REGULAR COUNCIL MEETING

The Regular Council Meeting was held on January 14, 2013 at 7:30 p.m. with Council President Leary presiding. Council members present were Mr. Anderson, Mr. Dixon, Mr. Lynn (departed at 7:55 p.m. and returned at 8:45 p.m.), Mr. Perza, Mrs. Williams, Mr. Hare, and Mr. Hutchison. Mr. Bonar was absent.

Council staff members present were Police Chief Hosfelt, Mrs. Mitchell, Mr. Koenig, Mrs. Townshend, Fire Chief West, City Solicitor Rodriguez, and Mrs. McDowell. Mayor Carey was also present.

OPEN FORUM

The Open Forum was held at 7:15 p.m., prior to commencement of the Official Council Meeting. Council President Leary declared the Open Forum in session and reminded those present that Council was not in official session and could not take formal action.

Dr. Jahi Issa, 1300 S. Farmview Drive - Unit H-13, noted that approximately 1½ months ago, an individual appeared before Council and made statements about him that were not true. He stated that the individual submitted an affidavit which appeared on the City's website, without verification of those comments being true. He requested that the affidavit be removed since it had no validity, explaining that this individual had a personal vendetta that should be handled by the courts.

The invocation was given by Rev. Mary Smith, followed by the Pledge of Allegiance.

AGENDA ADDITIONS/DELETIONS

Mr. Hutchison moved for approval of the agenda as presented, seconded by Mr. Lynn and unanimously carried.

Mr. Hutchison moved for approval of the consent agenda as presented, seconded by Mr. Dixon and carried by a unanimous roll call vote (Bonar absent).

ADOPTION OF MINUTES - REGULAR COUNCIL MEETING OF DECEMBER 10, 2012

The Minutes of the Regular Council Meeting of December 10, 2012 were unanimously approved by motion of Mr. Hutchison, seconded by Mr. Dixon, and bore the written approval of Mayor Carey.

CERTIFICATE OF APPRECIATION - TONDA PARKS

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

Certificate of Appreciation

presented to

TONDA PARKS

Chairperson, Downtown Dover Partnership Marketing and Promotions Committee

in appreciation for

executing the Winter Wonderland Project, resulting in the beautification of Downtown Dover.

We thank you for your continued contribution to the Dover community.

January 14, 2013

Mayor Carey presented the Certificate to Ms. Tonda Parks and relayed appreciation for the work done to improve and beautify the holidays for the City.

PRESENTATION - 2012 MAYOR'S PRAYER BREAKFAST CONTRIBUTIONS

The Annual Prayer Breakfast for Mayor Carleton E. Carey, Sr. was held on October 17, 2012. Each year, the Mayor donates proceeds from the event to an organization of his choice.

Mayor Carey announced that the proceeds from the 2012 Mayor's Prayer Breakfast would be distributed in honor of our military, as follows:

United Service Organizations (USO) of Delaware - Joan Cote

Mayor Carey presented a check in the amount of $350 to Ms. Joan Cote for the United Service Organizations (USO) of Delaware.

Ms. Cote relayed appreciation for the support provided by the City of Dover.

United Service Organizations (USO) Families of the Fallen - Wendy Fish

Mayor Carey presented a check in the amount of $350 to Ms. Wendy Fish for the United Service Organizations (USO) Families of the Fallen.

Friends of Family Support - Timothy Dance

Mayor Carey presented a check in the amount of $350 to Mr. Timothy Dance for the Friends of Family Support.

Capital City Rotary Club for Military Appreciation Day - Gregg Moore

Mayor Carey presented a check in the amount of $350 to Mr. Gregg Moore for the Capital City Rotary Club Military Appreciation Day.

PARKS, RECREATION, AND COMMUNITY ENHANCEMENT COMMITTEE REPORT - DECEMBER 10, 2012

The Parks, Recreation, and Community Enhancement Committee met on December 10, 2012 with Acting Chairman Bonar presiding.

Presentation - Economic Development Programs and Opportunities Available for the City of Dover by Dr. Michael Casson, Director, University Center for Economic Development and International Trade; Associate Professor of Economics; Dean, School of Graduate Studies and Research, Delaware State University

Dr. Michael Casson, Delaware State University (DSU), acknowledged the recent passing of Councilwoman Sophia Russell, noting that Mrs. Russell was a close friend, a tireless activist for the City of Dover, and that she was missed by all.

Dr. Casson advised members that he grew up in the Dover area and the benefit of this community was close to his heart. He expressed his pleasure at the economic progress made in the City to date and his excitement to be part of its future. He explained that the DSU Center for Economic Development and International Trade (UCEDIT) has been funded for five (5) years through the U.S. Department of Commerce Economic Development with the goal of supporting economic development initiatives throughout the State, and specifically in Kent and Sussex Counties. He noted that he was happy to be working with Mr. Bill Neaton, City of Dover Economic Development Director, and stated that Mr. Neaton had put forth some very good ideas and helped the City to make great strides.

Dr. Casson reviewed a presentation entitled "Economic Development Strategies for the City of Dover."

Referring to Strategy 2: Business Development, Mr. Anderson stated that the Delaware Department of Labor (DOL) offers programs that pay the equivalent of unemployment to individuals who have been laid off or who want to start a business, such as contracting, which provides a basis for business start up. Noting that DSU has an excellent Small Business Development Center on campus, he inquired if DSU could coordinate with the DOL to make DOL program participants aware of the expertise available through the Small Business Development Center and other programs offered.

Responding, Dr. Casson stated the coordination of enterprises and support services is very important if UCEDIT and Delaware Economic Development Office (DEDO) programs are to achieve the greatest impact for the City of Dover. He stated the possibility of tying "Pop-Up" projects to tax incentive and business incubation opportunities.

Clarifying, Mr. Neaton explained that Project Pop-Up is a DEDO initiative whereby landlords agree to provide three (3) months of free leasing and DEDO supplies approximately $500 toward interior renovations if needed. The goal is to allow businesses to get started with virtually no cost so that empty and vacant buildings will be filled.

Responding to Mr. Bonar regarding participants in the City, Mr. Neaton advised members that three (3) potential Pop-Up projects for the City were approved through DEDO and staff is currently working with one (1) applicant (associated lease negotiations took place earlier that morning). The other two (2) opted not to participate. He noted that the program would end on December 31, 2012; however, it may continue if successful. Mr. Neaton explained that a monthly meeting called "Kent is Open for Business" is held at Kent County Levy Court, and agencies such as the SCORE Foundation, (previously known as the Service Core of Retired Executives; now recognized as

"Counselors to America's Small Business") Small Business Administration, DSU, Delaware Technical and Community College (DT&CC), the Downtown Dover Partnership, the City's Economic Development Office, and the Central Delaware Chamber of Commerce all participate to assist fledgling businesses get started. He noted that during this group's meeting held the previous week, it was decided to enhance the focus to concentrate on businesses that wish to expand and to expand marketing of Kent is Open for Business. Mr. Neaton stated that the operation has been successful and the group had counseled 200 businesses.

Dr. Casson stated that if programs such as the Pop-Up Project or the Blue Collar Project (which provides customized training for businesses) are coordinated with small business assistance, this optimizes the chance for success and the City can bring about higher yields by taking advantage of support services from DEDO and DSU, as well as interregional cooperation with the County.

Responding to Mr. Bonar, Dr. Casson stated that he was unaware of funding opportunities that would allow representatives from the City to travel to other areas to solicit business; however, he indicated that he would research possible funding.

Mr. Neaton noted that travel would become more important when the infrastructure at the Garrison Tract was completed and it becomes a certified "shovel-ready" site.

Referring to Tax Increment Financing (TIF), Mr. Anderson inquired if this approach had been utilized in Delaware and if measures should be sought through the General Assembly to make this opportunity more viable in Delaware. Responding, Dr. Casson stated that a study must first be performed to determine which district would be identified as a TIF area and a structure could then be devised.

Mr. Bonar noted that TIF, Payment-in-Lieu of Taxes (PILOT), and projects that require in kind contributions all cost money and that a method of repaying funds would have to be established. He indicated that there may be other creative approaches and expressed his hope that the Committee would be supportive of them.

Mr. Anderson noted that TIF would be favorable in some respects because it sets aside financing. For example, he noted that if the runway at the Civil Air Terminal were upgraded to allow cargo, the additional revenue realized could be used to pay off financing.

Mr. Bonar advised members that he and Mr. Anderson attended a seminar at the National League of Cities Conference in November 2012 which addressed the importance of strategizing and sustaining economic development. He felt that it was important that the City not "pull its head in like a turtle"and stagnate, but make efforts to continue to sell the City.

Concurring, Dr. Casson stated that businesses can only cut costs so much and must continue to think "top line growth" and consider new initiatives.

Mr. Anderson indicated that he was pleased to see local use of tax incentive programs such as the Rehabilitation Tax Credit (RTC) program, which was recently used for a project undertaken by Mr. Henry Mast. He advised members that there are entire markets, such as the Washington, DC area, where businesses in redeveloping areas sell tax credits to obtain more favorable financing. He expressed his hope that over the next year a competitive strategy could be developed to utilize this 4% incentive and suggested that the City partner with DSU to build data to begin seeking competitive grants.

Concurring, Dr. Casson stated that he was working with Mr. Neaton on a report to target techniques to market the Garrison Tract utilizing North American Industry Classification System (NAICS) data.

Mr. Anderson expressed his concern about economic inclusion being part of the economic development strategy. He felt that there were insufficient government funds to rebuild neighborhoods; therefore, individuals would have to rebuild and improve their living situation themselves. He noted that this could only be accomplished if income earned was greater than minimum wage. He questioned how this could be incorporated in an economic development strategy so that, as the City starts to turn around, "all the boats would be lifted."

Dr. Casson stated that education must be attacked concurrently because turning the City around would be dependent on the education and skill of its citizens, since this affects the attraction of potential businesses. For this reason, DSU was communicating with DT&CC, the University of Delaware, and Wesley College regarding workforce development classes.

Mr. Anderson noted that Chesapeake College in Maryland has a program that allows individuals to get an accredited high school diploma. As a private school, this college can set its own qualifications and participants are not required to meet the two (2) year foreign language requirement which the State of Delaware was now "pushing." Mr. Anderson felt that this requirement was a barrier for individuals who wish to obtain Graduation Equivalency Degrees (GEDs). He suggested, since DSU was planning to support high schools with the opening of a new magnet school, that a private adult evening high school program (that would not have to comply with the two (2) year foreign language requirement) could be considered.

Dr. Casson indicated that this matter could be discussed by all parties as plans and strategies are developed.

Responding to Mrs. Horsey regarding "grand fathering" provisions related to the foreign language requirement, Mr. Anderson stated that individuals who are currently in the GED program are exempt from the requirement and that those who are interested in obtaining GED certificates are being encouraged to sign on to the program this year to avoid this intimidating barrier.

Referring to Strategy 6: Land Supply, Dr. Casson stated that he and Mr. Neaton had discussed the size of the parcels in the Garrison Tract and were examining which industries were yielding high-paying jobs and larger parcels. He noted this was important because it would correlate directly with the types of jobs that would be developed. He noted that the City had done a good job in moving the Garrison Tract forward and assembling land parcels and that an accurate land inventory was also needed.

Responding to Mr. Anderson regarding the potential economic impact of DSU's new neuroscience program, Dr. Casson explained that UCEDIT hoped to determine how DSU's research agenda could be tied to the development efforts in the City of Dover and Kent and Sussex Counties.

Mr. Anderson requested that Dr. Casson coordinate and keep the City informed of what it could do as part of this effort. He noted that the City of Newark lost opportunities to coordinate in a similar fashion with the University of Delaware and expressed his wish to avoid this.

Mr. Bonar indicated his appreciation for the presentation and stated his view that the City should engage more with DSU and in economic development in general. He stated the importance of determining how research and development businesses could be brought to the Garrison Tract and enhance the projects that are already planned there, as well as locating land to attract this type of businesses for future endeavors. Mr. Bonar felt that a Civic Center and minor sports league teams should have been brought to Dover many years ago as they would attract businesses in Dover and Kent County. He stated that these enterprises would be expensive and require partnership and that DSU and the University of Delaware could collaborate with the City in these efforts. Mr. Neaton stated that a meeting was scheduled in the boardroom at DSU at 10:00 a.m. on the following day to discuss these issues.

Mr. Anderson expressed his hope that a 15-minute version of Dr. Casson's presentation could be placed on the City Council agenda within the next month or two (2). Concurring, Mr. Bonar stated that he would present this matter at the next Council President's agenda meeting.

Mr. Neaton advised members that Dr. Casson had provided the start of an economic and market feasibility analysis for the Garrison Tract and, at Councilman Bonar's request, agreed to send this analysis to all Committee members. *(City Clerk's Office Note: This analysis was emailed to all members of Council and the Committee by Mr. Neaton on December 12, 2012.)*

During the Council Meeting, Dr. Casson reviewed the presentation provided at the Committee meeting, entitled "Economic Development Strategies for the City of Dover" ***(Exhibit #1)***.

Mr. Anderson noted that the Committee reviewed and discussed the presentation at length and suggested that members review the minutes, which would provide details regarding this matter.

Responding to Mr. Hutchison, Dr. Casson expressed his belief that the education partnership between the University and the City of Dover would assist those who are unemployed to be retrained and provided certification. This would allow for the development of a workforce that would meet the needs of businesses that are currently in the area and the increase the potential for other targeted businesses to come to the area.

No further action was taken regarding this matter.

Community Development Block Grant (CDBG) Action Plan Amendment

Mrs. Tracey Harvey, Planner I, advised members that expenditure of FY 2011 CDBG funding previously allocated for a chair lift in City Council Chambers had been postponed to allow the City to evaluate other alternatives for providing American Disabilities Act (ADA) compliant access to City Council Chambers. She explained that delay of this project could cause problems in meeting the timeliness standard for expending CDBG funds (April 30, 2013).

Mrs. Harvey indicated that 65% of the City's FY 2012 Homeownership Assistance Program funding had been expended; however, three (3) families were currently mortgage ready, shopping for homes, and would need settlement assistance in order to purchase homes in the City of Dover. If funding were reallocated to this program, it was expected that funds would be expended within the next 60 days.

Staff recommended that $20,000 in FY 2011 Community Development Block Grant (CDBG) funding be reallocated from American Disabilities Act (ADA) improvements in Council Chambers to the FY 2012 Homeownership Assistance Program.

In response to Mr. Bonar regarding the impact of removing the $20,000 that was originally allocated for improvements to Council Chambers, Mr. Scott Koenig, City Manager, stated that staff had obtained a quote of approximately $16,000 - $17,000 to install a chairlift in the Chambers; however, this could potentially change the floor configuration. He explained that a general discussion regarding City facilities, including City Hall, the former library, and the building at 5 East Reed Street, was planned for the Council Financial Workshop scheduled for January 7, 2013. Mr. Koenig stated that if consideration amounts to only a broad discussion at that time, staff would return to the Committee to request money to modify Council Chambers. However, he noted that staff recommended moving the funds to the Homeownership Assistance Program at this time due to the need to comply with CDBG timeliness requirements.

Mr. Anderson noted that when CDBG grants were allocated, members were in favor of allocating more funds to home repairs and questioned why the full $20,000 was being allocated to homeownership.

Mrs. Harvey explained that the Housing Rehabilitation Program formerly managed by the City was transferred to the Milford Housing Development Corporation (MHDC) and $60,000 was allocated to this program. However, MHCD was experiencing difficulty qualifying applicants on their waiting list and it was not expected that the organization's CDBG funding would be expended until later in the year. Staff believed that this funding could be spent more expeditiously through the Homeownership Assistance Program, which has a waiting list of people who are mortgage ready.

The Committee recommended acceptance of staff's recommendation to reallocate $20,000 in FY 2011 Community Development Block Grant (CDBG) funds from American Disabilities Act (ADA) improvements in Council Chambers to the FY 2012 Homeownership Assistance Program.

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

UPDATES

CDBG Program

Mrs. Tracey Harvey, Planner I, advised members that Community Development Block Grant (CDBG) contracts were signed in October, projects were currently underway, and grantees had begun to expend funds. In regard to the Neighborhood Stabilization Program (NSP), she stated that nine (9) homes (one (1) of which was a rental) had been sold and the remaining home was occupied through a lease/purchase agreement. Mrs. Harvey explained that since additional program income remained in the NSP program, funding would be reallocated for an NSP program to provide additional down payment assistance for qualified applicants to receive up to $20,000 toward the purchase of an abandoned or vacant property located in the City of Dover.

Responding to Mr. Bonar, Mrs. Harvey explained the applicant income is restricted to 120% of the area median income and this figure is based on family size and income.

Schutte Park Space - Boys and Girls Club/CDSA

Mr. Scott Koenig, City Manager, stated that the Boys and Girls Club plans to enter into an agreement with Kent County for a location off New Burton Road. He stated his belief that a legal agreement had been developed but was unsure if it had been signed.

In the interest of public disclosure, Mr. Bonar stated that he serves on the fundraising organization for that group and acknowledged that a signed agreement was imminent.

Mr. Koenig stated that once the agreement was signed, this item would be removed from future Parks, Recreation, and Community Enhancement Committee agendas. In recent weeks, the County held a groundbreaking ceremony for the Kent Sports Center and he believed that the Central Delaware Soccer Association (CDSA) may move programming to that location; however, no official word had been received. He speculated that if this occurs, additional space may become available at Schutte Park at some point.

Mrs. Ann Marie Townshend, Director of Planning and Community Enhancement, stated her understanding that CDSA planned to move their travel league to the new Sports Center, which would allow them to move the recreational program from Schutte Park to the Lewis Road site. She indicated that a girls' lacrosse league had expressed interest in using one of the three (3) field areas at Schutte Park on Saturdays in the spring; the other two (2) areas were available and two (2) will be available for CDSA; however, they have not made contact to reserve them.

In response to Mr. Bonar regarding the financial implications of CDSA's move, Mr. Koenig stated that a great deal of revenue was not involved and the change may actually prove beneficial. Concurring, Mrs. Townshend stated that it has been difficult to accommodate other interested parties

since CDSA utilized the fields all day long every Saturday and staff felt that the loss in soccer revenue could result in a gain in lacrosse revenue. She indicated that the recreational staff was also considering starting a City recreational soccer league to service City residents without transportation if CDSA moves out of the City.

By unanimous consent, Council accepted the Parks, Recreation, and Community Enhancement Committee Report.

UTILITY COMMITTEE REPORT - DECEMBER 10, 2012

The Utility Committee met on December 10, 2012 with Chairman Bonar presiding.

Capital School District Impact Fee Transfer

Mr. Scott Koenig, City Manager, advised members that the Public Works Department and the Planning Department had been working with the Capital School District for a number of months on their Facilities Master Plan. He explained that the Capital School District recently constructed a new campus at 194/198 Commerce Way in Dover (Tax Parcel ED05-076.14-01-07.03). Within the campus, the Office of Technology/Maintenance Facility building is located at 194 Commerce Way and the Administration and Professional Development Center building is located at 198 Commerce Way. These facilities were formerly located on multiple properties owned by the District and have been consolidated on this property. Mr. Koenig noted that in both the water impact fee and the sewer impact fee ordinances, there is language that allows (with Council approval) the transfer of impact fees from properties where facilities have been demolished to properties where facilities are being constructed or expanded. Construction of these new facilities allowed for demolition of existing structures on the subject site as well as the previous maintenance building, administration building, and trailers at 211 Delaware Avenue (Tax Parcel ED05-068.17-03-66.00), 945 Forest Street (Tax Parcel #ED05-076.07-01-65.00), and 75 Carver Road (Tax Parcel #ED05-076.07-01-55.00), respectively. The Capital School District submitted a letter, dated November 9, 2012, requesting the transference of thirteen (13) Equivalent Dwelling Unit (EDU) credits from the three (3) previously referenced off-site locations to the new campus on Commerce Way.

Mr. Koenig advised members that, per the City of Dover Code of Ordinances, two (2) references are applicable to this request. The first code reference, located in Chapter 110, Article III – Water Service, Division 3 – Water Impact Fees, Section 110-208 (d), states "No EDUs shall be transferred from one property to another property, whether or not such properties are owned by the same person, without the approval of city council." The second code reference, located in Chapter 110, Article IV – Wastewater Service, Division 3 – Wastewater Impact Fees, Section 110-283 ©, states "No EDUs shall be transferred from one property to another property, whether or not such properties are owned by the same person, without the approval of city council."

Mr. Koenig stated that City staff reviewed the request and found the information consistent with the calculations provided by the Department of Public Works on November 5, 2012. Staff found the request reasonable and recommended the transference of thirteen (13) EDU credits from 211 Delaware Avenue, 945 Forest Street, and 75 Carver Road to the Capital School District Administration and Professional Development Center campus located at 194/198 Commerce Way (Tax Parcel #ED05-076.14-01-07.03). He noted that any redevelopment and/or expansion at the three (3) locations generating the credits would be subject to all impact fees resulting from new EDUs assessed at that time. Mr. Koenig stated his belief that the District was on a temporary Certificate of Occupancy at the administration complex pending the resolution of this matter, as well as some landscaping issues related to the site plan.

The Committee recommended acceptance of staff's recommendation to transfer 13 Equivalent Dwelling Unit (EDU) credits from 211 Delaware Avenue, 945 Forest Street, and 75 Carver Road to the Capital School District Administration and Professional Development Center campus located at 194/198 Commerce Way (Tax Parcel #ED05-076.14-01-07.03).

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

Quarterly Review of Utility Related Capital Investment Plan (CIP) (Electric and Water/Wastewater *(Deferred by Committee on November 13, 2012 Due to Time Constraints)*
Mr. Scott Koenig, City Manager, referred members to the September 30, 2012 Capital Investment Plan (CIP) Project Tracking Report and stated that the report encompassing the period through December would be discussed during the second meeting in January.

TEA/NAES Report (August and September) *(August Report Deferred by Committee on November 13, 2012 Due to Time Constraints)*
Mr. Scott Koenig, City Manager, referred members to the August and September TEA/NAES Reports. Mr. Blakeman expressed his appreciation to Mrs. Donna Mitchell, Controller/Treasurer, for the modifications made to the report format, stating that the information was exactly what he had hoped for.

UPDATES

Green Energy Funding and Programming
Mr. Scott Koenig, City Manager, referred members to the Funding Summary for Green Energy projects, noting that Page 2 of the summary reflected a large financial commitment to the Dover Public Library. He stated that, as of December 5, 2012, the City had made a request to the Delaware Municipal Energy Cooperative (DEMEC) for the transference of approximately $152,000 related to Green Energy funding in association with the library. Mr. Koenig indicated that the City was nearing the initial set-aside for the Dover Public Library, as envisioned when the financing plan was developed by Mr. Anthony DePrima, former City Manager. He stated that no new applications had been received in the last few months, to his knowledge, and the City was working its way through the final funding of projects that had been submitted to date.

National Pollution Discharge Elimination System (NPDES) Municipal Separate Storm Sewer Systems (MS4) Permit
Mr. Scott Koenig, City Manager, stated that Planning Department staff had been working with the State on updates to the City's plan. The City was in the process of obtaining reauthorization from the State for a new permit; however, staff at the State level had changed and he was unsure if these positions had been filled, so the City had the benefit of having additional time before a new permit must be implemented. He informed members that staff had worked through the issues identified in the City's old permit and was continuing to collect data and make improvements to the City's system to ensure compliance when a new permit is issued.

Garrison Oak Technology Park Project *(Deferred by Committee on November 13, 2012 Due to Time Constraints)*

Mr. Scott Koenig, City Manager, stated that it was his understanding that Becker Morgan would be submitting the final subdivision plans for Garrison Oak within the next week to the City, the agencies associated with storm water review, and the Delaware Department of Transportation (DelDOT). The City had gone through re-engineering of some site utilities to accommodate the Calpine project and was progressing with water tower, pump station, and force main design. Staff met with the Delaware Department of Natural Resources and Environmental Control (DNREC) during the previous week regarding water allocation permits and ways to enhance water production throughout the City. Staff was reasonably comfortable with the introduction of Unit 1 into the system and was attempting to get all allocation permits in line. Mr. Koenig explained that the demand that will be placed on the water system if Unit 2 is triggered would require the development of additional water resources over a specific time horizon; however, staff was focusing on the first 309 MW of power. Staff's expectation was that Calpine would file for building permits during the January-February time frame and was planning to go into commercial operation in June of 2015, which would require testing of the facility under full load in early January of 2015. He stated that Calpine had indicated that they were ready to proceed but, as of the previous week, was waiting on their air permit, although it was anticipated that this would be filed quickly. Mr. Koenig informed members that easements were being developed from the Calpine site to the 230 kV tie site, and one of the hurdles being worked on was obtaining an alignment for the wire to go from the Garrison Energy Center to the 230 kV tie. This matter was under private negotiations with Calpine and other interested parties. The issue regarding the filing of LS Power vs. the City of Dover Planning Commission was unresolved; however, Mr. Koenig stated that he was assured that this was being worked on by Calpine and LS Power.

Responding to Mr. Hutchison regarding the status of the gas line, Mr. Koenig stated that he had not heard anything for or against the gas main. He indicated that his assumption was that everything necessary to get the gas line to the area was moving forward.

By consent agenda, Mr. Hutchison moved for acceptance of the Utility Committee Report, seconded by Mr. Dixon and carried by a unanimous roll call vote (Bonar absent).

LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE REPORT - DECEMBER 10, 2012

The Legislative, Finance, and Administration Committee met on December 10, 2012 with Chairman Lynn presiding.

Reduced Rates for All-Electric Homes in December, January, and February

During the Open Forum Segment of the April 9, 2012 City Council Meeting, Mr. Ted George, 77 Billings Drive, requested that members consider providing an electric rate discount during the months of December, January, and February for those customers with all-electric homes. During the Regular Council Meeting of July 9, 2012, City Council approved the recommendation of the Legislative, Finance, and Administration Committee that the proposal to reduce electric rates for all-electric homes be referred to staff for cost analysis and review.

During the City Council Meeting of September 24, 2012, Council approved the Legislative, Finance, and Administration Committee's September 10, 2012 recommendation that the proposal to reduce electric rates for all-electric homes be referred back to staff for a more in-depth analysis, and that staff determine the cost for the City to administer such a program (including whether an additional employee would be necessary) and the number of houses that would be involved, and provide a cost analysis to determine whether the program would be cost effective for the City based on the additional cost to the City versus the savings that would be realized by the customers.

Mr. Anderson stated that it had been several months since the item was originally proposed and that a refresher from the citizen who brought the matter before the Committee would be helpful.

Mr. Anderson moved to suspend the rules to allow Mr. George to speak prior to staff's presentation. The motion was seconded by Mr. Rushe and unanimously carried.

Mr. Ted George, 77 Billings Drive, reminded members that in June 2012 he presented a proposal relating to a policy that was in effect in the City of Dover for 14 years. He stated that when his home was built in 1972, Mr. Conrad Hebert, who was the City's Chief Engineer, suggested the use of a heat pump or strip heat to heat his home because a 20% discount on the electric rate was being offered by the City and the 6.5 cents per kilowatt charge would be reduced to 5.0 cents during the months of December, January and February. Mr. George indicated that he was a newlywed at that time with children and working full time, and the rate reduction was the deciding factor for the heating method he chose. He advised members that in the 1980s the City's police force was expanded and the electric rate reduction was discontinued to help support the Police Department's staffing needs. Mr. George stated that as a result of Council's delay in addressing this issue due to their desire for further review, the month of December was now almost over; however, he proposed a rate reduction for the 88 days remaining through February, the coldest time of the year, so that people could heat their homes to a reasonably comfortable level without paying a great deal of money for electricity. *(City Clerk's Office Note: City records indicate that Mr. Hebert was the Power Plant Superintendent)*

In response to Mr. Bonar's inquiry regarding the potential impact of the proposed policy on the average residential user, Mr. Lynn indicated that Mr. Scott Koenig, City Manager, would be addressing this. Mr. George estimated the monthly savings to be $14,000 - $18,000 collectively for residents who have all-electric homes.

Mr. Koenig reviewed a memo dated December 4, 2012 entitled "Reduced Rates for All-Electric Homes in December, January, and February." He stated that, for the purposes of analysis, focus was placed on years 2002/2003, 2003/2004 and 2004/2005, which represented the last years of the winter/summer rate schedules. Mr. Koenig explained that if the summer rate of 0.0924 were considered the base rate, then the winter < 1,000 KW rate of 0.0880 represented a 4.7619% rate reduction and the winter >1,000 KW rate of 0.0808 represented a 12.5541% rate reduction. Mr. Koenig explained that if these percentage reductions were applied to the usage profile for an electric user who is in the system (Attachment #2 to the memo), this sample customer would receive an estimated savings of $36.60 per month during the months of December, January, and February. This would represent a composite reduction of approximately 9.79% on each monthly bill. He noted

that if this past reduction were applied as calculated, the annual impact of the rate adjustment would be approximately $109.80 per typical all-electric household, assuming a 10% rate of reduction, or approximately $220 annualized for a 20% reduction.

Mr. Koenig reiterated that the winter/summer rate schedules were abandoned in Fiscal Year 2005/2006 and, from that point forward, all energy costs gravitated toward a blended cost. He noted that the City no longer distinguishes between winter and summer rates in its tariff and residential customers purchase energy only. He noted that there is no demand charge associated with any of the residential customers. Mr. Koenig stated that the most recent rate study did not afford for this type of rate reduction for all-electric homes, so the impact on other customers had not been calculated; however, all revenue lost from a rate reduction must be made up from other residential customers; otherwise, the City's revenue projections will be compromised. He indicated that if the City were to credit back $15,000 - $18,000 of revenue for all-electric customers, customers who do not have all-electric homes would be penalized. Mr. Koenig stated that he contacted the Delaware Municipal Electric Cooperative (DEMEC) to determine if other utilities in this area provided a reduction program and was advised that they had no knowledge of any such programs at present, although Smyrna had a similar program at one time. Mr. Koenig stated that, based on this information, he recommended against further consideration of the request for reduced rates for all-electric homes.

In response to Mr. Hare regarding how such a program would be implemented if approved, Mr. Koenig suggested that a pilot credit program could be considered. He did not feel the City should send staff to individual homes to determine their all-electric status due to potential conflicts and recommended that homeowners obtain an independent verification of their all-electric status by a third party. He indicated that this verification should include notarized correspondence indicating the home had been inspected and the all-electric condition had been verified by a contractor licensed to conduct business within the City of Dover and that a verification form be submitted to the City of Dover by September 30th of each year. Mr. Koenig stated that although the differential between winter and summer rates was an approximate 10% composite, he would recommend that a 5% credit be issued at the end of the three (3) month cycle on the bill to simplify the credit adjustment. He recommended that such a program be subject to annual review by staff and Council. Mr. Koenig stated that he did not support implementing such a program as he felt that it would skew the current rate structure and, although all-electric homes were being promoted 40 years ago, the City was no longer in the power production business on a daily basis. He explained that the City has an energy production facility; however, it is essentially a peaking plant in the Pennsylvania, Jersey, Maryland (PJM) Power Pool and runs only when market conditions warrant the facility to run. Mr. Koenig advised members that the City purchases energy from the grid at predetermined hedge prices and the proposed program has the potential to create inequity in the billing structure. He did not believe that additional staff would be needed to administer the program; however, he explained that the program would create additional burdens on current staff.

Responding to Mr. Shevock regarding blended costs, Mr. Koenig clarified that this is a financial term associated with power rates. He explained that there were once summer costs and winter costs; however, when the City went to the hedge program and began purchasing blocks of energy, usage was not broken down by season but considered as a whole, thus producing a blended rate. Mr. Koenig noted that there is no compensation for fluctuations in usage because hedge purchasing removes the spikes in the energy profile.

Noting that the blended rate eliminates seasonal spikes, Mr. Anderson expressed his concern that customers still experience usage spikes since bills are higher in winter when usage is higher. Mr. Koenig noted that these higher bills are based on usage rather than rate. He explained that the City provided information regarding consumption and hedge purchases made by The Energy Authority (TEA) to Burns & McDonnell for rate analysis and that the City attempts to purchase power in blocks so that the hedge program mirrors consumption.

Mr. Anderson questioned the percentage of reduction used to determine the estimated revenue reduction of $15,000-$36,000. Responding, Mr. Koenig stated that based on the original assumption of 200 houses receiving a 10% reduction, the loss of revenue would be approximately $20,000 and a pilot program granting a 5% reduction would result in a $10,000-$11,000 revenue decrease. He noted that he could not be sure of the impact without knowing the exact number of customers involved. If the number of customers was significantly higher (such as 500 homes) the loss figures would change significantly.

In response to Mr. Anderson, Mr. Koenig stated that he believed that the program would apply only to owner-occupied, single-family homes, not apartment complexes or rental units.

Mr. Bonar noted that he is on a fixed income; however, he does not live in an all-electric home and was concerned that implementing the proposed reduction program would create a burden on the rest of the City's rate payers. He indicated that costs for all-electric homes are slightly higher than others; however, he pays approximately $600 to heat his home using oil, and oil companies are not offering reductions. He empathized with those on fixed incomes but reminded members that the City of Dover has the third lowest electric rates in the State.

Mr. Lynn expressed his opinion that the City had a promissory obligation to individuals who were encouraged to renovate or build all-electric homes in the early 1970s based on the promises made by the City of Dover. He indicated that he was sympathetic to those who brought this matter forward and thanked Mr. Koenig for the compromise he presented.

Responding to Mr. George regarding whether the City's budget could support the $14,000 discount for the many seniors who have all-electric homes, Mr. Koenig stated that this question must be answered by Council, noting that it would impact the budget.

Councilman Bonar stated that he, Councilman Lynn, and Councilman Anderson have the highest percentage of constituents in their districts that are either elderly or on fixed incomes and have electric homes or have limited means; therefore, he noted that it would be difficult for him not to support the proposal. However, he felt moving forward could result in the rest of the residential rate payers potentially demanding similar discounts, which would "open a Pandora's Box."

Mr. George noted that the policy had been in place previously to which Mr. Bonar responded that times were different now.

Staff recommended against implementing a program of reduced rates for all-electric homes in December, January, and February for the following reasons: 1) Such a program would skew the current rate structure; 2) the City is no longer in the power production business on a daily basis; the energy production facility is essentially a peaking plant in the Pennsylvania, Jersey, Maryland (PJM)

Power Pool and runs only when market conditions warrant the facility to run; 3) the City purchases energy from the grid at predetermined hedge prices and the proposed program has the potential to create inequity in the billing structure; 4) Although additional staff would not be needed to administer the program; the program would create additional burdens on current staff. Mr. Koenig stated that, based on this information, he recommended against further consideration of the request for reduced rates for all-electric homes.

Mr. Anderson moved to recommend that the matter be referred to the Utility Committee. The motion failed for lack of a second.

Mr. Shevock moved to recommend approval of staff's recommendation against implementing a program of reduced rates for all-electric homes in December, January, and February, seconded by Mr. Rushe. The motion failed by a vote of two (2) yes (Rushe and Shevock) and two (2) no (Anderson and Lynn).

Mr. Lynn stated that the matter would be considered by City Council during their Regular Meeting of January 14, 2013 with no recommendation from the Committee.

Mr. Anderson moved for approval of staff's recommendation against implementing a program of reduced rates for all-electric homes in December, January, and February, seconded by Mr. Perza and carried by a roll call vote of seven (7) yes, one (1) no (Lynn), and one (1) absent (Bonar).

Review of City of Dover Identity Theft Prevention Policy

Mr. Scott Koenig, City Manager, advised members that the City of Dover Privacy Committee held their annual meeting on November 14, 2012 to review the policy. There were no incidents of identity theft reported by City of Dover customers during the last year; therefore, a recommendation was made to change the frequency of meetings to "... as necessary, if any significant issues of identity theft arise" rather than meeting annually. This change is noted in Part 9 – Administration. No other changes were recommended and the committee approved the Identity Theft Prevention Policy with the above-noted change.

Mr. Anderson expressed concern regarding the proposed amendment, noting that identity theft was skyrocketing and that "as necessary could mean never." Mr. Koenig stated that if any incidents were to arise, the Committee would certainly meet to address them.

The Committee recommended acceptance of the report and that the Identity Theft Prevention Policy be amended to change the frequency of meetings to "as necessary, if any significant issues of identity theft arise."

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

Mr. Lynn moved for acceptance of the Legislative, Finance, and Administration Committee Report, seconded by Mr. Anderson and unanimously carried.

PARKS, RECREATION, AND COMMUNITY ENHANCEMENT COMMITTEE REPORT - JANUARY 14, 2013

The Parks, Recreation, and Community Enhancement Committee met earlier in the day with Acting Chairman Anderson presiding. Except for the following time sensitive issue, the Committee Report from January 14, 2013 will be presented to Council during their Regular Meeting of January 28, 2013 for review and consideration.

Consideration of The Green as a National Monument

Mayor Carey introduced Ms. Molly Ross, Special Assistant to the Director, National Park Service (NPS), Ms. Brenda Waters from the National Park Service, and former City Councilman Timothy Slavin, Director of the Division of Historic and Cultural Affairs (DHCA), State of Delaware.

Ms. Molly Ross advised members that Senator Thomas Carper and the Delaware congressional delegation were attempting to establish a national park in Delaware and that Senator Carper had been engaged in this effort for approximately 10 years. He introduced legislation in the last few Congresses to establish the First State National Historical Park, which would incorporate a number of areas in each of Delaware's three (3) counties; however, this legislation had not been enacted thus far. Ms. Ross explained that there are two (2) methods whereby an area can become part of the National Park system: 1) if Congress enacts legislation to make it a national historic park; or 2) if the President acts under the authority of the Antiquities Act of 1906 to designate it as a national monument. Ms. Ross stated that regardless of which approach is used, the area would be managed as a unit of the National Park system under the laws used to govern all such parks and the designation as a park or monument would not make much difference.

She explained that the National Park System is composed of 398 nationally significant areas of the country, most of which are historic units. The National Park Service (NPS) was created to help manage these units in 1916. In 1906, Congress passed the Antiquities Act, which delegated some of its authority to the President "to declare by public proclamation historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest that are situated upon the lands owned or controlled by the Government of the United States to be national monuments, and may reserve as a part thereof parcels of land, the limits of which in all cases shall be confined to the smallest area compatible with the proper care and management of the objects to be protected." Ms. Ross noted that over 125 national monuments have been created by presidents and that in many cases after presidents have protected these areas as national monuments, Congress has subsequently embraced and ratified them, perhaps changing their boundaries or adding authorities. Although most national monuments have been on land the Federal Government already owns, the Antiquities Act also provides authority for the United States to receive donations of non-federal land for this purpose.

Mrs. Ross indicated that since the legislation to designate a site in Delaware has not been moving forward in Congress, many have wanted a national monument to be considered for the sites in Delaware that Senator Carper had focused on. She stated that the Dover Green has been an obvious part of the national historic park proposal. Ms. Ross indicated that a determination was being made whether The Green was owned by the City or State and stressed that obtaining a clear title was necessary before any transactions could be completed. A donation of an interest in the property would have to be made to the Federal Government and this could be done through a historic

preservation easement, which would state that the City or the State would continue to own and manage The Green in a manner consistent with the historic preservation goals shared with the Federal Government and the Secretary of the Interior's standards of historic preservation. It would also state that should the City or State fail in management to these standards, the NPS would have the right, but not the obligation, to step in and assure management for historic preservation goals. Ms. Ross believed that the terms of the easement would be consistent with current goals and management of The Green and did not anticipate much change. The Green would be contained within the boundaries of the monument. Ms. Ross indicated that areas being considered for the national monument in Delaware were included on the list prepared by Senator Carper for legislative action; however, she stated that it was very possible, for reasons of timing and management feasibility, that the complete list would not be included in the monument. The areas that have been prioritized because of their importance to the history of Delaware include sites in New Castle (including the Courthouse, The New Castle Green, and the Sheriff's Office), The Green in Dover, and perhaps Old Swede's Church in Wilmington. In addition, interest had been expressed in donating 1,100 acres in the Woodlawn area, northwest of Wilmington, which has ties to early Quaker settlement and William Penn, for inclusion in the proposal. She explained that in order to meet the legal standards and management needs of the monument, the Federal Government was looking for a fee interest in Woodlawn and the Sheriff's House in New Castle. Ms. Ross stated that there would be benefits to the proposed designation in that these historic sites would be listed on the NPS website, local tourism would benefit, designation as a national monument would lead to higher prioritization for NPS funding possibilities, and the NPS would help with historic interpretation. She stated the NPS would look for ways to partner with State or local agencies managing these parks and historic areas, seek efficiencies, and establish cooperative agreements to help with management. She complimented current historic interpretation efforts and stated that NPS would be looking for ways to work with the City.

Ms. Ross emphasized that designation as a national monument under the Antiquities Act was a Presidential authority that is guarded carefully by offices at the Department of Justice and the White House. Requirements are carefully reviewed and it is NPS's responsibility to gather facts and make sure that everything is in order for the President to make a decision. The historic preservation easement must be obtained before the President's action on the proclamation. Ms. Ross stated that the NPS was working with staff on the title for The Green, an environmental site assessment must be performed, and the NPS lawyer must determine the conservation easement language required.

Ms. Laura Haynes, Senior Policy Advisory for Energy and Environment, Senator Thomas Carper's Office, stated that she had been working on the establishment of a national park in Delaware for five (5) years. She stated that the legislation proposed was not "dead" and some movement was made in the last Congress in that the legislation was moved out of the Senate; however, she stated that it was increasingly difficult for parks bills to be passed by Congress, especially with current budget and gridlock issues. She stated that Senator Carper was looking for all options to move forward and the delegation would continue legislative efforts, even if monument status were attained, since the few parks that were being approved by Congress were those that had been previously designated as national monuments. She confirmed that it would make no difference for the Dover Green if the goal was accomplished through legislation or by designation by the President as a monument. She indicated that the historical easement option was included in the proposed legislation as well. Ms. Haynes stated that the timeline for negotiations regarding the project was being moved forward and the proposed legislation would "give the green light" for the administrator to enter negotiations

to acquire the site; however, acquiring monument status would require completion of the negotiations before the historic site could be designated. She advised members that these steps must be taken regardless of the approach used. She noted that Senator Carper was trying to get as many properties as possible on the list into the monument and that there was a fairly high confidence level that this could be done for the Dover Green with the Committee's assistance.

Ms. Ross expressed her appreciation to Senator Carper and the Delaware congressional delegation for their work toward this effort. She confirmed that the President's action, if it occurs, would not preclude the park legislation. Ms. Ross advised members that there was a current "window of opportunity" lending itself to a possible Presidential action since the Conservation Fund had come forward with a donor who committed over $20M to purchase the historically significant Woodlawn property. The Conservation Fund indicated that they cannot hold property long and were focused on getting it into the hands of organizations that can protect, preserve, and manage it properly, which has put pressure on all involved to take action quickly. She stated that the NPS felt that this property would tie in very nicely with sites like the Dover Green and New Castle sites in telling nationally significant historic stories in Delaware.

Mr. Scott Koenig, City Manager, stated that this matter was scheduled for consideration by Council later that evening. Of concern was the fact that ownership of The Green was undetermined. He explained that the City Solicitor indicated that there may not be a deed for the property because it was laid out before that type of instrument existed. Mr. Koenig stated his belief that the property was owned by either the State or the City and that the attorneys could address this issue. He explained that if the project were recommended to Council and if Council approved it, an environmental assessment would also be required. He felt that there would be associated legal and environmental expenses which, at this point, would be charged to the City Manager's budget since this project was not anticipated at the beginning of the year. He expressed his hope that if Council endorsed the project, their action would revert the matter back to staff to work with the NPS to achieve monument status.

Mr. Anderson stated his concerns about the possible effects on private property surrounding The Green, the City's ability to control and manage The Green, and the possible budgetary impact. He questioned the need for a deadline that caused the placement of this item on the agenda of the City Council meeting scheduled for later in the evening.

Ms. Ross stated that there was no firm date regarding the President's schedule; however, there was time pressure to get the land transactions accomplished by February 15, 2013 when the Conservation Fund would consider how much longer it could hold the Woodlawn property. Those who have worked on this package in Senator Carper's Office and in the Executive Branch believe that the entire package is quite compelling; therefore, consideration must be given to the portion that is on the shortest time fuse (Woodlawn). She added that the conveyance of the historic preservation easement would not take place until a decision was made to go forward with a national monument, and she anticipated that this would occur very close to the day that a Presidential Proclamation would be issued. She stated that before that time it would be necessary for all documents to be prepared (possibly put in escrow) so that they would be available to record.

Ms. Haynes stated that Senator Carper was working with federal administration and the Congressional delegation and saw a very small window of opportunity for Delaware to get into the National Park System. She stated the project may go forward and if the City was not willing to participate, the City may be moved out of monument status and would have to wait for a national park to be established, which may not occur for many years. Ms. Haynes noted that the Secretary of the Interior was a strong advocate of the project and was currently speaking to the President regarding this matter; however, it was believed that the Secretary may vacate his position in the near future. She explained that due to term turnovers in government, it has been necessary to re-educate NPS staff regarding the project, and the current staff was working very hard to move it forward. Ms. Haynes stated that the strongest proposal for the President included the Woodlawn property with the other historical sites, including the Dover Green. She indicated that the Conservation Fund is a small organization that could not hold onto the Woodlawn property much longer (possibly until mid-February) due to liability concerns.

Ms. Anne Reigle, resident of Wyoming, Delaware, stated that she did not feel that reasons had been presented for the Federal Government to take control of The Green, which was laid out before the City of Dover was laid out and the Federal Government was established. She felt that residents of the City of Dover and Delaware already recognized the historical significance of The Green. Ms. Reigle stated that the City of Dover had worked very hard to preserve the buildings and the integrity of The Green and she did not feel that the Federal Government could contribute anything else. She expressed her opinion that it would not be a good idea to sign over control to allow the government to give the City guidelines and "step in and take over" if those guidelines were not followed.

Ms. Haynes stated that, as author of the legislation submitted, she felt the Federal Government would have an "interest" in the property by virtue of a historical easement rather than "control." She advised members that the Dover Green has been part of the park concept since a resource study was performed in 2008 and earlier; therefore, this is not a brand new idea.

Ms. Ross noted that Delaware is the only state that does not have any national parks or monuments and that the project would bring attention to this area. The Green would still be owned and managed by those who currently do so, and an easement would be deeded to the Federal Government to ensure that the property is preserved for posterity and its story is told. She reiterated the advantages including a higher prioritization for funding and partnership in interpretation and consulting on historic preservation. If the monument is created, an approximate three (3) year management planning process would take place, including consultation with the City and the public. As to whether it would affect residents along The Green or events there, she expressed her opinion that as long as the historic property was not being impaired or destroyed, there should be no problem with those activities.

Mr. John Garey, 48 The Green, concurred with Ms. Reigle's comments, feeling that local entities do a great job holding City events and preserving the historical accuracy of The Green. He stated that he has been an owner on The Green for five (5) years and questioned why those in attendance were just learning about the project, stating that he did not know about it until this morning. He stated he had not heard anything that he would consider a big benefit to moving forward. Mr. Garey stated that it had not been specified how help would be provided from the NPS and how more people would be brought to the area, noting that he did not feel that placing The Green on the National Park

Service website was "a big deal." He stated that he had not heard how the project would impact his property and, as a landowner and a taxpayer, felt that it was not prudent to rush this issue. Mr. Garey noted that he already had to come to the City anytime he wished to do something to the exterior of his building, including the placement of signs, painting, etc., and did not wish to have to go to the Secretary of the Interior, Ken Salazar, for permission to make these types of changes.

Ms. Ross stated that since Mr. Garey's property would not be within the boundaries of the National Monument, this would not be required. Mr. Garey stated that he did not know the impact on property adjacent to a national park or monument.

Ms. Ross advised members that the boundary of the easement being sought would not include the residents around The Green and that it would not impact what was being done today. She stated that well-proven, well-documented, economic studies have shown that typically every $1 spent by the NPS in these areas results in $4 to the local community since parks are usually tourism and economic generators for communities.

Ms. Haynes reiterated that Senator Carper has been interested in a national park in Delaware because of the economic benefits that it could bring to the State. She noted that local taxpayer funds are going toward the NPS, and every state in the nation besides Delaware is benefitting from this since Delaware is the only state without a national park. She indicated that every other state is receiving at least $1M for their national park and some are receiving $15M-$30M. Acknowledging that a national park in Delaware could not compete with parks such as the Grand Canyon or Great Smoky Mountains, Ms. Haynes noted that Rhode Island has a very small national park and is receiving over $2M in economic benefits from tourism. She stated that this was why Senator Carper believed that there should be a national park in Delaware, in addition to the need to preserve Delaware history and tell its story to the rest of the nation.

Mr. Garey stated he felt it unlikely that there would be an increase in visitors touring The Green even if it were made a national park and stated that a great job is currently being done in bringing people to the Dover community to see the Delaware Public Archives and locations of interest. He did not see how putting The Green on the website would change this significantly.

Ms. Reigle stated that she was a "big fan" of the national parks and that rangers do a great job. She felt that national parks typically encompass sites like battlefields or forests, rather than a "little pad of green" in the middle of an area that is used for commercial businesses, courts, and residences. She stated that she would love for Delaware to have a national park and suggested that Fort Delaware or Woodlawn would lend themselves to such a use. She did not feel that The Green, surrounded by the Dover community, could be labeled a national monument without some consequence to the community, noting that it was not even known who owned the property. Ms. Reigle stated that the City of Dover had maintained this property for years. She did not feel that the assistance of the Federal Government was needed and that the site could be managed better by local people who are committed. She stated that her family owns property on The Green and had worked with the City of Dover to renovate it by putting expensive copper piping on the side of it. She urged members not to pass this matter on to City Council and to reject or at least table it for a significant period of time so that the rest of the community would have an opportunity to come forward.

Mrs. Horsey stated her understanding that the City of Dover was considering eliminating the Historic District Commission and possibly the Historic District. *(City Clerk's Office Note: The Role and Scope of the Historic District Commission was scheduled for consideration at the Legislative, Finance, and Administration Committee Meeting scheduled for later in the day)* and suggested that help may be needed from the Federal Government, such as that being proposed, if the City was even remotely thinking of doing away with its own standards and guidelines.

Responding to Mrs. Horsey, Ms. Ross stated that although she had walked the property, she had not looked at maps of the land being considered. She stated her understanding that the proposal was focused on The Green and that the NPS would make sure that everyone's rights of way would be protected and public access would be provided. Although she did not have the details, she reassured members that there would be real estate documents with maps attached and that parties would have to come to agreement to define the precise interests.

Ms. Haynes stated that NPS visited Dover in 2008 and performed a related natural resource study in Dover and a public hearing was held at that time. Public comment did not include concerns with regard to incorporating the Dover Green in the National Park System. She explained that a significant number of public meetings had been held in addition to hearings in Congress and the information had been on Senator Carper's website for quite some time.

Mr. Perza questioned when the City, State, or Federal Government would meet with property owners who are impacted to review a map of the proposed plan. He stated that no one had seen the boundaries of the plan or knew if private property would be impacted versus the two (2) islands of grass. He felt that many people have questions, such as if there are insurance needs, who would set

standards on the preservation guidelines, and whether the parking situation would be involved. He felt that a question and answer session would be helpful with presentation of a map and information on the impact of the project. He felt there was a perception that this matter was being "sprung" on the public, although he stated he could appreciate the deadline involved.

Ms. Ross stated that the national monument option is not used often and is usually for extraordinary circumstances, historically when Congress has been unable to act regarding very worthy projects. She stated that the NPS had been waiting to see whether the last Congress would support and enact the legislation, but this did not occur. She felt it logical that people would want to understand the impact on their lives. She stated that NPS staff and individuals in the various locations were working on related documents. She stated her understanding was that the focus was on telling the story of how the Constitution was ratified in Dover and this involved "the grass"; however, she stated that maps were not available at this time.

Mr. Perza indicated that he felt that a decision should not be made until the relevant documents were read and an understanding was obtained about how the project would impact Dover. He acknowledged that it may be a good idea but wanted an understanding of what would be voted on and the details.

Mr. Slavin stated that the Division of Historical and Cultural Affairs (DHCA) has a significant presence on The Green since it owns property at 21 The Green, as well as the Old State House, and offers public programming through the John Bell House located there. He noted that the DHCA also owns and manages 41 historic properties on behalf of the State, at least three (3) of which are included in the first iteration of the proposed national monument, one (1) of which is the New Castle Green where similar questions were being asked. He advised members that the New Castle Green is also surrounded by private property owners; however, it was the understanding in New Castle that the interest in the easement was only on the land of The Green itself and would not convey to the streets, the sidewalk across the street, or any properties surrounding The Green. Mr. Slavin noted that he was in the business of historic preservation and bringing people to cultural attractions and felt the proposed project was a wonderful thing for the historic preservation of The Green which would solidify, acknowledge, and place in perpetuity all of the efforts that the City had made in the past to preserve it. He stated that the DHCA manages approximately 60 easements across the State to ensure that unforeseen events do not occur. In terms of cultural attraction, he agreed that a phenomenal job is done locally to attract people to these sites and they are doing a wonderful job of interpretation; however, he felt that "more is always better" and that having the cachet of being part of the NPS and the marketing that takes place through them would be a significant boost to current efforts. He understood the issues being raised about timing and the content of the language in the easement which referred to baseline documentation, including maps, that was not provided, and hoped those questions would be answered. Mr. Slavin stated that the same need for documentation was being expressed in reviewing the language proposed for the New Castle Green.

Responding to Mr. Anderson, Mr. Koenig stated that no information had been mailed to individual property owners in the area but the meeting agenda had been posted as required.

Ms. Haynes stated that it has been the understanding of Senator Carper's Office from the NPS that only The Green would be included, not homes or streets. She stated that the Park Service had drafted a map of the site because the Dover Green has been in the legislation for a significant amount of time.

Ms. Reigle expressed her opinion that The Green had no value without its surroundings; therefore property owners would be affected. She felt that property owners should have a say and that they should be given notice.

Mr. Slavin stated that the local jurisdiction of the City would never be relinquished through the easement and the City would always determine the use of land surrounding The Green.

Mr. Anderson felt that it would be appropriate to notify those within 200 feet from the area and expressed his concern that this had not been done.

Mr. Garey inquired what type of entry the easement would grant onto the property. Responding, Ms. Ross explained that the terms of the easement would say that the City or State would continue to own and manage the land but shall manage it to preserve the historic nature of the property to the standards for historic preservation that are set by the Secretary of Interior. She stated that such easements are common tools to make sure that "a 7-Eleven is not put in the middle of The Green."

Mr. Anderson stated that the easement included terms that would prevent any buildings or structures from being built on the property and require that it be kept approximately as it is.

Responding to Ms. Reigle regarding the discussions that would be taking place later in the day concerning the City's Historic District Commission, Mr. Anderson stated his belief that there was a possibility that the functions of the Historic District Commission could revert to the Planning Commission but that commitment to historic preservation would not end.

Ms. Ross advised members that a decision must be made since the establishment of a First State National Monument was likely to occur on a "fast track." She stated her availability to attend future sessions on this issue and that NPS staff would discuss the matter with City staff and review maps, etc. She indicated that there would be a management planning process to ensure that this would be accomplished in a way that was "smart", that the City was supportive of, and that was consistent with the community. Ms. Ross stated it would be likely that uniformed NPS park rangers would be seen in the area and grants and funding for historic preservation efforts from the Federal Government would be placed higher in the queue for federal funding. She apologized that some of those present were just learning about this project. She explained that the NPS had been asked by Congress previously to do a special resource study to determine whether Delaware had resources that merit national park status. Many public hearings were held and the study was completed at the end of 2008 and sent to Congress in 2009 and, on the basis of those public hearings and that study, the delegation from Delaware introduced the legislation under Senator Carper's leadership. She indicated that approximately 12 hearings and meetings associated with the legislation had been conducted.

Mr. Anderson stated that some of those present were uncomfortable with the matter going forward to Council without maps attached and inquired if it would be possible to have them submitted for inclusion for Council's consideration later in the evening. Ms. Ross offered to contact the NPS Lands Office to inquire about the status and would check on legislative maps as well.

Ms. Haynes noted that Senator Carper sees this project as an economic benefit to the area to provide assistance to the good work that was being done locally and did not anticipate a change other than perhaps the availability of additional money from the Federal Government, additional tourism, and rangers in the area. She felt this would be an economic benefit to the City of Dover and, for this reason, the delegation and the Government have been supportive. She offered to return as many times as possible to answer questions if needed.

Mr. Dixon stated that he was troubled that property owners in the area had not been notified of the project. He felt that the project sounded positive; however, he expressed concern about pushing through something that everyone had not had an opportunity to think and voice their opinions about.

Mr. Anderson moved to recommend that the matter be referred to Council with a recommendation that a public hearing be held and the surrounding property owners be notified. The motion was seconded by Mrs. Horsey.

Mr. Koenig stated that if the recommendation were to hold a public hearing, he was unsure if this would fit into the timeline. He felt that the requirement to hold a public hearing might prevent the City from participating in this specific application. Mr. Koenig felt that the only way to participate in this proposal would be through a favorable vote by Council later in the evening, noting that an easement must be drafted and an environmental study must be performed.

Mr. Anderson stated that there might be future opportunities in this regard.

Ms. Haynes stated that this project may never be accomplished through legislation and this may be the City's only chance to participate in the project and receive the economic benefits that the community had previously indicated that they wanted to enjoy. She suggested a public meeting and perhaps an emergency Council meeting. She noted that a public meeting was held two (2) years ago on this issue and that she attended and presented information regarding the Dover Green.

Responding to Ms. Reigle, Mr. Anderson stated that all interested parties, whether in favor or opposed, should attend the Council Meeting scheduled later in the evening.

As noted earlier, due to time constraints this item was scheduled for consideration by City Council later in the evening.

On a call for the question, the motion that the matter be referred to Council with a recommendation that a public hearing be held and the surrounding property owners be notified was unanimously carried.

During the Council Meeting, Mr. Lynn disqualified himself from any discussion or vote on this topic and requested permission to be excused from Council Chambers during Council's discussion, explaining his belief that he had a conflict precluding him from engaging in this topic.

Members were provided a map prepared by Senator Carper's Office depicting the area in Dover that was being considered for incorporation in the First State National Historic Monument (The Green) ***(Exhibit #2).*** At the request of Mr. Anderson, Mr. Koenig explained to members that one of the ways the City could proceed toward the creation of a National Park in the State of Delaware would be to designate the lawn area of The Green as a portion of the proposed National Monument. He noted that the Committee's discussion centered around six (6) items and requested members of Council to consider them, as follows: 1) the historic preservation easement would only encompass the lawn area of The Green; 2) a public hearing could be set for Monday, January 28, 2013 to consider public testimony before final action was taken by City Council; 3) notice regarding the public hearing could be sent to all adjacent property owners within 200 feet of the easement area proposed; 4) at the same time, due to time constraints, staff could be authorized to begin work immediately on a title search if necessary; 5) work could begin on the preparation of a historic preservation easement that would meet the criteria of the National Park Service in conjunction with the State of Delaware and Attorney General's Office; and 6) staff could be authorized to begin work on a Phase 1 Environmental Assessment of the proposed easement area in order to meet the criteria of the National Park Service should City Council authorize final submission to the program.

Mr. Koenig advised members that there were expenses associated with the title search, the historic preservation easement, and the environmental assessment, noting that the environmental assessment alone would cost approximately $2,500. He stated that initially these expenses would be covered by the City Manager's Office, explaining the possibility of cost sharing or reimbursement at a later date.

Mr. Koenig advised members that should the City of Dover choose not to move forward to create the designation at this time, this would not prevent this matter from being considered in the future; however, it would be much more difficult to accomplish and the City would probably not have any other support.

Mr. Koenig assured members that if it were their desire to move forward, staff was prepared to move forward and work with the State, staff from Senator Carper's Office, and the representatives from the NPS, who have, to date, done a significant amount of work on this issue.

Responding to Mrs. Williams, Mr. Koenig stated that the environmental study would provide assurances that there are no underground storage tanks or other such items present under the easement area.

In response to Mr. Hutchison, Mr. Koenig stated that there would be no change in ownership of property; however, he advised members that staff was trying to evaluate the actual ownership of the lawn area since there is question as to whether the City or State owns the property. He assured members that there was no discussion about putting an easement on any private property associated with The Green, only the lawn area. Mr. Koenig also stated that there were no changes proposed for parking. He explained that this would be a preservation easement and that the City of Dover would continue maintenance and operational responsibilities. He noted that NPS has indicated no intent to influence how the City of Dover actually uses The Green or any activities held on The Green.

In response to Mr. Perza, Mr. Koenig anticipated that the preservation of certain rights (to retain local control) such as parking and authorization to hold events such as Old Dover Days, Summer and Fall Festivals, etc., would be identified in the easement.

Ms. Molly Ross, Special Assistant to the Director of Parks Service (works out of Washington, DC), explained that the issue before the City of Dover was the culmination of what, for many people, has been 10-12 years of working on a national park unit for Delaware. She advised members that the NPS had 398 units and that every state has a park unit with the exception of one (1), which is Delaware. In the opinion of the Park Service and others, she stated that the omission of the State of Delaware hurts the nation as well as the City of Dover. Ms. Ross stated that there were two (2) ways to get into the Park System: 1) by an order of Congress making a national park (which began with Yellowstone National Park in 1872 and others such as Yosemite, Sequoia, Mount Rainier, Rocky Mountain, Acadia, Shenandoah, etc.), the majority of which are historic sites; and 2) through Presidential action, due to Congress delegating some of its authority to the President of the United States under the Antiquities Act of 1906. She noted that President Roosevelt created a national monument of the Grand Canyon in 1908 and that there have been approximately 150 monuments created by Presidents.

Ms. Ross questioned if the City of Dover was willing (or would be willing after working through the conservation easement and environmental site assessment, to obtain clear title) to transfer a historic preservation easement to the Federal Government to assure the long-term preservation of The Green in order to be included in the First State National Historical Park. Regardless of how it would be accomplished, she stated that the NPS would need an easement to assure the protection of this object of historic interest, The Green, in order to make it a National Park.

Referring to the concerns regarding the effect on the streets and surrounding properties, Ms. Ross stated that the conservation easement would cover the lawn area only and would not affect streets, sidewalks, buildings, etc. She explained that the NPS would obtain a preservation easement, which would not affect how the area is managed. In regard to concerns regarding costs involved, she advised members that economic studies show that for every $1 spent on a National Park unit, $4 is generated for local economies since it would draw tourists and visitors and bring benefits to bed and breakfasts and hotels, etc. She assured members that the NPS would not manage The Green, ownership would stay with either the City or State (depending on the result of staff research), and there should be no change in events. She stated that the only effect it would have is that the Federal Government would have an easement that would protect The Green against change or failure to preserve it.

Ms. Ross advised members that there would be other benefits if The Green became a National Monument, explaining that Dover would be on the National Park System map and appear on the NPS website. She noted that when an area is made a part of the Park System, more grant monies are made available, cooperative agreements are developed, etc.

Responding to Mr. Perza, Ms. Ross stated that the NPS could have the final document including all details such as formal maps and terms and conditions provided to members of City Council by their meeting scheduled for January 28, 2013. She apologized for the pressure and urgency to take action in this regard; however, she said that work has been underway on this project for a decade. She indicated that disposition of the Woodlawn property was pushing the timing and encouraged the City to be prepared should the President wish to take action in February.

At the request of Mrs. Williams, Ms. Ross explained that the easement would not give the Federal Government the ability to erect something on the property. She stated that the easement would state that the property should be managed for historic preservation purposes and to the Secretary of Interior's standards. If something were placed on The Green that undermined its historic preservation, the Federal Government would have concerns. She stated that other locations in Delaware in addition to The Green would be included in the National Park.

Mr. Timothy Slavin, Director of the Division of Historical and Cultural Affairs for the State of Delaware, advised members that a part of his position was to manage 41 historic sites for the State and that three (3) of these sites (New Castle Court House located in Old New Castle, The Green in New Castle, and the Sheriff's House in New Castle) were actively under consideration for inclusion in the National Monument. He assured members that New Castle was also going through the same processes, title searches, environmental assessment, and determination of easement language. Mr. Slavin indicated that the language included in the easement was very familiar to his office, explaining that his office manages approximately 60 easements, both in-bound and out-bound, on behalf of the State. At its highest level, he stated that the easement would request that the City of

Dover place the strongest possible preservation measures on The Green. It would indicate that the City would maintain The Green for public use and that any preservation measures done would follow the Secretary of Interior's standards, which are already being followed. He stated that monument status would promote marketing, explaining that there is a huge cachet in having a site attached to the NPS. He relayed his full support for the City to move forward with this action.

Council President Leary read points for the potential motion, suggested by staff, regarding the national monument designation for The Green, as follows: 1) the historic preservation easement would only encompass the lawn area of The Green (area inside roads); 2) a public hearing would be set for Monday, January 28, 2013 to consider public testimony before final action is taken by City Council; 3) notice regarding the public hearing would be sent to all adjacent property owners within 200 feet of the easement area; 4) staff would be authorized to immediately begin work on a title search; 5) staff would be authorized to immediately begin work on the preparation of the historic preservation easement in conjunction with the State of Delaware and Attorney General's Office to prepare an easement; and 6) staff would be authorized to immediately begin working, with the City's consultant, on the Phase 1 Environmental Assessment (estimated cost $2,500).

Mr. Anderson advised members that during the Committee meeting, there were several individuals who provided valuable insight, including Mrs. Anne Reigle. It was his feeling that members of Council could not truly make a decision without hearing some of the testimony, considering that the minutes had not yet been made available for members to review.

Mr. Anderson moved to suspend the rules to allow Mrs. Anne Reigle three (3) minutes to bring testimony to City Council, seconded by Mr. Hare and carried by a unanimous roll call vote (Lynn and Bonar absent).

Mrs. Anne Reigle, 208 Grouse Trail, Wyoming, Delaware, advised members that she owns a property on The Green that has been owned by her family for many years (with her grandmother actually having been born in the house). When discussing The Green, she felt that it was necessary to discuss what surrounds The Green. Although staff's recommendation was to schedule a public hearing regarding this issue at a later date, she relayed opposition to members taking any other action, particularly appropriating money, prior to that time, since it would leave the impression that the City would be moving forward with the idea. She stated that the objections of the property owners were not due to economics but concerns regarding the mandates that would be made by the Federal Government, such as dictating what colors would be permitted when owners paint their buildings. She stated that the property owners have a philosophical concern about giving control over to the Federal Government to something that the City of Dover had been handling well. Ms. Reigle also felt that there was a lot more control being requested than had been relayed to members, noting that there was discussion during the Committee meeting regarding a reversion, explaining that if the City did not abide by the federal rules, the property would actually revert to the federal government. She did not feel that the City would have the ability to include specific exceptions for parades and festivals and that the City would be required to abide by federal park rules. She urged members to consider the owners of property located around The Green, explaining that the concept would not work unless the property owners were taken into consideration. She felt that two (2) weeks was not enough notice to schedule a public hearing and requested that members provide a courtesy and extend the time to allow property owners the opportunity to contact their insurance companies, hire counsel if so desired, review the maps and documents, etc.

Mr. Perza indicated that he was attempting to balance the "once in a life opportunity" versus the ability for the City to withdraw if it were determined that it would not be in the best interest of the City. He felt that the City had done a good job of maintaining The Green and its historic integrity for the past 300 years and that the Federal Government's help in this regard was not necessary. However, he felt that if the Federal Government were willing to market The Green, this would enhance local tourism and benefit the City, particularly in the current economic climate. Mr. Perza reiterated his reluctance to approve staff's recommendation without the ability to withdraw and without seeing the "fine print." In considering staff's recommendation, he suggested that the City include the ability to withdraw by February 25, 2013, which should provide the property owners the opportunity to review all documents.

Mr. Perza moved for approval of staff's recommendation to proceed with the application with the stipulation that the City of Dover reserved the right to terminate or withdraw the application by February 25, 2013 in the event that the City found the terms of the easement and/or historic preservation document package objectionable. The motion was seconded by Mrs. Williams.

At the request of Council President Leary, Mr. Perza confirmed that staff's recommendation referred to in the motion was inclusive of the six (6) points presented. He stated that this would also include the assumption that the documents would have been in the City's possession before January 28, 2013 prior to the public hearing.

Responding to Mr. Perza, City Solicitor Rodriguez felt that January 28, 2013 was a realistic date for the title search to be complete.

Prior to the public hearing, Mrs. Williams requested that staff reach out and partner with the surrounding property owners of The Green so that the issues could be considered simultaneously. Responding, Mrs. Townshend assured members that the property owners would be contacted as requested.

Mr. Hare moved to suspend the rules to allow Ms. Ross the opportunity to bring additional testimony to City Council, seconded by Mrs. Williams and carried by a unanimous roll call vote (Lynn and Bonar absent).

Ms. Ross noted that if the President decided to act before February 25, 2013, it would be too late to withdraw since the action would have to be taken prior to that date. However, she indicated her feeling that the concerns of members could be resolved by January 28, 2013.

Responding to Mr. Perza, Ms. Ross suggested that members determine if more time would be necessary during their meeting of January 28, 2013. She felt confident that the material from the Federal Government should be provided within the next couple of days.

Mr. Anderson stated that although he was skeptical, he would support staff's recommendations at this time to allow the City to keep their options open. He relayed concern that if the City chose not to participate, tourism could be lost to New Castle County.

The motion to approve staff's recommendations for the designation of The Green as a national monument, as follows: 1) the historic preservation easement would only encompass the lawn area of The Green (area inside roads); 2) a public hearing would be set for Monday, January 28, 2013 to consider public testimony before final action is taken by City Council; 3) notice regarding the public hearing would be sent to all adjacent property owners within 200 feet of the easement area; 4) staff would be authorized to immediately begin work on a title search; 5) staff would be authorized to immediately begin work on the preparation of the historic preservation easement in conjunction with the State of Delaware and Attorney General's Office; and 6) staff would be authorized to immediately begin working with the City's consultant on the Phase 1 Environmental Assessment (estimated cost $2,500); and with the stipulation that the City of Dover reserves the right to terminate or withdraw the application by February 25, 2013 in the event that the City finds the terms of the easement and/or historic preservation document package objectionable; and that staff organize a community meeting in advance of January 28, 2013, was carried by a unanimous roll call vote (Bonar and Lynn absent).

Mayor Carey thanked Ms. Ross and Mrs. Waters for taking their time to meet with the City regarding this issue and recognized the attendance of those representatives of Senator Carper's Office including Ms. Lori James, Mr. Larry Windley, and Ms. Laura Haynes.

By unanimous consent, Council accepted the Parks, Recreation, and Community Enhancement Committee Report.

Councilman Lynn returned to the Chambers.

MONTHLY REPORTS - NOVEMBER 2012

By motion of Mr. Hutchison, seconded by Mr. Dixon, the following monthly reports were accepted by consent agenda:

Budget
City Assessor
City Manager
City Planner
Dover Fire Department
Economic Development Office

ANNUAL REPORT OF THE DOWNTOWN DOVER PARTNERSHIP

Mr. William Neaton, Director of the Downtown Dover Partnership (DDP), submitted the Annual Report of the Downtown Dover Partnership and reviewed highlights of the report.

Mr. Gregg Moore, President of the Board of Directors for the DDP, reviewed a presentation entitled Downtown Dover Partnership - City Council Update ***(Exhibit #3)***. He noted that almost all improvements related to the Loockerman Way Project had been completed with the exception of the lighting (which was expected to be received soon) and landscaping. He noted that the funds needed

for the Winter Wonderland, which included Santa's House, were obtained through contributions and that no DDP funds were expended. Referring to the North Street Project, Mr. Moore indicated that all utilities had been buried, the sidewalks and cartway had been installed, striping was completed, and the roadway opened.

Mr. Moore advised members that the money invested in the building at 22-24 Loockerman Street (cleaning up environmental issues and interior work) and funds that would be invested for improvement to the rear of the property had resulted in obtaining a tenant, the E-Z Pass vendor that the Delaware Department of Transportation (DelDOT) was currently seeking. He announced that he had received the actual written notice from DelDOT indicating their intention for the Delaware E-Z Pass Customer Service Center and Violations Processing Center to be located at 22-24 and to make the front of the building be the public access location for E-Z Pass for paying bills, purchasing transponders, reporting issues, etc., which would result in approximately 40 people per day walking in and out of the building from Loockerman Street.

Mr. Moore also advised members that the DDP was awaiting results of a transportation enhancement grant to continue the North Street Project, explaining that DelDOT was running behind in their scheduling; however, he felt confident that the DDP would receive the requested grant monies. He stated that the DDP was working with the Police Chief to seek a grant for over $1M from the Wells Fargo Foundation to be used toward making the downtown area a safe and vibrant area. He stated that this grant had been pushed from a January decision to the spring.

Mr. Hutchison relayed appreciation for the leadership, focus, and commitment to the downtown and noted that it had produced very positive results.

Referring to the desire to refinance the Acme site, Mr. Anderson requested that Council be given information in this regard as soon as possible to allow for consideration during the budget review. Responding, Mr. Moore relayed appreciation to City Council for past appropriations and support.

Mr. Anderson moved for acceptance of the Annual Report of the Downtown Dover Partnership, seconded by Mrs. Williams and unanimously carried.

OFFICE OF HIGHWAY SAFETY (OHS) FUNDS APPROVED FOR IN-CAR CAMERAS

Police Chief Hosfelt advised members that the Police Department works with the State of Delaware's Office of Highway Safety (OHS) on a regular basis on numerous extra duty programs that promote public safety. Examples include Driving Under the Influence (DUI) checkpoints, seatbelt checkpoints, checks for underage drinking, and many others. He stated that the two (2) agencies had developed a very positive working relationship over many years of working together. Chief Hosfelt indicated that OHS periodically funds equipment purchases for various local agencies in the State involved with their programs when they have funds available. These purchases are always staffed very informally, so there is minimal paperwork involved (i.e., no formal grant application process). He indicated that the last such process was worked primarily through emails coordinating information and requirements between the agencies.

Chief Hosfelt advised members that in October/November 2012, the OHS indicated they had funds for in-car video systems. As a result, the Dover Police Department worked up their requirements for five (5) units and initiated the purchase of these units totaling $24,985 in early December. Two (2) weeks later, the funding letter came through for 15 units, for a total of $72,000. He stated that the Dover Police Department plans to purchase an additional five (5) units, for a total of $49,970, and return the balance of funds since they do not have the funds needed for the purchase of the peripheral equipment for the additional units from other grant sources.

Chief Hosfelt assured members that the purchase of the in-car cameras would not negatively impact the Department's operating budget since they would be used to replace systems that were currently antiquated and were slated to be replaced in the near future. This replacement cost would normally be included in the Department's budget or paid through another grant source. Also, he stated that any maintenance in the first year would be covered under the maintenance agreement included in the initial purchase.

Staff recommended authorization to proceed with the purchase of an additional five (5) in-car video system units at a cost of $49,970, which would be reimbursed by OHS.

Mrs. Williams moved for approval of staff's recommendation, seconded by Mr. Lynn and carried by a unanimous roll call vote (Bonar absent).

APPOINTMENT RECOMMENDED BY MAYOR CAREY - DOWNTOWN DOVER PARTNERSHIP BOARD OF DIRECTORS - WALLACE R. DIXON

Mayor Carey recommended the appointment of Councilman Wallace R. Dixon to serve on the Downtown Dover Partnership (DDP) Board of Directors for a term to expire May 2013 (to fill the unexpired term of Sophia R. Russell).

By consent agenda, Mr. Hutchison moved for approval of the appointment of Councilman Wallace R. Dixon, as recommended by Mayor Carey. The motion was seconded by Mr. Dixon and carried by a unanimous roll call vote (Bonar absent).

APPOINTMENT OF DELAWARE MUNICIPAL ELECTRIC CORPORATION (DEMEC) DIRECTOR AND ALTERNATE DIRECTOR *(SCOTT D. KOENIG AND DONNA S. MITCHELL)*

Members considered the appointments to the Delaware Municipal Electric Corporation (DEMEC), as follows: Mr. Scott D. Koenig, Director, and Mrs. Donna S. Mitchell, Alternate Director.

By consent agenda, Mr. Hutchison moved for approval of the appointments of Mr. Scott D. Koenig as Director, and Mrs. Donna S. Mitchell, Alternate Director, to the Delaware Municipal Electric Cooperative (DEMEC). The motion was seconded by Mr. Dixon and carried by a unanimous roll call vote (Bonar absent).

COUNCIL MEMBERS ANNOUNCEMENTS

Council President Leary noted that in addition to the public hearing being set for the consideration of The Green as a National Monument for January 28, 2013, staff had provided a tentative date for a workshop regarding this proposal for Wednesday, January 23, 2013 at 5:30 p.m. in the City Hall Conference Room.

In addition, Council President Leary stated that the filing deadline for the April 2013 Municipal Election for the First, Second, Third, Fourth, and At-Large Council seats, with a term of office of four (4) years, would be Friday, February 8, 2013 at 4:30 p.m. He noted that filing petitions were available from the City Clerk's Office or on the City's website at www.cityofdover.com.

Mrs. Townshend invited all bicyclists and pedestrians to attend a meeting Tuesday, January 22, 2013 at 5:00 p.m. in the City Hall Conference Room. The purpose of the meeting would be to help establish the City's Bicycle and Pedestrian Subcommittee, which would report to the Safety Advisory and Transportation Committee.

Mr. Hutchison recognized newly elected Fire Chief West and welcomed him to the Council Chambers.

Mr. Anderson announced that on Wednesday, January 16, 2013, at 5:00 p.m., at the Dover Police Department Public Assembly Room, there would be a hearing on the issue of homelessness and other community housing issues.

Mr. Hare moved to adjourn into the Special Council Meeting - Executive Session, seconded by Mr. Perza and unanimously carried.

Meeting Adjourned at 9:03 P.M.

TRACI A. McDOWELL
CITY CLERK

All orders, ordinances, and resolutions adopted by City Council during their Regular Meeting of January 14, 2013, are hereby approved.

CARLETON E. CAREY, SR.
MAYOR

/TM/jg
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Exhibits
Exhibit #1 - Presentation - Economic Development Strategies for the City of Dover
Exhibit #2 - Map Depicting Area Being Considered for Incorporation in the First State National Historic Monument
Exhibit #3 - Presentation - Downtown Dover Partnership - City Council Update

Economic Development Strategies for the City of Dover

Overview

Presented by

Michael H. Casson Jr., Ph.D.
Director, University Center for Economic Development and International Trade (UCEDIT)
Associate Professor of Economics
Dean, School of Graduate Studies and Research

EXHIBIT #1
Regular Council Meeting of 01/14/2013

Potential Economic Development

Strategies

1. Coordinate economic development programs and support services
2. Business development
3. Development incentives and financing
4. Business attraction and retention
5. Workforce education and training
6. Land supply analysis for business growth
7. Infrastructure investment
8. Investment in quality of life factors conducive to business innovation

Strategy 1

Coordination of Economic Development Programs and Support Services

- Intraregional Coordination
- Pooling Resources
- Regional Tax-Base Sharing

Strategy 2
Business Development

- Business Skills and Management Training for Small Businesses
- Business Incubator

Strategy 3

Business Attraction and Retention

- Marketing to Attract Businesses
- Direct Marketing Techniques
- Business Retention

Strategy 4
Development Incentives and Financing

- Incentives attract and/or retain businesses
- Tax-Increment Financing (TIF)
- Private Activity/Industrial Development Bond (tax exempt)

Strategy 5
Workforce Education and Training

- Educational Institution Partnership
- Customized Instructional Approaches

Strategy 6
Land Supply

- Monitoring Land Markets and Providing Adequate Buildable Land
- GIS
- Industrial, Technology, and Business Parks
- Land Assembly

Strategy 7
Infrastructure Provision

- Development capacity and long-term competitiveness
- Capital Improvement Programming and Funding

Strategy 8
Creation of a Quality of Life Conducive to Business Innovation

- Quality-of-Life Strategy

What Can Local Governments Do to Affect the Amount and Type of Economic Development?

- Traditional Role: Public Service Provider and Regulator

- Entrepreneurial Role: Deal-Maker and Business Recruiter

THANK YOU

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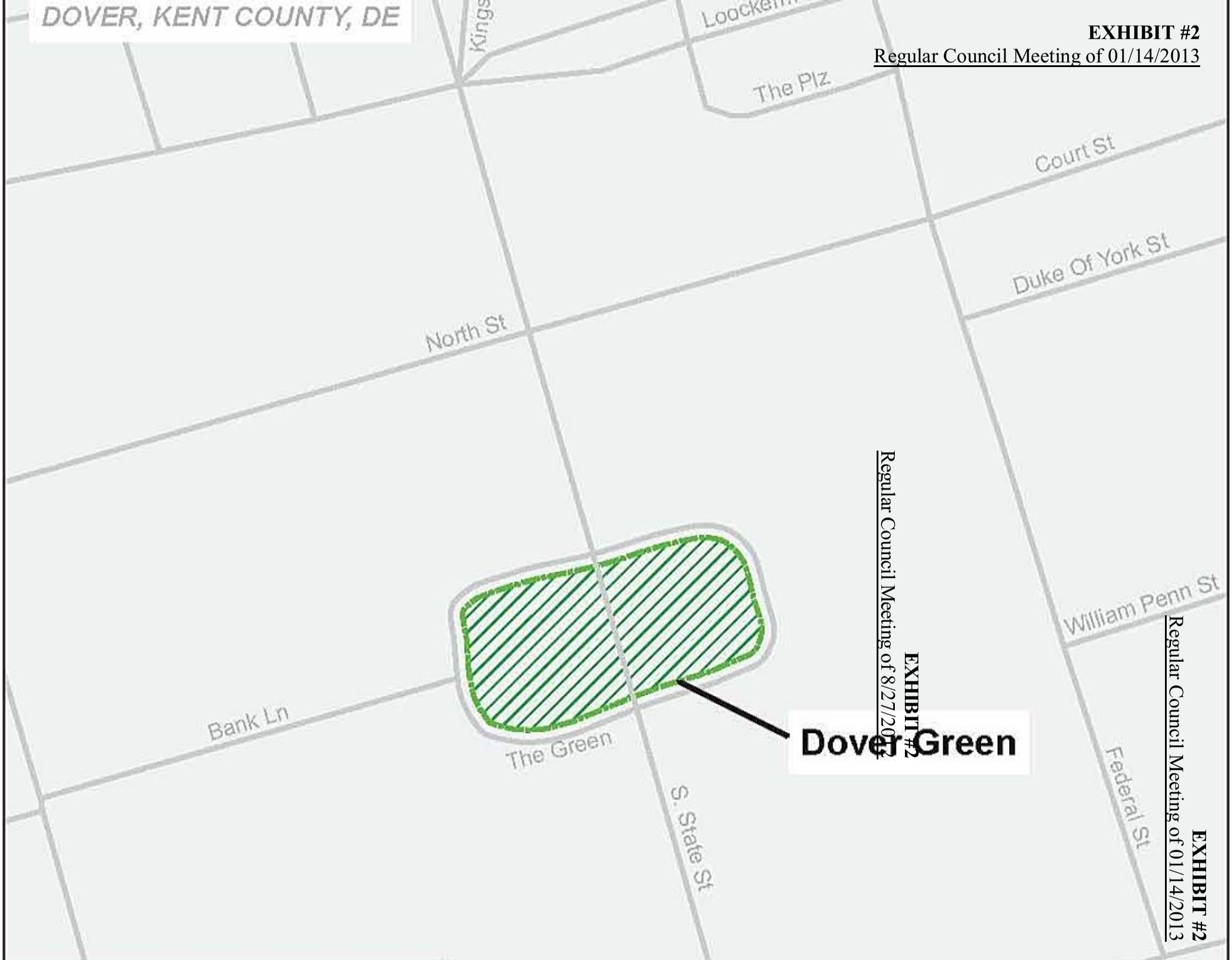


EXHIBIT #2
Regular Council Meeting of 8/27/2012

EXHIBIT #2
Regular Council Meeting of 01/14/2013

Downtown Dover Partnership

City Council Update

January 14, 2013

EXHIBIT #3
Regular Council Meeting of 01/14/2013

Loockerman Way





Before Improvements

Loockerman Way



Proposed Plaza Improvements

DOWNTOWN DOVER PARTNERSHIP

Loockerman Way



DOWNTOWN DOVER PARTNERSHIP

Plaza Improvements Under Construction

Loockerman Way



Plaza Improvements and New Parking Under Construction

Loockerman Way



Plaza Improvements and New Parking Under Construction

Loockerman Way



Plaza Improvements and New Parking

DOWNTOWN DOVER PARTNERSHIP

Loockerman Way



Plaza Improvements and New Parking

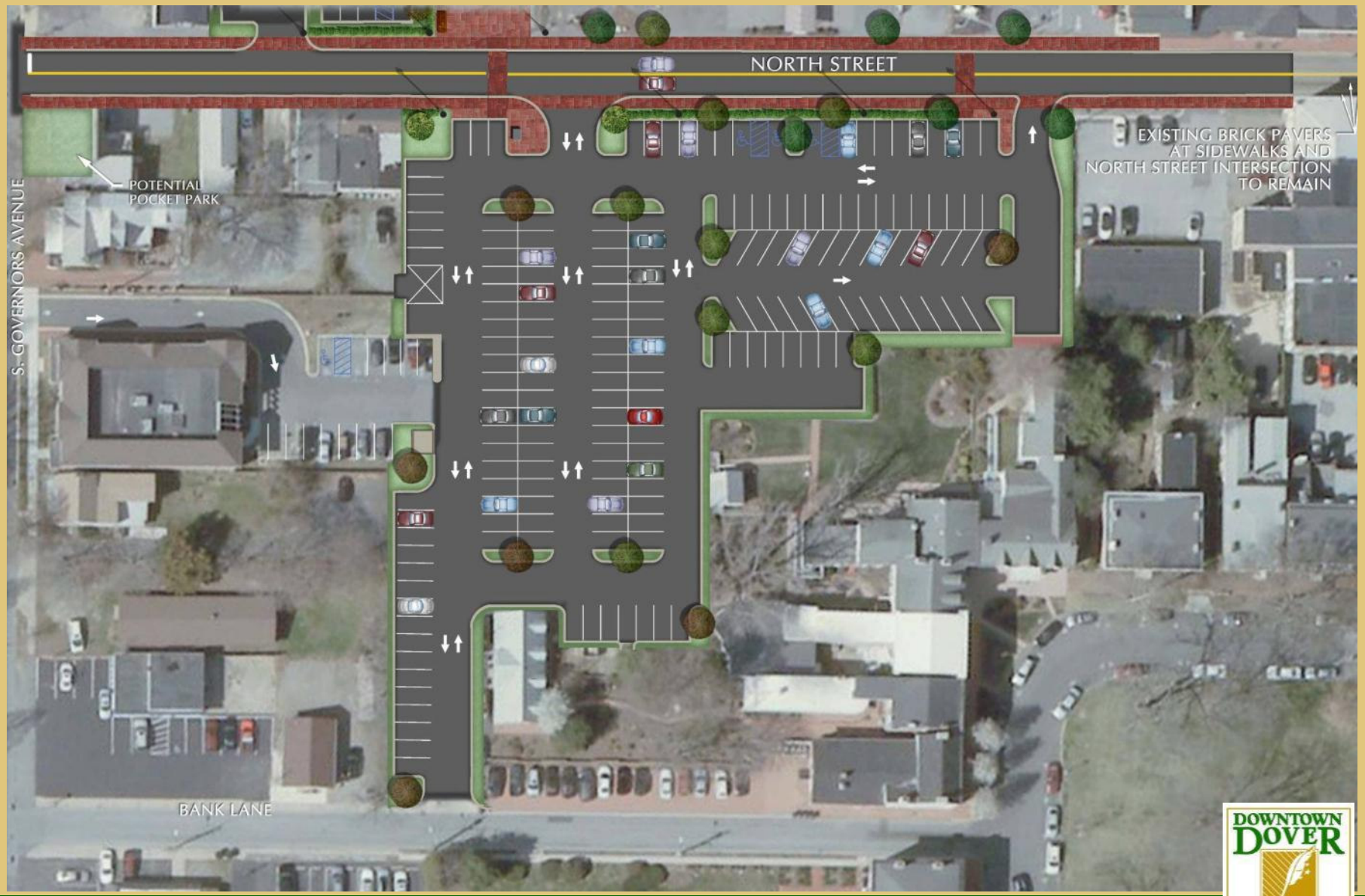
North Street Parking Consolidation



Existing Parking Total: 172 Spaces

DOWNTOWN DOVER PARTNERSHIP

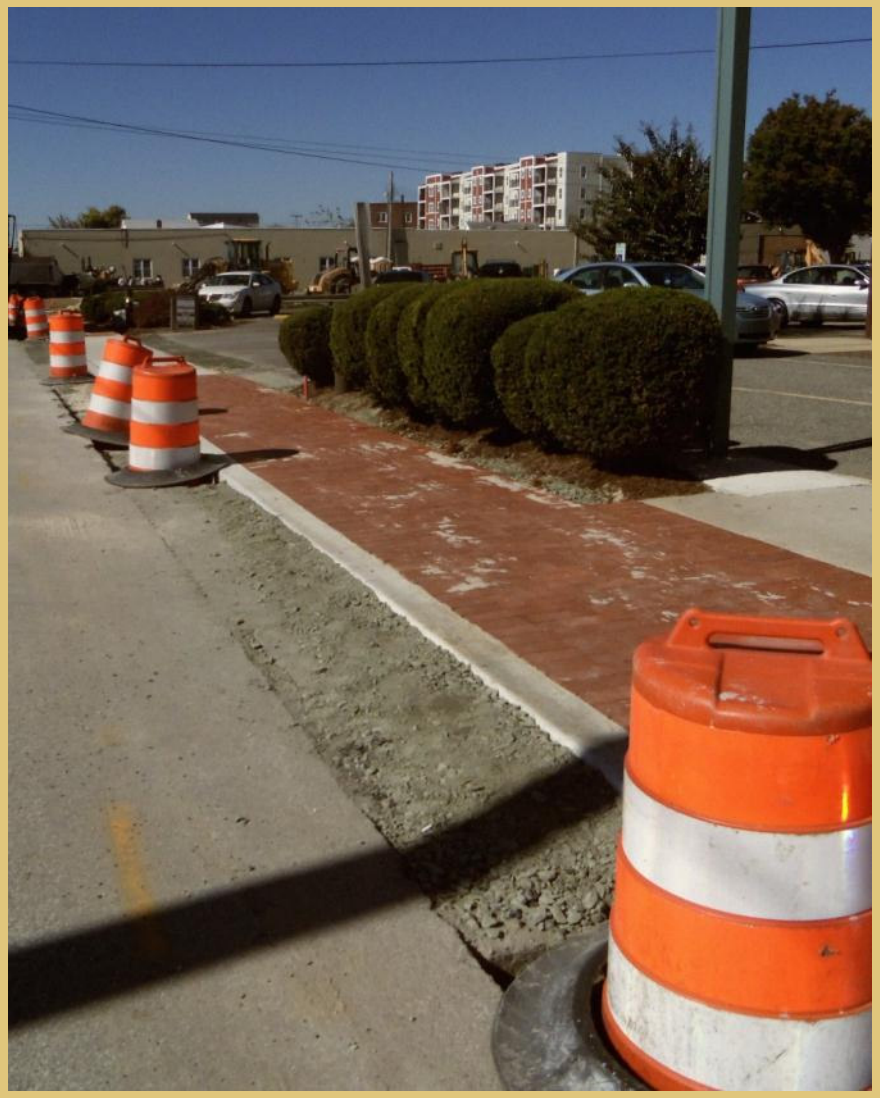
North Street Parking Consolidation



Proposed Parking Total: 177 Spaces

DOWNTOWN DOVER PARTNERSHIP

North Street Improvements





Improvements Under Construction

North Street Improvements



Improvements Under Construction

DOWNTOWN DOVER PARTNERSHIP

22-24 W. Loockerman Street



Loockerman St. Elevation Before Renovations

DOWNTOWN DOVER PARTNERSHIP

22-24 W. Loockerman Street



Renovated Loockerman St. Elevation

DOWNTOWN DOVER PARTNERSHIP

22-24 W. Loockerman Street



North St. Elevation Before Renovation

22-24 W. Loockerman Street



Rear Plaza- Existing

22-24 W. Loockerman Street



Rear Plaza- Existing

22-24 W. Loockerman Street



Rear Plaza - Proposed

DOWNTOWN DOVER PARTNERSHIP