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

NOVEMBER 13, 2012 - 5:30 P.M.

CITY HALL COUNCIL CHAMBERS
15 LOOCKERMAN PLAZA
DOVER, DELAWARE

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

AGENDA ADDITIONS/DELETIONS

1. Proposed Ordinance #2012-23 - FY13 Budget Revisions *(Staff Sponsored)*

2. Martin Luther King, Jr. Boulevard *(Referred Back to the Committee by City Council on October 8, 2012)*

3. Adjournment by 7:00 P.M.

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

ACTION FORM

PROCEEDING: Legislative, Finance & Administration Committee
DEPARTMENT OF ORIGIN: Finance **DATE SUBMITTED**: 11/13/12
PREPARED BY: Donna Mitchell, Controller/Treasurer
SUBJECT: Budget Ordinance – First Amendment
REFERENCE: N/A
APPROVALS: Committee & Council
EXHIBITS: Draft Budget Ordinances
EXPENDITURE REQUIRED: As attached **AMOUNT BUDGETED**: As attached
TIMETABLE:
RECOMMENDED ACTION: Approval of draft budget ordinance to be forwarded to City Council for first reading on November 26, 2012.

The attached budget ordinance incorporates the following changes into the FY13 Budget.

- The Original Budget for the Police Grant Funds that was missed in the original budget ordinance.
  - The budget ordinance represents the combined fund summary for three separate Federal & State Grants; the individual revenue and expenditure line items will be entered into the City's financial accounting system for each grant.
- The audited Beginning Balances for the Municipal Street Aid, Library, CDBG, and Police Grants funds and corresponding revisions to the expenditures.
- Capital project funds are amended to reflect the audited Beginning Balances and corresponding adjustments for those uncompleted projects with multi-year construction periods.
- Amends the Beginning Balances for the Operating Funds to include the carry forward balances to cover the purchase of the mobile and portable radios for FCC compliance that was budgeted for in FY12. The offsetting expenditures are also amended by Department.
- The remaining Beginning Balances for the Operating Funds will be brought forward for amendment after the completion of the audit.
- Property Taxes are adjusted to reflect higher PILOT Taxes from the State of Delaware that was approved in the State budget after the adoption of the City budget.
- The additional Municipal Street Aid funds the State appropriated for capital outlay on street projects in FY12 is carried forward in the Beginning Balance. This coupled with another additional appropriation (revenue) for capital outlay is included in the Municipal Street Aid Budget to be spent this fiscal year.
- Increased the Capital Investment Plan for the Electric Improvement & Extension Fund to provide funding for increased request for new developments and commercial properties. An increase of $300,000.
- Amends the power supply & generation budget to provide more detail and inclusion of cost of the Solar Renewable Energy Credits.

All changes are notated in red font.

GENERAL FUND - REVENUES AND BUDGET

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL ME
The amount hereinafter named aggregating Thirty Eight Million, Five Hundred Four Thousand, Seven Hundred dollars ($38,504,700) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2012 and ending June 30, 2013:

	ORIGINAL 2012/13 BUDGET	REVISED 2012/13 BUDGET
RECEIPTS		
BEGINNING BALANCE	**2,666,600**	**2,734,400**
FINES AND POLICE REVENUE	668,000	668,000
INVESTMENT INCOME	75,000	75,000
LIBRARY REVENUES	66,200	66,200
KENT COUNTY BOOK REIMBURSEMENT	405,900	405,900
BUSINESS LICENSES	1,455,000	1,455,000
PERMITS AND OTHER FEES	1,053,300	1,053,300
MISCELLANEOUS CHARGES	55,500	55,500
POLICE EXTRA DUTY	494,400	494,400
PROPERTY TAXES	10,997,400	11,063,400
BID REVENUE	51,600	51,600
RECREATION REVENUE	130,000	130,000
FRANCHISE FEE	550,000	550,000
SANITATION FEES	2,690,200	2,690,200
RENT REVENUE - GARRISON FARM	62,000	62,000
COURT OF CHANCERY FEES	753,800	753,800
RECEIPTS SUBTOTAL	**19,508,300**	**19,574,300**
INTERFUND SERVICE RECEIPTS		
INTRAFUND SERVICE RECEIPTS W/WW	1,104,600	1,104,600
INTRAFUND SERVICE RECEIPTS ELECTRIC	3,224,500	3,224,500
INTERFUND SERVICE RECEIPTS SUBTOTAL	**4,329,100**	**4,329,100**
GRANTS:		
POLICE RELATED/EXTRA DUTY	85,000	85,000
POLICE PENSION GRANT	500,000	500,000
GREEN ENERGY GRANT	98,500	98,500
MISC GRANT REVENUE	25,000	25,000
GRANTS SUBTOTAL	**708,500**	**708,500**
TRANSFERS FROM:		
TRANSFER TAX	1,370,000	1,370,000
MUNICIPAL STREET AID	527,400	527,400
CIVIL TRAFFIC PENALTIES	750,000	750,000
WATER/WASTEWATER	500,000	500,000
ELECTRIC	8,000,000	8,000,000
VERIZON AND CI RESERVES	11,000	11,000
TRANSFERS FROM SUBTOTAL	**11,158,400**	**11,158,400**
TOTAL REVENUES	**35,704,300**	**35,770,300**
TOTAL BEGINNING BALANCE & REVENUE	**38,370,900**	**38,504,700**

GENERAL FUND EXPENSE SUMMARY

	ORIGINAL 2012/13 BUDGET	REVISED 2012/13 BUDGET
DEPARTMENT EXPENSES:		
CITY CLERK	326,900	326,900
COUNCIL	114,200	114,200
TAX ASSESSOR	187,500	187,500
FIRE	688,300	688,300
GROUNDS MAINTENANCE	993,300	1,008,100
LIBRARY	1,250,200	1,250,200
RECREATION	713,400	715,400
LIFE SAFETY	469,900	471,200
CODE ENFORCEMENT	293,100	295,100
PLANNING	410,300	412,300
INSPECTIONS	592,200	596,900
ECONOMIC DEVELOPMENT	231,100	231,100
POLICE	13,195,200	13,195,200
POLICE EXTRA DUTY	579,400	579,400
STREETS	756,700	772,200
SANITATION	2,140,700	2,152,800
CITY MANAGER	420,000	420,000
INFORMATION TECHNOLOGY	642,700	642,700
FINANCE	879,500	879,500
PUBLIC SERVICES - ADMINISTRATION	468,600	472,600
FACILITIES MANAGEMENT	678,800	683,500
CENTRAL SERVICES	576,900	578,200
FLEET MAINTENANCE	712,700	716,100
CUSTOMER SERVICE	901,200	901,200
HUMAN RESOURCES	319,700	319,700
MAYOR	82,400	82,400
DEPARTMENT SUBTOTALS	**28,624,900**	**28,692,700**
OTHER EXPENDITURES:		
DEBT SERVICE	624,200	624,200
CONTRIBUTION TO DDP	180,000	180,000
MISCELLANEOUS GRANT RELATED EXPENSES	25,000	25,000
INSURANCE	600,000	600,000
RETIREES HEALTH CARE	1,620,600	1,620,600
OTHER EMPLOYMENT EXPENSES	463,400	463,400
GENERAL PENSION UNFUNDED LIABILITY	1,310,500	1,310,500
POLICE PENSION FUND - STATE GRANT	500,000	500,000
POLICE PENSION UNFUNDED LIABILITY	95,000	95,000
UNCOLLECTIBLES - TRASH AND OTHER	10,000	10,000
STREET LIGHTS	869,700	869,700
OTHER EXPENSE SUBTOTAL	**6,298,400**	**6,298,400**
TRANSFERS		
TRANSFER TO CAPITAL FUND - PROJECTS	613,400	613,400
TRANSFERS SUBTOTAL	**613,400**	**613,400**
TOTAL EXPENDITURES	**35,536,700**	**35,536,700**
CURRENT YEAR BALANCE	**2,834,200**	**2,968,000**
TOTAL BUDGET BALANCE & EXPENDITURES	**38,370,900**	**38,504,700**

GOVERNMENTAL CAPITAL PROJECTS FUND SUMMARY

	ORIGINAL 2012/13 BUDGET	REVISED 2012/13 BUDGET
BEGINNING BALANCE	**294,400**	**241,100**
BEGINNING BALANCE - Library Project	**-**	**(95,500)**
REVENUES		
STATE GRANTS - Library	884,200	1,746,000
PROPOSED BOND/BANK PROCEEDS - Library	317,500	648,500
INCOME FROM SALE OF ASSETS	1,200,000	1,200,000
LIBRARY FOUNDATION DONATIONS	-	71,000
KENT COUNTY CONTRIBUTION	-	250,000
FRIENDS OF THE LIBRARY DONATION	-	102,400
DEMEC GRANT	-	166,700
PROPOSED BANK PROCEEDS - Streets	2,000,000	2,000,000
PROPOSED BANK PROCEEDS - Garrison	2,000,000	-
STATE GRANTS - DEMA	108,000	158,000
POLICE GRANTS	33,800	33,800
MUNICIPAL STREET AID CAPITAL CONTRIBUTION	-	132,200
TRANSFER FROM FUTURE CAPACITY RESERVE	-	2,000,000
TRANSFER FROM GENERAL FUND	613,400	613,400
TOTAL REVENUES	**7,156,900**	**9,122,000**
TOTAL BEGINNING BALANCE & REVENUES	**7,451,300**	**9,267,600**
EXPENDITURES		
FIRE	238,500	238,500
GROUNDS MAINTENANCE	112,000	112,000
LIBRARY	2,535,000	4,089,100
RECREATION	30,000	30,000
POLICE	197,000	197,000
STREETS	1,974,000	2,144,200
SANITATION	150,000	150,000
INFORMATION TECHNOLOGY	57,000	107,000
FACILITIES MANAGEMENT	381,000	381,000
MAYOR	33,000	33,000
DEPARTMENT SUBTOTAL	**5,707,500**	**7,481,800**
TRANSFERS & MISCELLANEOUS EXPENSES		
BOND/LOAN ISSUANCE COST	56,000	-
TRANSFER TO COMMUNITY TRANS FUND	1,606,700	1,606,700
TRANSFERS & MISCELLANEOUS SUBTOTAL	**1,662,700**	**1,606,700**
TOTAL EXPENDITURES	**7,370,200**	**9,088,500**
CURRENT YEAR BALANCE	81,100	179,100
TOTAL BUDGET BALANCE & EXPENDITURES	**7,451,300**	**9,267,600**

WATER/WASTEWATER FUND SUMMARY

	ORIGINAL 2012/13 BUDGET	REVISED 2012/13 BUDGET
BEGINNING BALANCE - WATER	865,100	884,600
BEGINNING BALANCE - WASTEWATER	853,000	867,800
BEGINNING BALANCE - KCSA	(553,500)	(553,500)
TOTAL BEGINNING BALANCES	**1,164,600**	**1,198,900**
BASE REVENUE:		
WATER FEES	4,730,700	4,730,700
WASTEWATER FEES	3,834,600	3,834,600
WASTEWATER ADJUSTMENT FEES	3,090,800	3,090,800
GROUNDWATER INFLOW ADJUSTMENT	1,257,600	1,257,600
WATER TANK SPACE LEASING	313,500	313,500
SEWER IMPACT FEES	317,000	317,000
WATER IMPACT FEES	350,000	350,000
INTEREST - WATER	8,700	8,700
INTEREST - WASTEWATER	17,100	17,100
MISCELLANEOUS SERVICE FEE	77,000	77,000
TOTAL REVENUES	**13,997,000**	**13,997,000**
TOTAL BEGINNING BALANCE & REVENUES	**15,161,600**	**15,195,900**
DIRECT EXPENSES:		
ENGINEERING & INSPECTION	597,900	601,900
WATER CONSTRUCTION	345,700	352,400
WATER DEPARTMENT	408,200	415,000
WATER TREATMENT PLANT	1,522,600	1,535,400
WASTEWATER DEPARTMENT	993,000	997,000
DIRECT EXPENDITURE SUBTOTAL	**3,867,400**	**3,901,700**
OTHER EXPENSES:		
DEBT SERVICE - WATER	532,100	532,100
DEBT SERVICE - WASTEWATER	731,500	731,500
RETIREES HEALTH CARE	220,000	220,000
OTHER EMPLOYMENT EXPENSES	16,200	16,200
PENSION UNFUNDED LIABILITY	309,800	309,800
KENT COUNTY TREATMENT CHARGE	3,600,000	3,600,000
INTRAFUND SERVICE FEES	1,235,400	1,235,400
UNCOLLECTIBLES	5,000	5,000
INVENTORY/FIXED ASSET WRITEOFFS	5,000	5,000
OTHER EXPENSES SUBTOTAL	**6,655,000**	**6,655,000**
TRANSFER TO:		
GENERAL FUND FROM WATER	250,000	250,000
GENERAL FUND FROM WASTEWATER	250,000	250,000
WATER IMP AND EXT	1,700,000	1,700,000
WASTEWATER IMP AND EXT	1,200,000	1,200,000
CAPITAL ASSET RESERVE WATER	70,000	70,000
CAPITAL ASSET RESERVE WASTEWATER	22,000	22,000
TRANSFER TO SUBTOTAL	**3,492,000**	**3,492,000**
TOTAL EXPENSES	**14,014,400**	**14,048,700**
BUDGET BALANCES		
CURRENT YEAR BALANCE WATER	482,700	482,700
CURRENT YEAR BALANCE WASTEWATER	664,500	664,500
SUBTOTAL CURRENT YEAR BALANCES	**1,147,200**	**1,147,200**
TOTAL BUDGET BALANCES & EXPENSES	**15,161,600**	**15,195,900**

WATER/WASTEWATER IMPROVEMENT & EXTENSION FUND

	ORIGINAL 2012/13 BUDGET	REVISED 2012/13 BUDGET
BEGINNING BALANCE - WATER	3,071,800	3,811,200
BEGINNING BALANCE - WASTEWATER	1,013,600	2,641,000
TOTAL BEGINNING BALANCES	**4,085,400**	**6,452,200**
REVENUES		
BOND PROCEEDS - WATER - 2013 ISSUE	2,000,000	2,000,000
BOND PROCEEDS - WASTEWATER - 2013 ISSUE	2,000,000	2,000,000
TRANS FR OPERATING FUND FOR WATER	1,700,000	1,700,000
TRANS FR OPERATING FUND FOR WASTEWATER	1,200,000	1,200,000
TRANSFER FR WATER IMPACT FEE RESERVE	250,000	250,000
TRANSFER FR WASTEWATER IMPACT FEE RES	300,000	300,000
PROCEEDS FROM SALE OF ASSETS	-	-
INTEREST INCOME	25,000	25,000
TOTAL REVENUES	**7,475,000**	**7,475,000**
TOTAL BEGINNING BALANCES & REVENUES	**11,560,400**	**13,927,200**
EXPENSES		
WATER	5,140,000	5,762,600
WASTEWATER	3,817,300	5,798,400
WATER TREATMENT PLANT	24,100	24,100
WATER CONSTRUCTION	31,000	31,000
ENGINEERING & INSPECTION	23,400	23,400
BOND ISSUANCE COST & DEBT SERVICE RESERVE	344,000	344,000
TOTAL EXPENSES	**9,379,800**	**11,983,500**
CUREENT YEAR BALANCE - WATER	1,655,500	1,772,300
CURRENT YEAR BALANCE - WASTEWATER	525,100	171,400
TOTAL ENDING BUDGET BALANCES	**2,180,600**	**1,943,700**
TOTAL BUDGET BALANCES & EXPENSES	**11,560,400**	**13,927,200**

ELECTRIC REVENUE FUND SUMMARY

	ORIGINAL 2012/13 BUDGET	REVISED 2012/13 BUDGET
BEGINNING BALANCE	**7,184,000**	**7,201,500**
BASE REVENUE:		
DIRECT SALES TO CUSTOMER	85,071,400	85,071,400
UTILITY TAX	1,595,200	1,595,200
MISCELLANEOUS REVENUE	850,700	850,700
RENT REVENUE	225,000	225,000
GREEN ENERGY	129,000	129,000
INTEREST EARNINGS	107,800	107,800
TRANSFER FROM RATE STABILIZATION	5,400,000	5,400,000
INTRAFUND SERVICE RECEIPTS W/WW	130,800	130,800
TOTAL REVENUES	**93,509,900**	**93,509,900**
TOTAL BEGINNING BALANCE & REVENUES	**100,693,900**	**100,711,400**
EXPENSES:		
POWER SUPPLY - HEDGED ENERGY	39,468,900	39,468,900
PJM CHARGES - PURCHASED ENERGY	17,508,300	13,752,300
PJM CHARGES - TRANSMISSION & FEEES	-	3,756,000
SOLAR ENERGY	1,414,500	1,414,500
SOLAR RENEWAL ENERGY CREDITS	-	351,600
CAPACITY CHARGES - LOAD	12,564,800	12,564,800
POWER SUPPLY MANAGEMENT	996,000	996,000
SUB-TOTAL POWER SUPPLY	**71,952,500**	**72,304,100**
PLANT OPERATIONS	5,914,900	5,914,900
GENERATIONS FUELS	586,000	586,000
PJM SPOT MARKET ENERGY	-	(1,124,300)
PJM CREDITS	(1,199,700)	(427,000)
CAPACITY CREDITS	(14,318,600)	(14,318,600)
GENERATION SUBTOTAL	**(9,017,400)**	**(9,369,000)**
POWER SUPPLY & GENERATION SUBTOTAL	**62,935,100**	**62,935,100**
DIRECT EXPENDITURES		
TRANSMISSION/DISTRIBUTION	3,223,600	3,233,700
ELECTRICAL ENGINEERING	1,163,900	1,171,300
ADMINISTRATION	501,200	501,200
METER READING	212,500	212,500
SYSTEMS OPERATIONS	517,600	517,600
DIRECT EXPENDITURE SUBTOTALS	**5,618,800**	**5,636,300**
OTHER EXPENSES:		
UTILITY TAX	1,595,200	1,595,200
ALLOW FOR UNCOLLECTIBLES	150,000	150,000
CONTRACTUAL SERVICES - RFP'S	190,000	190,000
RETIREES HEALTH CARE	696,500	696,500
OTHER EMPLOYMENT EXPENSES	157,900	157,900
TRANSFER TO PENSION UNFUNDED LIABILITY	1,074,200	1,074,200
GREEN ENERGY PAYMENT TO DEMEC	129,000	129,000
INTRAFUND SERVICE FEES	3,224,500	3,224,500
INTEREST ON DEPOSITS	35,000	35,000
INVENTORY WRITE OFFS	175,000	175,000
DEBT SERVICE	3,323,600	3,323,600
OTHER EXPENSES SUBTOTAL	**10,750,900**	**10,750,900**
TRANSFER TO:		
IMPROVEMENT & EXTENSION	3,500,000	3,500,000
GENERAL FUND	8,000,000	8,000,000
TRANSFER TO SUBTOTAL	**11,500,000**	**11,500,000**
TOTAL EXPENSES	**90,804,800**	**90,822,300**
CURRENT YEAR BALANCE	**9,889,100**	**9,889,100**
TOTAL BUDGET BALANCE & EXPENSES	**100,693,900**	**100,711,400**

ELECTRIC IMPROVEMENT & EXTENSION FUND SUMMARY

	ORIGINAL 2012/13 BUDGET	REVISED 2012/13 BUDGET
BEGINNING BALANCE	**2,714,600**	**3,534,600**
REVENUE		
TRANSFER FROM ELECTRIC	3,500,000	3,500,000
TRANSFER FROM FUTURE CAPACITY RESERVE	550,000	550,000
INTEREST EARNINGS	40,700	40,700
TOTAL REVENUES	**4,090,700**	**4,090,700**
TOTAL BEGINNING BALANCE & REVENUE	**6,805,300**	**7,625,300**
EXPENSES		
ELECTRIC GENERATION	1,441,300	1,786,600
TRANSMISSION AND DISTRIBUTION	596,000	896,000
ELECTRICAL ENGINEERING	1,932,700	1,942,800
TOTAL EXPENSES	**3,970,000**	**4,625,400**
CURRENT YEAR BALANCE	**2,835,300**	**2,999,900**
TOTAL BUDGET BALANCE & EXPENSES	**6,805,300**	**7,625,300**

MUNICIPAL STREET AID

	ORIGINAL 2012/13 BUDGET	REVISED 2012/13 BUDGET
BEGINNING BALANCE	**100**	**132,200**
REVENUES		
STATE GRANTS	527,400	659,600
TOTAL REVENUES	**527,400**	**659,600**
TOTAL BEGINNING BALANCE & REVENUES	**527,500**	**791,800**
EXPENDITURES		
STREET IMPROVEMENTS	-	264,300
TRANSFER TO GENERAL FUND	527,400	527,400
TOTAL EXPENDITURES	**527,400**	**791,700**
CURRENT YEAR BALANCE	100	100
TOTAL BUDGET BALANCE & EXPENDITURES	**527,500**	**791,800**

LIBRARY GRANT

	ORIGINAL 2012/13 BUDGET	REVISED 2012/13 BUDGET
BEGINNING BALANCE	**-**	**30,000**
REVENUE		
STATE GRANT	280,500	280,500
TOTAL REVENUE	**280,500**	**280,500**
TOTAL BEGINNING BALANCE & REVENUE	**280,500**	**310,500**
EXPENDITURES		
FURNITURE/FIXTURES	52,300	62,900
PROGRAM EXPENSES/SUPPLIES	15,300	17,100
OFFICE SUPPLIES	15,000	15,000
PRINTING & DUPLICATING	9,500	9,800
POSTAGE	200	200
BOOKS	95,000	95,000
COMPUTER HARDWARE	20,000	20,000
AUDIO VISUAL SUPPLIES	65,000	65,000
TRAINING/CONF/FOOD/TRAV	4,000	4,000
OFF EQP/REPAIRS & MAINT	4,200	4,200
TOTAL EXPENDITURES	**280,500**	**293,200**
CURRENT YEAR BALANCE	-	17,300
TOTALS	**280,500**	**310,500**

POLICE GRANTS

	ORIGINAL 2012/13 BUDGET	REVISED 2012/13 BUDGET
PRIOR YEAR BALANCE	**-**	**178,400**
REVENUE		
GRANTS RECEIVED	382,600	429,400
INTEREST INCOME	-	-
TOTAL REVENUE	**382,600**	**429,400**
TOTALS	**382,600**	**607,800**
EXPENDITURES		
FURNITURE & FIXTURES	-	15,000
OFFICE & COMPUTER SUPP	-	-
PHOTO EQUIPT & SUPPLIES	-	-
POLICE EQUIPT & PROG SUPP	64,000	87,000
UNIFORMS & BODY ARMOR	-	-
TECHNOLOGY EQUIPMENT	57,000	57,000
BUILDING IMPROVEMENTS	-	-
CELL PHONE CHARGES	15,000	15,000
TRAINING	17,000	27,000
AUDIT FEES	1,000	1,000
OTHER EQUIPMENT	-	25,000
VEHICLE PURCHASE	10,500	10,500
TOTAL EXPENDITURES	**164,500**	**222,500**
OTHER FINANCING USES		
OPERATING TRANSFERS-OUT	218,100	242,400
TOTAL FINANCING USES	**218,100**	**242,400**
CURRENT YEAR BALANCE	-	142,900
TOTALS	**382,600**	**607,800**

THE ABOVE BUDGET INCLUDES THE POLICE GRANTS FUND, USDOJ BYRNE GRANTS FUND AS WELL AS THE OTHER FEDERAL POLICE

COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)

	ORIGINAL 2012/13 BUDGET	REVISED 2012/13 BUDGET
BEGINNING BALANCE	**-**	**16,200**
REVENUE		
FEDERAL GRANT	235,300	317,200
TOTAL REVENUE	**235,300**	**317,200**
TOTAL BEGINNING BALANCE & REVENUE	**235,300**	**333,400**
EXPENDITURES		
SALARIES	38,300	38,300
FICA TAXES	2,900	2,900
WORKER'S COMPENSATION	200	200
PENSION	2,300	2,300
OPEB	3,300	3,300
COMMUNITY REVITAL. INFRASTRUCTURE	-	60,100
CLOSING COST & DOWNPAYMENT PROGRAM	30,000	36,000
DOVER INTERFAITH MINISTRY	27,500	34,600
FIRST STATE RES CONSV & DEV	35,000	41,900
ELIZABETH W MURPHEY SCHOOL	20,000	20,000
NCALL RESEARCH	7,800	7,800
SERENITY PLACE	28,000	28,000
MILFORD HOUSING H/O REHAB PROGRAM	40,000	41,800
TOTAL EXPENDITURES	**235,300**	**317,200**
CURRENT YEAR BALANCE	-	16,200
TOTALS	**235,300**	**333,400**

AN EXCERPT FROM THE MINUTES OF THE CITY COUNCIL MEETING OF OCTOBER 8, 2012:

PUBLIC HEARING - RENAMING OF DIVISION STREET WITHIN THE CITY LIMITS AS MARTIN LUTHER KING, JR. BOULEVARD

A public hearing was set for this time and place to consider the renaming of Division Street "from City limit to City limit" to Martin Luther King, Jr. Boulevard. Members were reminded that during their Regular Meeting of September 24, 2012, City Council approved the recommendation of the Legislative, Finance, and Administration Committee to set a public hearing regarding the renaming of Division Street as Martin Luther King, Jr. Boulevard. Members reviewed a map depicting the Route 8 corridor and a history of street names, which indicated that action of Town (City) Council to number the houses in 1880 established State Street as a dividing line for the west and east segments of streets and established Division Street to serve as the dividing line for the north and south segments of streets (now referenced in Dover Code of Ordinances, Article VIII, Section 98-342).

It was noted that the proposal for this street renaming would bypass the normal procedures for street name changes. The specific procedure for street name changes is outlined in the Dover Code of Ordinances, Chapter 98, Article II, Section 98-45 Street Name Change Procedure. As outlined in Code, the normal procedure for street name changes requires a formal petition of request from a majority of abutting property owners to the street, review and comments by the Development Advisory Committee (DAC), review by the Planning Commission, review by the Utility Committee, and then a public hearing and consideration by City Council.

Mrs. Ann Marie Townshend, Director of Planning and Community Development, advised members that the Planning Office referred the matter to the Development Advisory Committee (DAC) agencies for their review. To assist them in compiling information and providing comments about specific areas of the Route 8 corridor in the City of Dover, segments of the roadway were identified (as indicated on an overall map as well as maps of each segment). She noted that there were a total of 373 properties abutting Route 8, 63 of which were in unincorporated Kent County and outside of City of Dover limits. There were approximately 580 addresses, 226 residential properties, 136 non-residential properties, and 11 City-owned properties along the Route 8 corridor.

Mrs. Townshend reviewed the various implications, such as readdressing properties, mapping, awareness, code amendments, costs, etc. She explained that the street right-of-way for the Route 8 corridor was owned and maintained by the State of Delaware; however, the Department of Transportation (DelDOT) indicated that they would not be responsible for any costs associated with the change. Mrs. Townshend advised members that the comments received from Kent County through the 911 addressing indicated that Kent County currently has a moratorium on road name changes and that some of the properties that would be affected were in Kent County's jurisdiction; therefore, it would be necessary to determine how such a change would impact Kent County and what their role would be in addressing those parcels. Members were provided staff recommendations and DAC comments, as follows:

1) The Planning Office notes that portions of Route 8 between the City's east and west boundaries lie outside of the City in unincorporated Kent County. To avoid confusion, City Council may want to consider reducing the portion

of the road where the name would be changed to encompass the area bounded on the west by Saulsbury Road and on the east by U.S. Route 13 (Segments B and C noted on the Exhibit Map), as these segments do not include properties in unincorporated Kent County and therefore would not lead to confusion over jurisdiction between the City of Dover and Kent County.

2) Staff recommended that if the street name change is approved by City Council, that an effective date of January 1, 2013 be set. This will give the affected agencies time to make the necessary operational changes and for notification of property owners.

3) As part of the Development Advisory Committee process, a series of City, County, and State agencies were notified of the street name change request. Any comments received regarding the request were provided to members as an attachment to the report submitted.

4) Upon approval of the street name change, notification of appropriate City, County, and State agencies will be completed by the City of Dover.

5) Upon approval of the street name change, a public outreach effort (in various media) is recommended to alert residents, customers, visitors, etc. of the change and its implementation. A key contact point should be established for questions.

6) Upon approval of the street name change, the installation of updated street name blades and other associated street signage will need to be completed by the City of Dover.

7) Upon approval of the street name and assignment of a street number, it is the responsibility of the individual property owner to bear the cost of and take action to repost address number and update appropriate mailing address on documents.

In response to Mrs. Williams, Mrs. Townshend stated that property owners and businesses were not notified of the proposed street name change since it was brought forward by the Legislative, Finance, and Administration Committee and did not go through the normal process, as specified in Section 98-45 of the Dover Code. Noting that she was the Chief Executive Officer (CEO) of a business that was owned and operated along Division Street, Mrs. Williams suggested that the matter be referred as specified within the Dover Code.

Noting that staff had requested ample time to make necessary operational changes, etc., if the name change were approved, Mr. Anderson suggested that a date near August 23, 2013 be selected since it would be the 50th Anniversary of Dr. Martin Luther King's "I Have a Dream" speech.

Mr. Hutchison noted that, in accordance with the procedure for the consideration of a street name change (Section 98-45 of the Dover Code), in order to initiate the procedure for changing the name of an existing street, a petition or formal request must be received from a majority of the property owners. Responding, Council President Leary reminded members that an email was provided by the City Solicitor indicating that City Council had the right to take the action without such a request.

Elaborating, City Solicitor Rodriguez stated that the question posed to him was whether City Council had the legislative power to rename streets without following the Code. After researching the matter, it was determined that City Council had such a right. He indicated that there were two (2) actions that could be considered by City Council regarding this matter: 1) exercise their legislative power and rename the street, or 2) go through the process as outlined in the Dover Code.

In response to Mr. Perza regarding the Code requirement for an affirmative vote of two-thirds of Council for approval of a street name change, City Solicitor Rodriguez stated that there was no indication by Council's approval of the Legislative, Finance, and Committee's recommendation whether to consider the matter in accordance with the Dover Code or to exercise Council's legislative rights. He opined that an affirmative vote of two-thirds of Council would not be required if Council considered the matter through exercising their legislative rights.
Mrs. Williams moved to remand the matter back to the proper process in accordance with the Dover Code to assure that all property owners and business owners are notified, and that there be no deviation from the procedure as outlined in Section 98-45 of the Dover Code. The motion was seconded by Mr. Hutchison.

On a point of order, Mr. Lynn indicated that the motion was procedurally improper, explaining that the decision to bypass Section 98-45 of the Dover Code was implicit in the actions of the Legislative, Finance, and Administration Committee and was ratified by City Council during their meeting of September 24, 2012. He stated that in order to change the process at this time, it would be necessary for Council to approve a motion to rescind Council's previous action. He noted that members of Council had already made the decision not to follow the Dover Code in considering the street name change by setting it for public hearing tonight.

City Solicitor Rodriguez concurred that a motion to rescind would be required and, according to *Roberts Rules of Order*, a vote of two-thirds of those elected to Council would be required for its passage. Had notice been provided of the motion to rescind, only a majority of Council would have been required.

Mrs. Williams moved to amend her previous motion and to rescind the actions taken by City Council regarding this matter during their meeting of September 24, 2012, seconded by Mr. Hutchison.

Noting that there were several individuals in the audience present who wished to speak during the Public Hearing regarding this matter, Mr. Lynn explained that if the motion were approved, it would terminate a public hearing from being held; therefore, their attendance would have been in vain. The matter would then be presented to Council only if a petition were circulated among the businesses and property owners along Division Street. He also relayed concern with the precedent that would

be set by the City whereby the City would be limited in its power to change the name of its own streets.

Disagreeing, Mr. Perza explained that the City had an ordinance that addressed the procedure for renaming streets. If members of Council wished to change the procedure, they would simply be required to approve an ordinance amendment. He also felt that Council could use the procedure already put in place and would theoretically have the authority to hold the public hearing tonight. Mr. Perza suggested that Council hold the public hearing in order to gain knowledge of the positions of individuals present, learn what issues were involved, and then make a decision.

At the request of Mr. Bonar, it was determined that approximately 50 individuals were present who either lived, owned property, or owned a business along Division Street that would be directly affected by the proposed street name change. It was Mr. Bonar's feeling that the public had a right to be heard regarding the issue; however, he explained that there were procedures that must be followed and reminded members of the impact that such a change would have on the affected individuals and businesses. He felt that there may be an opportunity to honor Dr. Martin Luther King, Jr. in a bigger and better way.

Mr. Bonar moved to table the matter to be brought back at a later time after proper review, seconded by Mr. Hare. The motion failed by a roll call vote of four (4) yes and four (4) no (Anderson, Lynn, Perza, and Leary).

Quoting Dr. King in his letter from Birmingham Jail, Mr. Lynn stated that "wait usually means never." He referred to an article written by Derek Alderman, dated January 2008 ***(Exhibit #2)***, regarding street name changes to honor Dr. Martin Luther King, Jr. After reading excerpts of the article, Mr. Lynn stated that this matter was something that should be addressed now and should have been addressed 40 years ago. Since everyone was in attendance, he suggested that members hold the public hearing as set.

Mr. Hare advised members that he had the privilege of going with his grandfather to hear Dr. King speak during the 1960s and that Dr. King stated that "the rights of one are the rights of all." It was his feeling that if Dr. King were here today he would not want his rights to supercede the rights of others. He suggested that, since there were individuals present wishing to speak, members of Council should hear them.

Mr. Perza explained the importance of a decision being made in unity and relayed his concerns regarding making any decision that is "fissured" down the line, and he affirmed the importance of obtaining a unanimous vote. He felt that the question was how best to recognize Dr. King and expressed his desire to hear from those who made an effort to attend the meeting this evening, without promising that action would definitely be taken by City Council.

Concurring, Mr. Hutchison felt that members should hear the comments of those present wishing to speak; however, he felt that members would take action to refer the matter back for further

consideration with a recommendation to be made within 30, 60, or 90 days.

In response to Mrs. Williams, City Solicitor Rodriguez stated that the motion to rescind the actions of City Council during their meeting of September 24, 2012 would dispense with the public hearing for this evening.

Mrs. Williams withdrew the motion to rescind, as did the seconder, Mr. Hutchison.

Responding to Mr. Hare's request that Council provide all individuals wishing to speak the opportunity to do so, Council President Leary indicated that the sign-in sheet reflected approximately 60 individuals wishing to speak.

For purposes of conserving time, Mr. Bonar suggested that individuals refrain from redundancy and that when possible, one (1) individual be chosen to speak on behalf of several. Mr. Anderson noted the importance of numbers; therefore, he suggested that if individuals agreed with another speaker, this should be relayed to members so that individuals would not feel they needed to speak if their position regarding the matter had already been conveyed.

Council President Leary announced that a sign-up sheet had been made available and that he would call on those who had signed up first. In order to allow sufficient time for opposing views to be heard, he stated that he would alternate between speakers in favor of the proposal and those opposed. Each speaker would be given three (3) minutes to comment. He requested that speakers avoid repetitive comments and that large groups or organizations select a representative to speak on their behalf. He noted that yielding of one's time to another would not be permitted. As was customary, he requested that everyone please be respectful of the opinions of others.

Council President Leary noted the receipt of several pieces of correspondence regarding this matter and indicated that they would be entered into the official record ***(Exhibit #3)***.

Council President Leary declared the public hearing open.

Mr. Edward T. Christian, Jr., 9 Pennwood Drive, gave thanks to the Creator of heaven and earth. He stated that had a quirk about certain things being correct, more so than being right or conforming to what everyone else is doing or saying. Mr. Christian said he trusted that due diligence research regarding the correct and proper renaming of Division Street or a suitable replacement for Division Street had been performed. He advised members that Dr. King's proper name was Martin Luther King, Jr. and that he was known as Rev. Martin Luther King, Jr., Dr. Martin Luther King, Jr., or Rev. Dr. Martin Luther King, Jr., and that there are many variations in the ways that cities have designated streets in honor of Dr. King, including MLK Boulevard, Martin Luther King Boulevard, MLK, Jr. Boulevard, or Martin Luther King, Jr. Boulevard. He stated that Dover could follow the lead of other cities or establish its own lead in this regard, whichever was correct and proper. Mr. Christian said he believed that this was an overdue symbolic designation that he hoped would have some useful purposes. He felt [a change in] our behavior, our habits, and our practices, which

were not in alignment with the beliefs, principals, and dreams of the iconic Dr. Martin Luther King, Jr., was also long overdue.

Ms. Judy Diogo, Executive Director, Central Delaware Chamber of Commerce (CDCC), 435 North DuPont Highway, thanked everyone for the opportunity to speak on behalf of the business community and asked that it be noted that the CDCC was not at all opposed to the name change; however, the Chamber would like Council to provide enough time to the business community to utilize the investments they have made in marketing and advertising before the name change became effective. Ms. Diogo stated that she liked Councilman Anderson's suggestion to allow a full year to provide time for businesses to make the necessary changes.

Rev. Rita Paige, 355 Rita Wilma Road, stated that the renaming of Division Street was an opportunity to write a new chapter in the history of Dover streets. She pointed out these streets have been torn up and redone to preserve historic downtown and suggested that the City continue to preserve history by renaming Division Street as proposed. Rev. Paige noted that because of Martin Luther King, Jr., people can choose where they want to go to school; all races of people can be educated, eat, marry interracially, ride the same bus or airplane, and vote together; and men and women are entitled to equal pay, etc. She indicated that members currently serving on City Council would not have been able to do so if not for Dr. King. She expressed her opinion that changes may take some time; however, people should be willing to make these changes to honor a man who gave his life fighting for justice for all, equal rights for all, and a better America. Rev. Paige felt that alternative suggestions to rename the library or new bypass in Dr. King's honor would be "taking the easy way out." She indicated that hearing that people were not willing to make small sacrifices and changes to rename Division Street reminded her of those who fought against public housing in certain areas by saying "not in my backyard," only now people were saying "not in my yard." Rev. Paige stated her belief that Division Street was one of the major arteries in the City which feeds and unites every element of our diverse community, from the wealthiest to the homeless, the oldest to the newest of residents, and persons of every racial and ethnic group, and encompasses views of the Governors mansion and the [Elizabeth W.] Murphey home and school (that was originally for orphans of the State), as well as Dover's formerly segregated all black and all white public schools and businesses. She felt it was the best public location in Dover to honor and promote Dr. King's vision.

Mr. Vernon Ingram, 402 Greenhill Road and owner of a business located at 319 West Division Street, stated that he grew up on Division Street and continued to work there in his father's business which was begun in 1929. He assured members that he was not a racist and this was not a racist issue. He felt that all could agree that Dr. King was an outstanding American, that we are justified and proud to honor him, and we should all attempt to continue his high standards of peaceful coexistence; however, Mr. Ingram was confident that "self-emulation" was not part of Dr. King's dream for us, and that if he were here tonight, he would be concerned with the high cost this change would bring to everyone. Mr. Ingram indicated that Rev. John Moore [who spoke on this matter during the Open Forum prior to the City Council meeting held on September 24, 2012] was well aware of the financial cost to the City, businesses, and residences affected by this change, as

Rev. Moore had stated that the cost would be worth the investment when all was said and done. Mr. Ingram informed members that Dr. King was well aware of the high cost of change and paid the ultimate cost. Acknowledging the effects of current difficult economic times and the importance of investing in our community's future, he questioned if renaming Division Street was the best way to invest people's money. He noted that Rev. Moore mentioned some of the factors involved but felt that the Reverend did not realize how many there were and the age of those who would have to make changes. Mr. Ingram felt that our forefathers named Division Street wisely, as it serves as the north/south boundary of the City, and that the dollar cost involved in making this change should be known by all before any action is taken.

Rev. John Moore, Youth Pastor at Calvary Baptist Church, 410 Fulton Street, stated that he was honored to speak and thankful to the Mayor, Council, and the spirit of Councilwoman Sophie Russell. He stated that he is a businessman and the Vice-President of Resource Development and Strategic Partnerships, which is the largest non-profit organization in the State and is responsible for raising over $20M in revenue to support those in Delaware whose needs are greatest. Rev. Moore advised members that he holds an MBA from Delaware State University and is very sensitive to the business community. He felt that those not living on the affected street are impacted by it and noted that he has three (3) business connections with the street, as he has served as Youth Pastor at Calvary Baptist Church for over 13 years, is a former board member of the Modern Maturity Center, and is "the voice" for Bennie Smith Funeral Home. Rev. Moore explained that he is passionate about Dr. Martin Luther King, Jr. and goes to prisons, schools, churches and organizations to share his message and his dream because as a young man, who came from the city of Philadelphia with no dreams because of the poverty he grew up in, he heard the great Dr. Martin Luther King Jr.'s voice and now obligates himself to go wherever he can to share this dream and make a difference in the lives of young people. For this reason, he also felt it important to serve on a joint task force, along with the Chief of Police, focusing on the heart of the situation in downtown Dover in areas like Queen Street, New Street, and Kirkwood Street, where the need of hope is greater than anywhere else in the City and, therefore, the right area in which to accomplish the renaming. Rev. Moore advised members that he had the opportunity to share a powerful message about communication at St. John's Lutheran School last week under the guidance of the 2006 [*Dover Post*] Great Person of the Year for Dover, Dr. Dina Vendetti, based on Dr. King's dream. There he challenged first and second greaters to understand what it is to be a sender, a receiver, and to use action. Following his message, he asked the children 10 questions about Dr. King and they scored a perfect 100 percent. Rev. Moore felt that this was not a Republican, Democratic, Independent, Green, or Tea Party issue, etc., this was about a community of unity coming together about a great man that could tremendously change the complexion of this City. He believed that we have the opportunity to make the change and make Dr. King's dream become a reality.

Mr. Kenny Shelton, 1539 Forrest Avenue, and a small business owner since 1989, stated that he felt that those proposing the renaming of Division Street did not realize that it would affect him "tremendously." He said that he recently bought business checks for two (2) checking accounts that would have to be discarded and re-purchased and, in addition, he would have to change business

insurances, credit cards, and re-letter his work truck at a cost close to $2,000, and "a lot of aggravation" would be created. Mr. Shelton suggested naming a new street Martin Luther King, Jr. Boulevard to avoid these issues and informed members that his neighbors, many of whom were elderly, felt the same way. Mr. Shelton said this was a financial issue rather than a religious one and that it was a lot to ask "the little guy" to put out extra money during the current financial times because it was decided to rename a street.

Ms. Carla Benson-Green, Evangelist, John Wesley AME Church, 217 W. Division Street, stated that she read in Sunday's *Delaware State News* that the question was posed "Why now?" with regard to renaming Division Street as Martin Luther King, Jr. Boulevard and, in response, she asked, "Why not now?" She felt that Division Street had no historical ties but recently had proven to own up to its definition by dividing and separating the local community. Ms. Green recognized that renaming Division Street would not come without an expense, indicating that she did not know the hard figures for the purchase and installation of the street signs for the approximate 1.5 mile portion of Division Street extending from Route 13 and ending at Saulsbury Road. As a member of a church that owns two (2) properties on that street, she informed members that the church understood that they would need to change mailing addresses, vendors, utilities, banking, insurance companies, letterhead, website information, as mentioned by others and in previous meetings. While she acknowledged that the changes would be necessary, important, and require money, she felt that, with a transition period, the cost factors appeared to be minimal barriers compared to the monumental effort and cause. She reminded members that Dr. King's vision impacted everyone in the room individually, collectively, and nationally and that we are true testaments of the fruits of what Dr. King stood, fought, and died for in an effort to bring about justice, equality, and unity in the nation. She stated that Dr. King was responsible for our ability to live, eat in the same restaurants, and be educated together; have courageous conversations like the one being held in this room tonight together; and to deal with the challenges and the social ills of this community that our Police Department and our neighborhoods face every day together. Ms. Benson-Green suggested, "Let's do what's good and what's right, but let's do it together" and asked Council to consider a vote of "yay" for the renaming of the corridor of Division Street extending from Route 13 and Division Street west to the corner of Forrest Avenue and Salisbury Road to Martin Luther King Jr. Boulevard, Sections B and C [as designated on the Summary Report on Proposal for Renaming of Division Street (Route 8)].

Council President Leary called upon Ms. Helen McCusker to speak, at which time a gentleman from the audience interjected, stating that he had arrived at the meeting at 6 p.m., was the first person on the list, and had yet to be allowed the opportunity to speak. Council President Leary apologized and advised him that a list had been circulating through the Clerk's Office for approximately one (1) week and that he would be called upon eventually.

Ms. Helen McCusker, owner of Merle Norman Studios, 1030 Forrest Avenue, Suite 113 Gateway West Shopping Center, stated that her primary issue was that there were procedures in place and a City Code and she questioned how many of those who were pushing for the change actually lived or had a business on Route 8. She felt that it was easy to ask that someone else do or change

something when there was no expense or sweat equity involved with you. Ms. McCusker noted that memorials honoring fallen police officers and Vietnam veterans had been planned and erected by the private sector in the community, and numerous organizations are in town that help the homeless, at risk youth, working mothers, and others in need, all done by the private sector. She felt that this was another avenue that could be explored to honor Rev. Dr. King. She requested that the Dover City Council, at the very least, table the proposal and (with all due respect to the City Solicitor and Council) affirmed that "just because something is legal doesn't make it right."

Mr. Gregory Bunkley, 1418 S. Fairview Drive stated that the Committee's vision was to promote Dr. Martin Luther King, Jr.'s vision and end the division in the City of Dover, the State's capital, second largest city in State, and the County Seat. He noted that he had heard people asking "Why Division Street?" and indicated that, as stated by Mr. Lynn, the way that Dover handles the renaming of "Division" Street (which he stated means a boundary that serves to divide or separate), after an icon who stood for the unity of all, may very well indicate to the rest of the State and nation how relations in this city will be perceived in the future. Mr. Bunkley said he had heard it said that Martin Luther King, Jr. is of the past; however, he felt it was important to his own father that yesterday should be a landmark for today. He wished to see Dover reflected as a city of all the people and, just as other streets were named for leaders such as Carvel, Boggs, Bacon and Buckson, he would like to see a street named after someone who gave his life in the pursuit of equal rights and privileges for all and who had a hand in the direction of our community. Mr. Bunkley asked the citizens to set aside their differences and embrace the notion of renaming Division Street after Dr. King as this was an appropriate and respectful way to honor him and unite diverse neighborhoods where all ages, races, and economic levels could come together and be linked as equals. Mr. Bunkley acknowledged that the undertaking may be expensive and require much change for those residing and doing business in the affected area; however, he felt there should be a commitment to move forward with the renaming and suggested that it could be done in phases. Mr. Bunkley proposed that the original proposal (Section B) be implemented by January 2013, Phase 2 by 2014, and Phase 3 by 2015.

Mr. David Moses, 46 Delaware Avenue and owner of two (2) businesses located at 1238 Forrest Avenue, stated that he understood the historical significance of Dr. King, in part because he himself was a second generation holocaust survivor. He explained that that his mother, Sarah Moses, survived two (2) Nazi concentration camps, including Bergen-Belsen, and he had scores of relatives he would never have the opportunity to know because they were not judged by the content of their character. Mr. Moses said, however, that this is a time of economic struggle and, although he had been a business owner in the City of Dover for twenty years, he was now working twice as hard to make half the money that he earned not long ago. Mr. Moses agreed that the honoring of Dr. King should have occurred generations ago; however, he stated that from a business standpoint, he could not afford to lose one (1) customer. He explained that beyond the clerical cost and the cost related to a change of address, there were additional costs involved in changing a business location, noting that with today's technology, customers must have the ability find a retail location. Mr. Moses said he did not wish to be selfish; however, he had seen many establishments go out of business in this economy and many that are hanging by a thread, and at times he felt that this was the case with his

business. He stated that a decision to extend the renaming to Artis Drive on Forrest Avenue would affect many business. Mr. Moses advised members that changing his home residence address would not be an issue for him; however, this was something that could make or break many businesses in this area.

Pastor Michael Rogers, 118 Springfield Way and President of the Interdenominational Ministerial Alliance (IMA) of Dover and Vicinity, stated that he was thankful for the opportunity to represent 14 area churches, pastors, and ministers who come together to honor Dr. King in the City. Pastor Rogers applauded the Mayor and Council and urged them to give full consideration to this effort to lift and honor Dr. King for all that he had done over the many years and for those things that we are now benefitting from by virtue of his life. Pastor Rogers stated that he prayed that this body would come to an agreement with regard to honoring Dr. King in the City of Dover, one of the few capital cities in this country that had no recognition for Martin Luther King, Jr. He asked that Council please move forward, address the issue, and bring it to completion in the near future.

Mr. David Louie,1684 North Little Creek Road, and owner of a business on Govenors Avenue, read the following statement:

> *In 1982, I built my house and was given a mailing address with East Division Street, all my personal documents reflected this address. Twenty years later, the street name was changed to North Little Creek Road and it took over two years and money to change all my personal information. Mainly it took that long because I had just ordered 200 checks and I figured I'd just let them run out before I changed anything. The postal employee told me, If I don't notify all interested parties of the address change, he would not deliver my mail unless it reflected the new address. Since it took so long to change all my personal documents and information, there were problems when I tried to pay bills where my bank checks had one address and my I.D.'s had another address. My drivers license, all my vehicles registrations, all my personal I.D.'s (which cost money to change), credit cards, banks, utilities, County records, insurance companies (life, health, auto), all my medical information from doctors to pharmacies had to be notified and I had to notify all interested business companies since my credit card statements are sent to my house instead of my business.*
>
> *All businesses will have to change their business license, bank information, business cards and stationary, checks and everything associated with their business accounts. If it were not for the cost, the time waiting at Motor Vehicle or the hassle of writing to all parties, (if I can remember them all) concerning the change of street name and frustration this involves...I would not mind.*
>
> *But I am not the only person who will go through the out of personal pocket*

> *expense and wasted time to change over all personal information, there will be hundreds who also must do this who live or have a business on this street. Remember, the distance of the proposed street change goes from Long Point Road on the East of City of Dover to Artis Drive on the West of Dover, which is 7.3 miles. I am sure a majority of people behind this change of street name don't even live on the proposed street, so there is no expense or time wasted for them...they only see one goal...to put Dr. Martin Luther King's name in the public eye in Dover. I am sure Dr. King would be proud to have a new library named after him where young and old can say they have benefitted in knowledge, instead of having a street change it's name, where it is causing stress and anguish through wasted money and time for all the residents and business people on the proposed street. I also just heard of an excellent idea from* [Kent County Levy Court Commissioner] *Jody Sweeney, naming the new western connector proposed for west Dover after Dr. King instead of this costly measure.*

Ms. Jane D. Wingfield, 1012 Ravens Court, Wyoming, Delaware, thanked Council for the opportunity to speak and advised members that, according to the Merriam-Webster dictionary, the meaning of "division" is the process of dividing or separating and, as a fairly new resident of Delaware, she wondered about the reason for a "Division" Street. She questioned if it was to divide the rich from the poor or the black people from the white. Ms. Wingfield said that she felt it would be an honor for the capital city of Delaware to honor Dr. King by naming Division Street, Forrest Avenue, and part of Route 8 the Martin Luther King, Jr. Boulevard from Route 13 to far as it could go, as it would then be one street with one name. Ms. Wingfield acknowledged there would be a cost to the merchants and taxpayers but asked that everyone think about the cost Dr. King paid to promote his dream of equality, freedom, and justice for all people, regardless of the color of their skin, as it cost him his life. Ms. Wingfield stated that she would gladly pay to help bring it all about and offered one dollar as the first dollar contributed to accomplish this.

Mr. John Welgan, 1082 Forrest Avenue, stated his belief that many of the points that Ms. Wingfield made were very correct. He explained that he is a small business owner and had been in business 18 years. He stated that life was very good for a long time; however, when the housing market crashed, so did his business, which is now hanging by a thread and has been for some time. Mr. Welgan said that many of those who like this proposal do not live on Forrest Avenue or own a business there and are not trying to make a living there. He noted that tonight's speakers were very eloquent and very nice and he loved what they said, but they were not in his shoes. Mr. Welgan requested that if the road had to be renamed, to provide him a year or a year-and-a-half notice to adjust accordingly.

Rev. Frances Benson, representing John Wesley African Methodist Episcopal (AME) Church, 217 W. Division Street thanked members for the opportunity to come and to stand in support of the renaming of Division Street to Dr. Martin Luther King Boulevard. She stated that she had come tonight to stand on behalf of the church to offer support in renaming Division Street to Martin Luther

King, Jr. Blvd. She explained that during the last 11½ years she had watched with great interest and admiration at what the city has done, watching project after project. She indicated that she saw it going on right now in Downtown Dover and I have admired the effort that had been given to make the City something fresh and new. Rev. Bacon stated that the sidewalks and lighting on Division Street, as well as on others streets, have done more than Council realized to promote the people on that street. She felt that there was no better time to continue with the renaming of the street. She advised members that she was aware that there would be costs involved and her church would have those same costs. Rev. Bacon stated that she was in sympathy because she would want someone else to be in sympathy with the church as they strived to get the licenses, directions, etc., changed. However, she felt it was important to make a special effort now. She acknowledged that it would cost, it would hurt, but it would be worth all the effort if we stay the course and do what is right.

Ms. Joyce Bordley, 1542 N. Little Creek Road, stated that she had been in Dover since 1988, and that after hearing all of the voices that have spoken this evening, she felt as though she was being very selfish. She was not in opposition to honoring Dr. Martin Luther King, but she protested the proposed location because the change would have an adverse effect on many residential property owners as well as numerous business owners. She noted that many of those residents, including herself, are retired senior citizens and making major address changes would create untold problems. Ms. Bordley suggested renaming the Green, located in front Legislative Hall, to Martin Luther King, Jr. Plaza, since no residents would have to endure the numerous changes of address and the City Council could feel that they had done something positive to keep the voters happy. She suggested that Council members implement some much needed proposals, such as prohibiting left turns on Loockerman Street during business hours (8 a.m. to 6 p.m). Ms. Bordley questioned how many Council members would be affected by the renaming of Division Street.

Former City Councilman William Daisy (Second District), 215 Pine Street, expressed appreciation for the opportunity to speak. He stated that many forget that the legacy of Dr. King was relevant not only to minorities but to everyone, noting many were not old enough to remember the situation this country was in when he was a young person. Mr. Daisy said that the concern currently being discussed related to Division Street; however, had it not been for Dr. King's efforts, as well those of others, there might not have even been a Division Street to argue about. He referred to Councilman Lynn's statement that there are over 900 streets that have been named after Dr. King, stating that this was no accident. He believed that the people affected by those changes went through the same things that Dover is going through; they survived and no one went out of business. As far as the cost of stationary, etc., that had been mentioned, Mr. Daisy stated that the Chamber of Commerce had a reasonable suggestion to give the businesses enough time to change their business materials. He suggested that we not delay and that we get the job done and honor Dr. King's memory. He noted that Delaware was the first state in the Union and it should not be the last state to name a major street after Dr. King. Regarding a previous comment that Division Street is an old street [Mr. Daisy indicated that this may have been said in the newspaper], he stated that there were a lot of old streets in Dover, and that was not a reason not to move forward. Mr. Daisy felt that naming a street after Dr. King would cause individuals to feel a sense of belonging and that Dover needed to be more united. He believed that this was not just about renaming a street, but about the

meaning behind it, and noted that the deep south had more streets named after Dr. King than the north. He urged the Mayor and Council to support the renaming of Division Street.

Mr. Richard Heisler, 1598 Forrest Avenue, stated that those who were asking for the renaming of Division Street would not be affected by it and felt those who would be affected should have a lot of input because it would cost them a lot of money. He referred to the gentleman who claimed that no one went out of business in other areas where the streets were renamed and questioned if this were correct. Mr. Heisler said that the street renaming would not cause him to go out of business or file bankruptcy; however, it would a huge inconvenience. He questioned the positives and negatives of renaming Division Street to Martin Luther King Jr., Boulevard, indicating that he understood the benefits of naming a street or plaza after Dr. King but suggested naming something that was not already named to avoid inconvenience.

Mr. Tolano Anderson, 630 West Division Street, stated that he was speaking on behalf of Crossroad Christian Church and Pastor Anthony Wallace as well as for himself as a business owner on Division Street, where he has two (2) companies. Mr. Anderson noted he owns a 20,000 square foot building which houses nine (9) tenants, three (3) residential properties, and two (2) commercial businesses that are leased to other people on Division Street. Mr. Anderson noted that everyone on both sides had good arguments. Regarding the inconveniences imposed, Mr. Anderson said he understood them since he would have to endure them, along with the increased expenses, some of which would be significant for signage, business cards, etc. However, he felt that it was well worth overcoming these concerns to remember Dr. Marin Luther King, Jr. and what he represented because this what allowed him the opportunity to stand here today. Mr. Anderson stated that he thought the costs that would be incurred paled in comparison to what Dr. King represented and ultimately gave his life for. Mr. Anderson acknowledged the difficult that job that Council had before them; however, he felt the application should be supported and noted that all of the other arguments were well made.

Mr. Robert Tudor, Former City Council Member (Second and Third Districts), 706 E. Division Street, stated that he went to the City Clerk's Office earlier this morning regarding the proposed renaming, specifically to determine what the term "boulevard" was in the City's eyes. The information he received indicated that roads that run north and south should be designated as streets and roads that run east and west should be avenues. Mr. Tudor commented that other designations, such as drives, were also listed, however boulevard was not. He said the very last section of the material provided referenced "arterial" streets, noting that they shall be designated as boulevards. Mr. Tudor stated that he was aware of only one (1) place north of Dover that is named boulevard and that the City would not have had the crowd that was present tonight if the roads were named according to the original standards. Mr. Tudor said based on the information provided to him by the City, Division Street would not fit the criteria to be named boulevard. He suggested that Council hold off renaming Division Street and select a place by the hospital or a place that had yet to be built.

Ms. Roxie Smiley-Carter, P.O. Box 282, felt that, in keeping with the times, Division Street should be named after the man who gave his time and life for a cause that represents the people as a whole: civil rights for all people. She believed that in Delaware, the First State in the United States, change

had not happened. She questioned why this had not occurred and if we were united.

Ms. Florene LeCompte, 1110 E. Division Street, stated she had resided at this address with her husband, Jack, for 41½ years. She expressed her respect for all of the comments that were made this evening. She indicated that she wished to honor Dr. Martin Luther King and had no objection to that; however, she did object to renaming a street that had been named since the 1700's. She acknowledged that the street divides, noting that it separates the north of the City from the south of the City, and felt that this was the only division that it makes. She questioned how many people who live on this seven (7) mile section of road knew of the proposed name change before seeing it in the *Delaware State News* or before flyers were put in their doors by a concerned citizen. Ms. LeCompte indicated that she was appalled that the people who were elected to represent citizens would forego the six (6) step process for a street name change and use their legislative power so that the Interdenominational Ministerial Alliance (IMA) would not have to get property owners' signatures to approve their plan to change the street name. She observed that, according to the headlines in the *Delaware State News*, many favor the name change; however, she questioned how many of those people live or have a business on this stretch of road and if the Committee had considered this or the cost of the change. It was her belief that they wanted this done and sealed before the people could express their feelings. Mrs. LeCompte stated that this would be a very expensive and time-consuming venture for the people, the City, and the County to take on at a time when money was short for everyone. She noted that there is a national holiday to honor Dr. Martin Luther King, Jr., and she was not opposed, nor did she think that anyone else was, if people in Dover thought that Delaware needed more. She felt that dedicating the new public library in Dr. King's honor would be an easy fix and one that would make the family of Dr. King proud for generations to come since he was an educator.

Ms. Linda Hackett, 1117 Charles Drive, stated that it was an honor to stand before Council in an effort to have Division Street named Martin Luther King Boulevard. She felt that, as a city, this could be one thing that everyone could pull together for. She noted that problems with crime, etc., were occurring on parts of this street. In her opinion, this would be one positive thing that people living in the area would see the City do that was for them. Ms. Hacket stated that everyone had their own opinion as to what should be done. She felt that Martin Luther King told us to do things that pull us together rather than dividing us and that this had little to do with the expense because if people were like-minded, it would be better for everyone. Mrs. Hackett stated that sometimes people do not feel safe on Division Street and that renaming the street would make that part of the City a place where people wouldn't mind doing business because they felt safe there, and everyone would prosper as a result. Mrs. Hackett indicated that it was a time for healing. She acknowledged some of the negative things going on in the City and she felt that this was one thing that could be done together in a positive manner that would set the tone for more positive things to happen.

Mr. Jonathan Patz, 430 Kings Highway, reiterated a previous comment that "just because it's legal, doesn't make it right." He stated that there was a procedure in the City Code to accomplish a street name change that provided a six (6) step process. He advised members of City Council that they work for him and every other citizen of the City and that when the procedures of this government

are short-circuited as laid out by the Code, they "shaft" some of the taxpayers for whom they work. He directed members to go back to the procedure in the Code and if they failed to do so, he suggested that the name of City Hall be changed to the City of Dover Railway Station, because Council would be "railroading" something that many were not in favor of.

Pastor Theodore A. Henderson, 506 Wyoming Avenue, Pastor at Dover Christian Church, read a statement on behalf of Senator Brian Bushweller, as follows:

> *I am sorry I cannot join you tonight as you consider whether to rename Division Street to Dr. Martin Luther King, Jr. Boulevard. I spent this day out of town attending to some minor medical issues and am unable to make it in time to the meeting. I do appreciate the opportunity to have this statement read into the record. I support the renaming of Division Street for Dr. King. I spent a great deal of time considering this matter and I have talked to many people to get their views. While some have expressed concerns over certain aspects, I believe that the concerns are outweighed by the simple fact that the capital of the First State, Dover, should have a significant street in the central part of the City close to the historic area named after Dr. Martin Luther King, Jr. Dr. King was a pivotal figure in American history because of his creative use of non-violence and disobedience, and through sheer force of his intellect and dedication, millions of people who previously languished in the shadows of democracy are welcomed into the outstretched arms of the American family. Dover is no exception, and today our wonderful city thrives as a shining example of racial and ethnic diversity, with all the attendant vitality and enthusiasm that that entails. Dr. King changed America for the better. It is right and fitting that we, the people of Dover, recognize that in honor of him. Some people have suggested that Division Street is not the best street to choose for this purpose but, given the significance of Dr. King, I believe the street we choose should itself be a significant street in a central part of Dover, in the heart of the City, and close to its historical area. Division Street meets all these criteria. I understand the current proposal is to rename all Route 8 from city limit to limit. Perhaps an appropriate amendment would be rename only the portion of Route 8 with the side of Route 13 that is actually called Division Street, that is from Route 13 to Forest Street. Others have mentioned that the cost of signage or inconvenience of changing the addresses argue against proposed changes. While we are sensitive to all of these things, they should not be allowed to outweigh the essential positive nature of making the proposed change. There are some steps we can take to mitigate concerns, such as delaying final implementation for one year and seeking an alternative means to pay for the signage, such as Community Transportation Funds. I appreciate the opportunity to express my views.*
>
> *The Honorable Brian Bushweller*

Speaking on his own behalf, Pastor Henderson stated that many people had mentioned the

inconvenience and cost, but he urged everyone to remember that Dr. King himself was an advocate of proposing a boycott that seriously disrupted the city, and that this involved finances beyond what we could think of. He noted that renaming the street would reflect the people's character and that financing was where ideology meets asphalt. He urged members, "Let's get it done."

Ms. Paula Kinsey, 224 N. State Street, stated that she purchased a house five (5) years ago on State Street which recently had become a tea house. She noted that she had worked with the City previously, which took time and patience on both parts, and thanked Mr. Bonar for his support in getting her establishment ready. She stated that she spoke "with a nervous voice and a southern accent" and that there were many Martin Luther King Boulevards where she came from in Virginia, where she lived for approximately 50 years. Ms. Kinsey noted that she was born in Woodside, Delaware, where her parents' family owned the building that was now the post office. She wanted to be in Delaware, returned, and was very happy; however, she advised members that had "fright night" quite often where she resides. Each night she takes in everything from her porch that she can lift and places it in the house until the next day. She has had numerous items stolen from her porch and has seen accidents, as many as five (5) in the last year, including rollovers of cars due to the influence of drinking and speed. Mrs. Kinsey thought that when someone comes onto your property, tells you to get off, and strips down, there is something lacking. She understood that the police could not be everywhere at every minute; however, she did not think that there was a person present who would be willing to take her things in for her every night, plug up their ears when they hear one gunshot after another, see the people who are in accidents in the middle of the night, listen to the cursing of the people up and down the streets, and tell her that it is more important to put a sign up above than attend to the health and well-being of citizens. She stated she was told that the City has a police force of approximately 90 and should have approximately 125. Mrs. Kinsey indicated that she respected Dr. Martin Luther King and the people; however, she respected her life and body first. She suggested that members name the library after Martin Luther King, Jr.

Mr. Joe Burden, 1422 McKee Road, stated that he supported changing the name of Division Street to Martin Luther King, Jr. Boulevard. He noted that he owned approximately nine (9) rental properties on Division Street and 60-70 houses in town. He indicated that if it weren't for Martin Luther King, he would not be where he is today. Dr. King inspired him to help poor people who do not have houses to live in. He stated that he was the only landlord in this country that tries to help poor people to the point of allowing people to get $30,000 behind in their rent.

Mr. Charles Mundorf, 1954 Forrest Avenue, stated he objected to changing to the street name. He advised members that he had been a resident and a business owner on Division Street for 42 years and making the change in the economy today would affect him to a point that he thought was unfair. He believed that someone started this process without giving due consideration to every resident and business owner on the street and what it would cost them. He had no objection to renaming a street for Martin Luther King, Jr.; however, he objected to being forced in the manner proposed. Mr. Mundorf felt that Mr. Lynn had expressed a good point previously and noted that Mr. Lynn was a young man who was not around when Martin Luther King was giving his speeches. Mr. Mundorf stated that he could not believe for one minute that Dr. King would want this to happen and affect

so many people. He stated that he was in Section A (Forrest Avenue to Artis Drive), which had both Kent County and City residents, complicating the change. He acknowledged that Mr. Rodriguez had indicated that it was legal for Council to make the change, but reiterated "legal doesn't make it right." He stated that he had to hear about this matter through the newspaper and a piece of literature in his mailbox and did not feel it right and fair for a citizen who had been here for so long to be advised in that way.

Ms. Yvonne Hall, 228 N. State Street, thanked members for the opportunity to speak. She agreed with Mrs. Kinsey's statement, noting that she lived next door to Mrs. Kinsey and was experiencing the same problems, stating that she could not even leave pumpkins on her step for her grandchildren and that more costly things must be brought in at night. She informed members that language heard at her address every day is horrific, as is the trash that is thrown on her street. (She picks up a bag of trash every morning.) Ms. Hall felt that Dover should honor Dr. Martin Luther King; however, she did not feel that it had to be Division Street and that the new, unnamed segment of Saulsbury Road to the U.S. 13 bypass would be a perfect option as it has not been named and would not cost extra for signage or labor to erect. Ms. Hall acknowledged that many think that it should not be a matter of cost, but it would be a cost to taxpayers in the City of Dover and she pays dearly for taxes. She reminded members that at the last meeting she suggested that the decision needed further budget analysis and to this point none had been provided. She questioned what the actual cost would be to the taxpayers to make this change. She felt it was a bad economic time for everyone and did not think that money should be spent for this purpose at this time when more police officers were needed in the City. Ms. Hall believed that additional expenses would result, as well as a need to raise additional revenues from property owners, and that a thorough accounting of expenses should be provided. She was sure Council understood that this would not be the only cost to property owners along the proposed corridor. Referring to recent submissions to the *Delaware State News* on this topic, Ms. Hall stated she felt that Mr. Ingram had done a good job of listing the many changes that would be required of property owners if the street were renamed and that she believed that Council was aware of other notices in the newspaper cataloging the additional expenses that would result to each individual person in the City who was affected by the proposed name change.

Mr. Don Blakey, 956 Bison Road, Delaware State Representative, 34th District, stated that he was present to support the name change of Division Street to Dr. Martin Luther King, Jr. Boulevard. He noted that some have suggested that the costs associated with the name change and the disruption of life to those affected dictate that another location be chosen; however, he felt that this was not so. He believed that there was a larger payback to be considered: solidarity, pride, and progress. He stressed that symbolism outweighs the physical cost and the burden of the name change. Rep. Blakey stated that the word division denotes (symbolically and actually) a time in our State when people were forcibly separated, black from white, schools were created based on division, communities were built based upon division, and every aspect of Delaware life was based on division. He felt that the word division was "loaded, crippling and subconsciously divisive." In regard to the enabling power that a name change could produce, he explained that a name change had made a significant difference in the Dover community and indicated that Capitol Theater was once a bastian of segregation where Negros had to sit in the balcony while there were no people

sitting in the orchestra seats, yet now on Saturdays, people of all persuasions come to the Schwartz Center for the Arts [former Capitol Theater] to enjoy wonderful presentations and are seated together. Rep. Blakey felt that a name change helped to accomplish this. He encouraged Council members "to pull off the scab of division and let the healing continue." Stating that he understood political pressure very well, he urged members to make the tough decision and do the right thing for our fair City and State.

Ms. Nancy Gardner, 213 N. State Street, stated that she had lived here for almost 50 years and on the street for 40 years. She noted that she was confronted every day by change and was getting old, but if there were no change she felt that she would be even older and sadder. She indicated that she did not like living between two (2) virtually slum-run houses; however, stated that this was not what the evening was about. Ms. Gardner informed members that when she first heard of the proposed change to Martin Luther King, Jr. Boulevard, she thought it was not enough. She noted that she was not a big fan of this terribly mixed length of street; however, she felt if more streets were named for men like [former City Council Members] Bill Daisy or John Pitts, [State Representative] Don Blakey, or people that live their lives here every day, that we could reach out and touch, she would be a lot happier because she would feel they were close to her. She felt that Martin Luther King was about a movement of millions of people and the very least that we could do is to pay some honor in our own town, on our own streets, with signs that have not been "made in China." Ms. Gardner freely admitted that there would be no direct cost to her; however, felt that if anyone wanted to continue to honor Martin Luther King in the movement for diversity, they need only to go to their school or local library and ask "What books can I buy for this library?" She noted that Dr. King was about struggle, future, and change and that if this City could not be about an organized and responsible change, then we will have lost a good part of what 50 years in this town should represent to every one of us.

Mr. Joseph McDaniel, 54 The Green, stated that he was present to discuss the Elizabeth W. Murphey School at 42 Kings Highway East. He noted that the easternmost part of Division Street was called Kings Highway East. He acknowledged that on one hand there were wonderful ideas about Dr. King; on the other hand, practical ideas about how much the change would cost. He noted that those at the Murphey School felt that Dr. King should be honored; however, he informed members that if he had not read the *Delaware State News* he would not have known about the discussion tonight and was unhappy with the way that Council had gone about the name change. Mr. McDaniel advised members that the Murphey School had approximately 18 acres on Division Street/Kings Highway East, four (4) buildings on Kings Highway East, and four (4) buildings on Kent Street (which extends to Central Middle School). The school serves 34 children, has a population that changes frequently, and must maintain all of the records that go with these children. In addition, the school has 52 employees and eight (8) vehicles; therefore, dealing with the name change would be "no small feat." He advised members that the school had been at this location for 90 years and this would be "a big deal"; therefore he was opposed to the name change.

Mr. Edwin Baker, Jr., (City of Dover retiree), 1526 Forrest Avenue, stated that he had lived at this address for over 45 years, this would be his third address change, and changing it would involve

"quite a bit." He felt that Dr. King should be honored but did not feel that a street was good enough. He questioned if anyone present knew why Saulsbury Road, Clara Street, Mary Street, and Fulton Street were named as such and reminded members Pat Lynn Drive was named to honor a man who was a good principal; however, the school was now being relocated. Mr. Baker felt that the City could do better than renaming Division Street for Dr. King. He noted that buildings or bridges are typically named to commemorate famous people, for example, the George Washington Bridge, the Washington Monument, and the Lincoln Memorial, and that streets seem to go by the wayside eventually. Mr. Baker reminded those present that the City building was named after Mayor Crawford Carroll. He suggested that a committee be formed to give the City an opportunity to come up with a better venue and that those who wished to rename the street should "take a step back" to allow a course of action that would be "a little different and bigger." Mr. Baker indicated that he did not wish to go through the process of changing his driver's license, insurance, and titles and, as a resident of Kent County (rather than the City), he felt that he was not represented.

Ms. Caroll Lisa Malone, 1559 Forrest Avenue stated that she was curious about Mayor Carey's input, noting that he lived a only a few doors down from her and the proposal would affect him as well. She informed members that her husband was older than her, they were on a fixed income, and this would impact them greatly. Having been a former Internal Revenue Service (IRS) employee, she understood that businesses could recoup a lot of loss through Schedule C on their income tax returns. She noted this would not help a business while experiencing the trouble, but losses could be recouped in the end; however, private citizens would not have that option. Ms. Malone explained that she came to Dover from Philadelphia approximately 11 years ago and felt that Dover was a very progressive City and Delaware a progressive state. She had seen a lot more interracial relationships (noting that there were some in her house) and a lot more intersexual relationships. Having come from Philadelphia and having seen racial tension and fights, she felt that it was difficult to understand comments that Dover was "behind." Mrs. Malone indicated that she did not like finding out about the proposal through last-minute notice, supported Councilwoman Williams' statement that this was not done right, and stated that the City was "back door on this one." Since Dr. King was an educator, she felt that naming an educational facility after him would be the best way to honor him and reminded members that a new high school was being built in the City and a new library had been built. She felt that naming either of these facilities after Dr. King would be "great."

Ms. Tricia Arndt, 11 Pennsylvania, read the following statement into the record:

> *I am in support of honoring the legacy of Martin Luther King Jr. within the city limits of Dover. However, I am NOT in support of the current proposal to rename Division Street. I feel that the notion is well-intentioned, but misplaced. It creates an unnecessary burden to residents, businesses and property owners. Further, it infringes on the intent of the designated historic district that is a prominent feature of our town, which attracts visitors and is a source of pride to residents.*

The City's Code of Ordinances - Appendix B, Article 3, Section 21.1 states that "the purpose of the historic district regulation is to preserve and enhance that unique character and value of the old portion of Dover as an area of special charm and interest." Section 21.4 directs that "the city council shall not take any action to amend, supplement, or repeal the historic district...without a report by the historic district commission ... "

This proposal is certainly an action which alters the historic district. I ask that the commission be consulted as their role is to advise the council on such matters. My neighbor had to seek approval to ensure that his replacement windows were true to the time period and character of his historic home. Surely the Council should have similar hoops to jump through to rename the entire street on which my neighbor's house sits.

Further, portions of Division Street are actually part of Kings Highway. Kings Highway is surely of historical significance - the Governor's Mansion is on the National Register of Historic Places. As a suggestion, the council could consider dedicating the yet to be constructed Dover connector road in honor of Dr. King or constructing a monument on the Green. Either option would honor his accomplishments as well as or better than the current proposal.

Former City Councilman Mr. Reuben Salters (Fourth District), 109 Bertrand Drive, stated his appreciation for being afforded the opportunity to speak. He noted that this was a wrenching task and that there were pros and cons, but reminded those present that nothing that is good comes easy. He felt that it would take the thoughts of Council and staff to come up with a perfect solution. Mr. Salters stated that costs had been mentioned; however, he felt that costs were not everything. He indicated that one of the legislators had alluded to the fact that costs could be shared and that there were funds available to help defray them. He acknowledged that there would be inconvenience, but questioned how Dr. Martin Luther King, Jr. felt when he was arrested many times, beaten, and finally murdered. He noted that Dr. King was God's child, as we are, and that we have an obligation to not stand still but to make the changes necessary. Mr. Salters felt that a street naming, a library naming, or a park naming would be good beginning. He expressed his opinion that this should be accomplished by a few people, not everyone, since everyone had individual ideas about how it should be done. He felt that the necessary time should be taken and he supported the idea of "chilling down a bit" and doing this in a righteous manner that would be beneficial to all of us and bring pride to our Council, our citizens, our State, and our nation.

There being no objections, Council President Leary declared a brief recess.

Meeting recessed at 10:19 p.m. and reconvened at 10:31 p.m.

In response to Mr. Anderson, City Solicitor Rodriguez indicated that members could take action regarding the renaming of Division Street as Martin Luther King, Jr. Boulevard by voting on the matter this evening or by choosing to follow the Dover Code. He confirmed that the matter could also be referred back to the Legislative, Finance, and Administration Committee for further review.

Mr. Bonar moved to refer the matter back to the Legislative, Finance, and Administration Committee with the stipulation that the Committee provide a recommendation to City Council within 120 days and that the procedure be followed as set forth in the Dover Code. The motion was seconded by Mrs. Williams.

Mr. Anderson felt that members should return to the original proposal to rename Division Street from Route 13 to Salisbury Road as Martin Luther King, Jr. Boulevard. Referring to the public testimony provided this evening, he noted that there was very little controversy on this aspect and that those who would be affected by this change actually support the recommendation. He suggested that members allow the Legislative, Finance, and Administration Committee to determine if Council should follow the procedure or amend it to Segments B and C. If the matter were referred back to the Committee, he stated that the Committee should conduct the necessary study and submit a proposal for Council's consideration.

Mr. Anderson moved to amend the motion by striking "and that the procedure be followed as set forth in the Dover Code." The motion failed for a lack of a second.

Mr. Lynn explained his opinion that it would be necessary for City Council to rescind their previous action to not follow Section 98-45 of the Dover Code. In addition, he reminded members that if Council chose to follow the prescribed procedure, Subsection 6 requires a public hearing before City Council. Mr. Lynn felt that Council had "tainted the well" since a public hearing had already taken place. He also questioned the point of following the procedure at this time, feeling that it would be a waste of resources, economy, etc.

Responding to Mr. Lynn, City Solicitor Rodriguez indicated that, based on the information he had been provided, he did not believe that a decision was made by the Legislative, Finance, and Administration Committee not to follow the Code. After reading the minutes of the Committee meeting, he felt that the option the Code was still open and he believed that this was the intent of the motion tonight.

Mrs. Williams explained that her previous motion to rescind was due to the City Solicitor's concurrence with Mr. Lynn that this was the proper procedure. She stated that since the street renaming process was not followed, property owners were not notified. Those in attendance this evening were notified as a result of a flyer that was circulated and an article that ran in the *Delaware State News*. [Council President Leary noted that the City also advertised the public hearing.] Mrs. Williams reminded members that ordinances are not created to be ignored and that the Council should follow the procedure as set forth in Section 98-45 of the Dover Code.

Mr. Hutchison suggested that the information and knowledge provided to members during the public hearing be utilized and that the Committee work with the community and submit a recommendation, following the City's procedure for street name changes, that would allow City Council to take action that would satisfy everyone.

Mr. Lynn reminded members that the Legislative, Finance, and Administration Committee was implicit in their mandate that Section 98-45 of the Dover Code not be followed, otherwise a public hearing could not have been set before City Council. If Section 98-45 of the Dover Code were followed, there is a six (6) step process, and the public hearing before City Council is the last step in the process; therefore, by setting a public hearing for October 8, 2012, it was implied that Section 98-45 of the Dover Code would not be followed.

Council President Leary suggested that if the procedure were being followed, the request would be reviewed by the Utility Committee rather than the Legislative, Finance, and Administration Committee. Since the motion referred the matter back to the Legislative, Finance, and Administration Committee, which was not following the procedure, he suggested that "and that the procedure be followed as set forth in the Dover Code" be removed from the motion.

Mr. Bonar indicated no objections to the corrected motion, as did the seconder, Mr. Hutchison.

Responding to Mr. Hare, City Solicitor Rodriguez stated that his interpretation of the action taken would not prohibit members from following the procedure as outlined in Section 98-45 of the Dover Code. It was his feeling that the reason for the public hearing tonight was the result of Council's acting on advice he initially provided that Council had authority to change a street name without following procedure; however, he did not feel that action regarding his advice had been taken by members of Council or the Committee. As a result, he felt that members of Council had the option to follow Section 98-45 of the Dover Code at this time.

Referring to the email received from the City Solicitor, Mr. Hare felt that the public hearing tonight would be similar to hearing summations at a trial before evidence was presented. As a result, he stated that the issue regarding the public hearing being held should have no relevance and suggested that members not use that as an excuse in regard to making a decision as to the action that should be taken next.

In response to concerns of Mrs. Williams, City Solicitor Rodriguez indicated that members of Council could take action at this time to follow the procedure as outlined in Section 98-45 of the Dover Code. It was his feeling that the public hearing held earlier provided the public an opportunity to indicate their desires. He reiterated his opinion that there had never been a decision made, either by Council or the Committee, not to follow the Dover Code. Noting that the procedure required the support of a majority of the adjacent property owners affected by a street name change, he concurred that the public testimony provided earlier indicated that the concerns of the adjacent property owners were that they were not provided the opportunity for their input prior to the matter

being presented to City Council for consideration. By referring the matter back to the Committee, City Solicitor Rodriguez stated that it could be recommended that the Dover Code be followed regarding the matter.

At the suggestion of Council President Leary, the motion maker, Mr. Bonar, agreed to amend the motion to require that public notification be provided to all affected parties, as did the seconder, Mr. Hutchison.

Mr. Hutchison stated his desire for the Committee to consider options beyond the street name change proposed for Division Street, including some of the other alternatives provided during the public hearing.

On a call for the question by Mr. Bonar, the motion to refer the matter back to the Legislative, Finance, and Administration Committee with the stipulation that the Committee provide a recommendation to City Council within 120 days and that public notification be provided to all affected parties, was carried by a roll call vote of five (5) yes, and three (3) no (Lynn, Perza, and Williams).