LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE

The Legislative, Finance, and Administration Committee meeting was held on April 9, 2012 at 6:00 p.m. with Chairman McGlumphy presiding. Members present were Mr. Hare, Dr. Jones, and Mr. Shevock. Mr. Anderson was absent. Members of Council present were Council President Leary, Mr. Hutchison, Mr. Lynn, and Mrs. Russell (arrived at 6:18 p.m.). Mayor Carey was also present.

AGENDA ADDITIONS/DELETIONS

Dr. Jones moved for approval of the agenda, as presented, seconded by Mr. Shevock and unanimously carried.

Review and Recommendation - Filling of Critical Position - Patrolman (Police Department)

During their Regular Meeting of January 23, 2012, City Council approved an amendment to the process for filling critical positions, which was approved by City Council on August 22, 2011, to specify that if a position becomes vacant that will affect public or employee safety or cause financial harm to the City, Permission to Recruit, Hiring Justification Outline, and Wage and Benefit Information for Employee Hiring and Transfers forms shall be submitted to the Legislative, Finance, and Administrative Committee, and that such requests would be forwarded to the City Manager and Controller/Treasurer for their review and recommendation prior to the Committee's consideration.

Chief Hosfelt reviewed a request to fill a vacancy for a Patrolman which was created by the impending retirement of Capt. Steven Getek, which was announced during the week of April 2, 2012. Members were provided a revised Wage and Benefit Information for Employee Hiring and Transfer Request ***(Attachment #1)*** and advised that it was Chief Hosfelt's hope to fill the position in time for the new officer to attend the State Police Academy, which was scheduled to begin on April 23, 2012.

Mr. Hare moved to recommend that permission be granted to recruit for a Patrolman position, as recommended by staff. The motion was seconded by Mr. Shevock and unanimously carried.
Due to time constraints, it was noted that this matter has been placed on the Council agenda for the meeting being held later in the evening.

Recommendation of Civilian Pension Board - Cost of Living Adjustment (COLA)

During their meeting of February 9, 2012, the Civilian Pension Board considered a Cost of Living Adjustment (COLA) for current retirees and surviving spouses, with the following motion being made by Mr. Lester Blakeman:

> That all members of the Civilian Pension Plan who retired on or before June 30, 2007 receive a 4% cost of living adjustment effective January 1, 2013, that the retirement income of a retired member of the Civilian Pension Plan shall be increased by 2% per annum every January 1, and that this increase in retirement pay shall be cumulative and the previous year's increase shall be included in the retired member's retirement income for the purposes of calculating the annual 2% increase, and that the first 2% increase would be effective on January 1, 2014.

During the Legislative, Finance, and Administration Committee Meeting of March 12, 2012, members recommended tabling consideration of a Cost of Living Adjustment (COLA) for retirees and that staff include this item to be discussed during the Council Retreat to consider possible funding to provide a one-time COLA.

Mr. Hare moved to lift the matter from the table, seconded by Dr. Shevock and unanimously carried.

Dr. McGlumphy advised members that the City Clerk had received a request from Mr. Blakeman to withdraw his motion in favor of a COLA.

Mr. Hare moved to recommend approval of Mr. Blakeman's request to withdraw his motion in favor of a Cost of Living Adjustment (COLA), seconded by Mr. Shevock and unanimously carried.

Assignment of Emergency Management Coordinator Responsibilities

During the Special Legislative, Finance, and Administration Committee Meeting held on March 27, 2012, members considered staff's request for authorization to permanently assign the duties of the Emergency Management Coordinator position to Ms. Kay Dietz-Sass. At that time, members recommended postponing action regarding the assignment of Emergency Management Coordinator responsibilities until the Legislative, Finance, and Administration Committee Meeting scheduled for April 9, 2012.

Dr. McGlumphy advised members that Mr. Scott Koenig, City Manager, was unable to attend the meeting and had requested that consideration of this matter be deferred until the Committee's next meeting, scheduled for April 23, 2012.

Mr. Shevock moved to defer consideration of this matter until the Committee's meeting scheduled for April 23, 2012, seconded by Mr. Hare and unanimously carried.

Proposed Ordinance #2012-10 - Chapter 1 - General Provisions, Section 1-13 - Denial of Permits or Approvals for Failure to Comply with Requirements for Payment, Actions, or Filings (Clean Hands)

Mrs. Ann Marie Townshend, Director of Planning and Community Development, advised members that the purpose of the proposed ordinance was to amend the section of the code that is known as the "Clean Hands" ordinance. It denies approvals, permits, or other approvals to property owners who have delinquent obligations due to the city or outstanding code violations on properties. The denial is not specific to the property with the delinquency, but to all properties owned by that owner. Mrs. Townshend noted that several City departments have been working together in recent months to update and clarify the clean hands ordinance. She explained that the proposed amendments address a number of problems identified in the current language, as follows:

1) The proposal clarifies that the denial of approvals or permits is applicable to the owner or any corporation in which such owner is an owner or member. This makes it clear that an owner of corporations is subject to the denial if the corporations are not current.

2) The proposal lists the obligations that must be current. The proposed ordinance prohibits people from being appointed to a City committee, commission or board if that person has delinquent payments or uncorrected, documented code violations.

3) The proposed ordinance clarifies the language relating to violations of the Dover Code of Ordinances.

4) It changes the amount of time that staff has to notify the property owner of the denial from five (5) working days to ten working days.

5) It allows an exception if the property owner is requesting a permit to correct violations associated with the Dangerous Building Ordinance.

6) It changes the appeal from an appeal to City Council to an appeal to the City Manager.

Mrs. Townshend noted that the proposed ordinance had been reviewed internally by the affected departments and by the Deputy City Solicitor.

In response to Mr. Shevock, Mrs. Townshend verified that under the proposed ordinance, an individual who owes fines or levies on any property in the City would be unable to obtain a permit; however, she stated that the ordinance includes provisions for an appeal process and the Director of Planning and Community Development and the City Solicitor or Deputy City Solicitor would be involved in that process.

In response to Mr. Hare, Mrs. Townshend explained that a previous draft of the Clean Hands ordinance included a provision for utility disconnection due to non-payment of taxes; however, this was removed at the suggestion of the Deputy City Solicitor because another section of code allows for this. She indicated that the City has the authority to disconnect service due to non-payment of taxes; however, a policy has not been put in place to do so.

Responding to Dr. Jones, Mrs. Townshend stated her understanding that the City would not establish new utility service for a property (even if the applicant is a renter) if the owner has delinquencies; however, service would not be terminated for an existing tenant for this reason. She stated that the only delinquency that would cause a tenant to be displaced would be non-payment of utilities for the occupied property.

In response to Mr. Lynn, Mrs. Townshend advised members that staff planned to revise the current application form to require disclosure of the names of members or owners of businesses.

Mr. Hutchison stated that a defined policy was needed to enforce the provisions of the ordinance and that the policy should be approved by the City Solicitor.

Responding to Mr. Hare, Mrs. Townshend stated that ordinances provide the City authority to take action; however, policy guidelines often set forth provisions that dictate how ordinances are enforced.

Mr. Leary conveyed his feeling that staff was seeking guidance from Council regarding how aggressively the ordinance should be enforced.

Dr. McGlumphy suggested that staff ensure that all language included in the ordinance was clear and understandable.

Mrs. Russell felt that businesses should be held accountable to the same standards as individuals and that ordinances should be written to last for an extended period of time and be applied consistently.

Responding to Dr. Jones, Mrs. Townshend said that she was comfortable that the ordinance would be enforced uniformly for businesses and individuals. She stated that enforcement would be the responsibility of multiple departments and emphasized the need to communicate and share information between departments regarding delinquencies. Mrs. Townshend noted that the development of this ordinance was part of an effort to create uniformity and institute consistent policies.

Mr. Hare moved to recommend approval of Ordinance #2012-10 and to request staff to institute a consistent policy for implementing the provisions of the ordinance, seconded by Mr. Shevock and carried by a vote of three (3) yes, one (1) abstention (Dr. Jones), and one (1) absent (Mr. Anderson). Dr. Jones stated she wished to abstain as she was uncomfortable that the ordinance would be enforced uniformly.

Council Laptop Replacement Associated with Mandatory Paperless Packets

Mrs. Traci McDowell, City Clerk, explained that in 2003, the City began providing laptops to Council members. At that time, paperless packets were made available on the City's website and to members of City Council for use during the meetings in lieu of paper packets. Over time, due to the weight and bulkiness of the laptops, members reverted back to using paper packets rather than the electronic versions for the meetings. At the suggestion of Councilman Hutchison, staff obtained pricing for tablet computers, which are much smaller than the standard laptop.

Staff recommended purchasing 12 tablet computers, nine (9) for City Council members, one (1) for the Council Chamber recording secretary, and two (2) for civilian committee members' use during meetings, and that, if tablets were purchased and distributed, production of paper packets be discontinued.

Mrs. McDowell noted that Council's budget included all but $1,200 of the funds needed to purchase the laptops and that Mrs. Donna Mitchell, Controller/Treasurer, had advised her that the remaining funds were available in the budget due to savings from a vehicle purchase.

In response to Mr. Hare, Mrs. McDowell stated that if the purchase were approved, Council members would be issued individual tablets and those used by committee members would be held by the Clerk's Office.

Responding to Mr. Leary, Mrs. McDowell affirmed that purchase of the tablet computers would create a monetary savings and conserve staff time.

In response to Dr. Jones, Mrs. McDowell stated that many of the laptops currently used by Council had passed their life cycles and that they would likely be kept by the IT Department and used as "loaners" during elections and for other purposes.

Mr. Shevock moved to recommend authorizing staff to purchase 12 tablet computers and, once the tablets have been purchased and distributed, that production of paper packets be discontinued, seconded by Dr. Jones and unanimously carried.

Public Comment Period
There was no one present wishing to address members.

Mr. Hare moved for adjournment, seconded by Mr. Shevock and unanimously carried.

Meeting Adjourned at 6:39 P.M.

William P. McGlumphy
Chairman

WFH/DD/js/tm
S:\AGENDAS & MINUTES\Committee-Minutes\2012\04-09-2012 LF&A.wpd

Attachment
Attachment #1 - Revised Wage and Benefit Information for Employee Hiring and Transfer Request

City of Dover
Wage and Benefit Information for Employee Hiring and Transfer Request

DEPARTMENT/DIVISION ORIGINATING REQUEST: POLICE

Position	Current Grade/Step	Reason	FY12 Wages Budgeted	FY12 Benefits Budgeted	Total Wages & Benefits	% Year Wages Used	# Mos. Benefits Used	To Date Wages Paid	To Date Benefits Paid	FY12 Total Paid To Date	Lump Sum Vacation/Sick Payment*	Balance	Remarks
Accessions													
Police Officer	Capt	Retirement	104,428.39	28,664.05	133,092.44	80.6%	9.7	84,170.42	23,164.30	107,334.72	-	25,757.72	
Budgeted Retirements			187,343.33							34,209.66	68,607.12	84,526.55	
Totals					**133,092.44**							**$110,284.27**	

*** Includes lump sum amounts spent previously for Ranger, Harmon & Boyce.**

** esitmate based on # hours sold back

Position	Position	Reason	FY12 Salary	FY12 Benefits	Total Pay	% Year Wages Needed	# Mos. Benefits Needed	Wages	Benefits	Total Pay Needed	Remarks
New Positions											health care = family for all
Police Officer	Ptlm	New Hire	47,994.78	29,277.25	77,272.03	18.9%	2.3	9,048.20	5,534.00	14,582.19	Recruit for DSP Academy
Totals					**77,272.03**					**$14,582.19**	
Balance (Retirements)										**$95,702.08**	

ATTACHMENT #1
LF&A Committee Meeting of April 9, 2012