolution draft, titled:
Cessation of Illegal Gang Formation in Dover, Delaware, was due to the amount of complaints and concerns from Dover Residents and Business Owners complaining about the enormous amount of gang activity and graffiti growth in the City of Dover and throughout Kent County.

CITY CLERK'S OFFICE NOTE: CITY CLERK'S OFFICE NOTE: To date, the Commission has not approved the draft resolution.

This Resolution was written as a plan of action to provide the City of Dover with additional monetary resources and youth enrichment programs that will help eliminate illegal gang activity in the City of Dover.
According to the City's Controller Mrs. Donna Mitchell, the City's Human Relations Commission is the first Commission to seek or inquire about a grant on behalf of the City during her tenure with the City of Dover.
The Principle of the Grant is provided by OJJDP, which promotes Defending Childhood Resource Centers and Improving the Nation's Response to Children Exposed to Violence.
[Please turn to page 13 - 15 of the annual report and follow me as I read the resolution.]
DHRC - 2012 PROPOSED RESOLUTION & FUNDING
FOR CESSATION OF ILLEGAL GANG FORMATION IN DOVER, DELAWARE
****
Whereas; The City of Dover, the State Capital, strives to be a model for all cities in Delaware and the United States.
Whereas; The Mayor and City Council have granted Powers and Duties to the Dover Human Relations Commission, Pursuant to Article II. Sec. 58-31.
Whereas; Article II Sec. 58-31 titles (2), (4) and (5) charges the DHRC with developing ways to measure and monitor community relations and offer a range of programs and services that will help Dover residents identify and resolve issues of human relations; anticipating, preparing for, and relieving community tensions arising from intergroup conflict.(Code 1981, § 2-16; Ord. of 2-11-2002)
Whereas; The Dover Human Relations Commission through open discussion with members of the community and the knowledge of local events has found that gun possession and illegal gang activity is at an all-time high.
Whereas; Illegal gangs are a group of individuals consisting of three or more persons whose demoralizing influence, common interest, attitude and graffiti signs significantly contribute to the commission of disruptive behavior and criminal enterprises in the City of Dover.
Whereas; the number of illegal gang organizations in Dover and Kent County has increased over the last few years, cultivating an environment of psychic imprisonment, mistrust and fear among citizens of Dover.

Whereas; Illegal gang culture and activities have played a significant role in student dropout rates, drug activity and random acts of violence, often leaving innocent bystanders paralyzed and traumatized for life.
Whereas; Illegal gang graffiti promoting hate, fear and danger has defaced public and private sector facilities, impeding home and business owner's rights to market or enjoy their property, without unwelcomed and unauthorized graffiti signs.
Therefore, Be it Resolved; That the Residents of Dover, Delaware, the Mayor, City Council, Dover Police Department, Delaware Department of Justice and the Dover Human Relations Commission have observed with dismay the escalation of gang growth and development in our communities and will merge resources and efforts to intensify the pursuit of eliminating illegal gang formation, activities, and communication, including the display of graffiti signs in Dover, Delaware.

Be it Further Resolved; that we will accomplish this goal and establish a New Community and Family Involvement Paradigm for Cessation of Illegal Gang Formation by
1. Cleaning up our streets together, showing resistance to illegal
gang formation and unwelcomed graffiti signs through unity and clear purpose;
2. Increasing individual's awareness and accountability for reporting known illegal gang activity and \ or formation in your community.
3. Strengthening parent and family involvement in the childrearing and educational process
4. Implementing and supporting additional intervention and summer programs; and
5. Providing additional funding to the Dover Police Department through grant and other resources to establish additional police stations in areas with high volumes of crime to protect Dover residents from being a target of bias-motivated violence in the City of Dover.
As the year 2013 continues, the Dover Human Relations Commission looks forward to addressing unfair treatment claims in an effort to promote and monitor amicable relations between all races in the City of Dover.
On behalf of the Dover Human Relations Commission, we thank
The Mayor and Dover City Council Members for appointing each and every one of us, to serve the Dover Community in such an imperative and essential way.
o That will conclude the Dover Human Relations Commission's 2012 Annual Report
Thank You. Are there any Questions???????????
That concluded the Chair's report.

Dr. Hackett commented that the report was very well done.

Chairman Sudler stated that the new Commissioners should express their concerns. He also mentioned the problem with the turnover of Commissioners.

Dr. Hackett and Commissioner White mentioned that they attended the Mayors Reception and spoke to the Mayor regarding more support.

Commissioner Wasfi mentioned that we should have a follow through with what was mentioned in the Annual Report.

Committee Report:

School Programs
Commissioner Wasfi - nothing to report at this time.

Community Programs:
Commissioner Dawn Allen-Pyne - nothing to report at this time.

Assessment:
Commissioner Edamatsu - not present to report.

Intake Forms:
Chairman Sudler asked if anyone was interested in fulfilling the Intake Form Chair position. Commissioner Brewington and Vice Chair Allen-Pyne agreed to oversee this position. Commissioner White said she will help as needed.

Chairman Sudler appointed Commissioner Brewington and Vice Chair Allen-Pyne fill this position.

Dr. Hackett stated that the problem she sees is where people go in with an intake and the Commissioners are not aware of it. She believes that we should be made aware and advised if it was out sourced.

Commissioner Wasfi suggested that we need to inquire about obtaining a mailbox for the Commission in order to receive incoming intake forms.

CITY CLERK'S OFFICE NOTE: The Clerk's Office advises the DHRC of all action related to intake forms.

Unfinished Business:
Formation of an Ad Hoc Committee for Grant Proposal - Chairman Sudler differed this until our next meeting.

Formation of an Ad Hoc Committee for Resolution Proposal - Chairman Sudler differed this until our next meeting.

New Business:
Commissioners Wasfi meeting with a Native American Chief - Commissioner Wasfi reported that November is Native American Heritage Month and she is working on creating a Resolution. She also reported that the League of Women Voters had a program of Document of Discovery telling of the problems they face in society. Chief Dennis Coker will work with the Commission on a Resolution. Commissioner Wasfi stated once we review the Document of Discovery, we will see their struggles as a minority and as part of the community.

PURPOSE: In accordance with the following sections of the Dover Code:
Sec. 58-31. - Purpose.
(1) Fairness, respect. Promote and develop an environment of fairness and respect among its citizens; and

Sec. 58-36. - Powers and duties.

(3) Intergroup cooperation. Promote and encourage communications between and cooperation of all groups interested in bettering human relations in the city;

(5) Research, education, etc. Engage in such research, education and advocacy as, in the judgment of the commission or the city council, may be needed to improve human relations in the city;

Chairman Sudler asked if we can review the last part of his packet labeled "Landlord Tenants Ordinance". Chairman Sudler stated that the Commissioners need to educate the community on how they will be affected by this new ordinance.

Chairman Sudler mentioned that we should have a Special Forum.

Commissioner Wasfi said this ordinance was in the paper change and followed by Council.

Chairman Sudler ask for a motion to accept a Special Forum to go over Landlord Tenant Ordinance
Commissioner White motioned

Commissioner Wasfi second

It was agreed up that on Wednesday, June 5, 2013 at 7pm this Special Forum will take place. Chairman Sudler advised that Dover Chief of Police and Ann Marie Townsend said they will attend such a forum to go over the new ordinances. This will be advertised in the newspaper and Commissioner White will get the information for the press release from the Dover Post.

PURPOSE: In accordance with the following sections of the Dover Code:

Sec. 58-31. - Purpose.

(2) Monitoring. Develop ways to measure and monitor community relations, particularly those that are sources of intergroup conflict;

(3) Intergroup relations. Involve all segments of the community in understanding and appreciating the benefits of positive intergroup relations; and

Sec. 58-36. - Powers and duties.

The powers and duties of the human relations commission shall be to:

(3) Intergroup cooperation. Promote and encourage communications between and cooperation of all groups interested in bettering human relations in the city;

(5) Research, education, etc. Engage in such research, education and advocacy as, in the judgment of the commission or the city council, may be needed to improve human relations in the city;

CITY CLERK'S OFFICE NOTE: The Clerk's Office assisted Chairman Sudler with scheduling a special meeting for June 13, 2013. Although copies of the agenda were provided for

distribution, a flyer prepared by Mr. Sudler was also distributed. The flyer indicated the wrong date for the meeting which created confusion for members as well as the community.

DHRC Community Meetings: Dr. Hackett was appointed by Chairman Sudler to oversee this task.

Chairman Sudler reported that Bible Way has agreed to allow the Commission to meet in their basement for Community Meetings.

Commissioner White said Village II will also make their facility available.

Dr. Hackett said Calvary will let us use their facility.

Dr. Hackett stated that she will shoot for Sunday, June 23rd for the Commissions first visitation.

Scheduling of the Next Regular Meeting: May 22, 2013 @ 7pm at Dover City Hall

Announcements:
Commissioner Wasfi announced that the YMCA will be sponsoring a Race Relations Forum this Saturday in Newark. She advised that she will email the announcement to the Commissioners. Commissioner Wasfi also announced that April 26, 2013 is International Seed Day.

Chairman Sudler announced that the Department of Justice plans on having a document shredding event on Saturday, May 4, 2013 from 9am to 1pm in DelDOT' S Administration Building parking lot.

Adjournment:
Commissioner Sudler asked for motion to adjourn the meeting
Commissioner Wasfi made motion for the meeting to be adjourned
Vice Chair, Dawn Allen-Pyne second.
Motion carried.

Meeting adjourned at 9:10pm

CITY CLERK'S OFFICE NOTE: The agenda stipulated an adjournment time of 9:00 p.m.

COMMITTEES WHICH MEET AS NEEDED

Awards committee. The awards committee shall consist of three members, ***to be appointed by the mayor upon receipt of a nomination for a CDM and shall serve for deliberation of the nomination for which they were appointed***. The mayor shall designate a member to serve as chairperson, who shall be responsible for organizing and calling the meetings of the awards committee. The awards committee shall make recommendations to the city council for awards of the CDM. No city employee, retired employee, volunteer firefighter, or appointed or elected official shall be eligible to serve on the awards committee. The awards committee shall serve without compensation.

Election Board. There is hereby created an election board which shall be **a non-elected body to oversee the municipal elections, as well as to serve as an advisory board to Council on such matters as voter registration, municipal elections, election rules and regulations, and polling locations for City elections.** The board shall be composed of five members, serving three-year terms, to be appointed by the Mayor and confirmed by council at the Annual Meeting, or as necessary to fill vacancies as they occur. One member shall be appointed from each district into which the city has been divided for election purposes, and one member shall be appointed on an at-large basis. The City Clerk shall serve as a liaison member of the board. Upon expiration of the term of appointment, a member shall serve until his/her successor has been duly appointed. If a vacancy occurs during the term of any member of the election board, a person residing in the same numbered district shall be appointed to fill the remainder of said term. Members serve without salary, but shall be paid a per diem allowance as specified by City ordinances.

Ethics Commission. Established; composition; removal. The city ethics commission is hereby established to administer and implement this chapter. The ethics commission shall consist of five members appointed by the mayor and confirmed by the city council. No member of the commission shall hold any elected or appointed office under the government of the United States or the state, county, or city. Members of the ethics commission may be removed by the mayor, with the concurrence of the city council, for substantial neglect of duty, gross misconduct in office or a violation of this chapter.

The powers and duties of the ethics commission shall be:

(1) Rules of conduct. To recommend to the mayor and council, from time to time, such rules of conduct for public employees and officials as it shall deem appropriate.

(2) Advisory opinions. To issue written advisory opinions, upon the request of any city employee or official, as to the applicability of this chapter to any particular factual situation.

(3) Referrals to solicitor. To refer to the city solicitor for investigation any alleged violation of this chapter and, after notice and hearing, to recommend such disciplinary action as it may deem appropriate to such appropriate official or agency as the ethics commission shall determine, or to take such other disciplinary action as authorized by section 30-73(d) or other provisions of the city Charter or this Code. The ethics commission may dismiss, without reference to the city solicitor, any complaint which the ethics commission determines is frivolous or fails to state a violation.

(4) Report of crimes. To report to the appropriate federal, state or city authorities any substantial evidence of a violation of any criminal law which may come to its attention in connection with any proceeding, whether advisory or disciplinary.

(5) Records. To maintain a file of its proceedings, waiver decisions and advisory opinions with a view toward achieving consistency of opinions and recommendations subject to the confidentiality requirements of sections 30-35(d) and 30-73(h).

(6) Procedures. To follow the procedural rules specified in section 30-73 and to establish such other procedural rules as shall be consistent with the rules prescribed therein.

(7) Witnesses, evidence. To subpoena witnesses, compel their attendance and testimony, administer oaths and affirmations, take evidence and require, by subpoena, the production of books, papers, records or other evidence needed for the performance of the ethics commission's duties or exercise of its powers.

(8) Assistance to city personnel. To provide assistance to any city employee, official or agency in administering the provisions of this chapter.

(9) Provide information. To prepare any necessary reports and studies to advance the purpose of this chapter, to provide any necessary materials explaining the duties of individuals covered by this chapter, and to supply instructions and public information materials to facilitate compliance with, and enforcement of, this chapter.

(10) Request city agencies for assistance. To request appropriate city agencies to provide such professional assistance as it may require in the discharge of its duties.

Sec. 30-73. - Complaints; hearings; dispositions.

(a) Investigation of violations. Upon the sworn complaint of any person or on its own initiative, the ethics commission may refer to the city solicitor for investigation, any alleged violation of the conflict of interest provisions and of the code of conduct provisions in sections 30-33 and 30-34, respectively. The city solicitor shall be the prosecuting attorney in all disciplinary proceedings before the ethics commission. In any such investigation or proceeding, a defendant shall be given an opportunity to be heard after notice, to be advised and assisted by legal counsel, to produce witnesses and offer evidence, and to cross examine witnesses. A transcript of any such proceeding shall be made and retained, subject to the confidentiality requirements of this chapter.

(b) Omitted
(c) Omitted

(d) Actions by ethics commission. With respect to any violation with which a person has been charged and which the ethics commission has determined as proved, the ethics commission may take any one or more of the following actions:

(1) Reprimand. Issue a written reprimand or censure of that person's conduct.

(2) Discipline. With respect to a city employee, remove, suspend, demote or take other appropriate disciplinary action with respect to that person, without regard to any limits imposed by this chapter, but within the limits of the constitution, the laws of the state, the Charter of the city, and ordinances and existing collective bargaining agreements.

(3) Recommend removal. With respect to an appointed official, recommend that appropriate action be taken to remove the official from the appointed position.

(4) Recommend fine. With respect to an elected city official, recommend that such official be fined in an amount recommended by the ethics commission.

(e) Rights of person charged. In any proceeding before the ethics commission, upon the request of any person charged with a violation of this chapter, such person shall be permitted to inspect, copy or photograph books, papers, documents, photographs or other tangible objects which will be used as evidence against that person in a disciplinary hearing and which are material to the preparation of his defense.

(f) Exculpatory information. In any proceeding before the ethics commission, if the city solicitor or ethics commission at any time receives any exculpatory information concerning an alleged violation against any person, it shall forthwith make such information available to such person.

(g) Subpoenas. Any person charged with a violation of this chapter may apply to the ethics commission for the issuance of subpoenas for the appearance of witnesses and for the production of documents on his behalf. The application shall be granted upon a concise showing by such person that the proposed testimony or evidence is relevant (or is reasonably calculated to lead to the discovery of relevant evidence) and is not otherwise available. The application shall be denied if not made at a reasonable time or if the testimony or evidence would be merely cumulative.

(h) Confidentiality of proceedings.

(1) City employee. All proceedings before the ethics commission relating to a violation of this chapter by a city employee shall be maintained confidential by the ethics commission, unless:

a. Public disclosure is requested, in writing, by the person charged; or

b. The ethics commission determines after a hearing that a violation has occurred.

(2) City official. All proceedings before the ethics commission relating to a violation of this chapter by a city official, appointed or elected, shall be maintained confidential by the ethics commission, unless:

a. Public disclosure is requested, in writing, by the person charged; or

b. The ethics commission determines after a hearing that a violation has occurred.

(3) Appeals; public inspection. Notwithstanding the confidentiality requirements of subsections (h)(1) and (2) of this section, the ethics commission shall make available for public inspection the record of all proceedings relating to any decision of the ethics commission which is appealed to the superior court and the ethics commission shall report to appropriate federal, state and/or city authorities any substantial evidence of a violation of any criminal law which comes to its attention in connection with any proceeding under this chapter.

(4) Confidentiality procedures. The chairperson of the ethics commission shall, with the approval of the ethics commission, establish such procedures as, in the chairperson's judgment, may be necessary to prevent the disclosure of any record of any proceedings or other information received by the ethics commission, except as permitted by this chapter.

Sec. 30-74. - Judicial review.

In the event that the ethics commission finds that any person has violated any provision of this chapter, said person shall have a right of appeal to the superior court of any such finding, and of any sanctions imposed with respect thereto, by filing a notice of appeal with the superior court within 30 days of the final action by the ethics commission in a particular case. The appeal shall be on the record without a trial de novo. If the court determines that the record is insufficient for its review, it shall remand the case to the ethics commission for further proceedings on the record. The court's review, in the absence of actual fraud, shall be limited to a determination of whether the ethics commission's decision was supported by substantial evidence on the record. The burden of proof in any such appeal shall be on the appellant.

Property Maintenance Code Board of Appeals. There shall be a board to be referred to as the "property maintenance code board of appeals," consisting of three members, one of whom shall be the city manager, one a resident generally selected as a representative of homeowners, and one representative of the local real estate industry association. The members shall be appointed by the mayor, subject to confirmation of a voting majority of the city council at its annual meeting. Decisions of the board shall be final.

/tm

DOVER HUMAN RELATIONS COMMISSION
MEMBERSHIP SUMMARY AND LIST OF RESIGNATIONS 2010-2013

Current Membership Names and Term Expiration, as of June 17, 2013

Mayor Appointments:

Roy Sudler, Jr., Chairman (2/14)
Justina Brewington (2/13)
Linda D. Hackett (2/15)
~~Richard Senato (2/15)~~ **VACANCY**
~~G. Thomas Steele (2/12)~~ **VACANCY**

Council President Appointments:

Dawn Allen-Pyne (2/14)
Anlee Baccio-Walker (2/14)
Dr. Phyllis Edamatsu (2/13)
Ellen O. Wasfi (2/12)
Faye White (2/13)
~~Willie Jones (2/13)~~ **VACANCY**
~~Catherine M. Gregory (2/10)~~ **VACANCY**
~~Reverend Charles Lee MacCallum (2/13)~~ **VACANCY**
~~A. Aaron Yatskevich (2/15)~~ **VACANCY**
~~Kim Warfield (2/13)~~ **VACANCY**

DHRC Resignations 2010-2013

2010
Katrina Brumble, August 2007 - February 2010
Brian Lewis, October 2008 - February 2010
Catherine Gregory, January 2009 - February 2010
Mark Monroe, October 2008 - September 2010
Ivan Finney, October 2006 - October 2010

2011
Charles Lee MacCallum, October 2010 - May 2011
Catherine Gregory, July 2010 - August 2011
Maisha Britt, July 2010 - October 2011

2012
A. Aaron Yatskevich, November 2011 - February 2012
Willie Jones, July 2010 - March 2012
Richard Senato, January 2012 - September 2012

2013
Kim Warfield, November 2011 - February 2013

/dd