LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE

The Legislative, Finance, and Administration Committee meeting was held on September 26, 2011 at 5:30 p.m. with Chairman McGlumphy presiding. Members present were Mr. Anderson, Mr. Hare, Dr. Jones, and Mr. Shevock. Members of Council present were Mr. Bonar (arrived at 5:38 p.m. and departed at 6:42 p.m.), Mr. Hutchison, Mr. Lynn (arrived at 5:32 p.m., departed at 6:40 p.m., and returned at 6:54 p.m.), Mrs. Williams (departed at 6:02 p.m. and returned at 6:44 p.m.), and Council President Leary (departed at 6:42 p.m. and returned at 6:45 p.m.). Mayor Carey (departed at 6:42 p.m. and returned at 6:47 p.m.) was also present.

AGENDA ADDITIONS/DELETIONS

Chairman McGlumphy requested that Item #9 - Proposed City of Dover Prescription Assistance Plan be moved to Item #4 to accommodate the attendance of a guest from New Jersey.

Mr. Hare moved for approval of the agenda, as amended, seconded by Mr. Shevock and unanimously carried.

Discontinuation of Pay for Performance (PFP) Evaluation Form and Review of Proposed Evaluation Form *(Deferred by Committee on August 22, 2011 Due to Time Constraints)*

Mr. Scott Koenig, Interim City Manager, reviewed performance appraisal forms, as follows: 1) the current City of Dover Pay for Performance (PFP) Evaluation for Non-Council Appointed Positions; 2) the current City of Dover PFP Evaluation for Council Appointed Positions; 3) a sample State of Delaware Employee Performance Review; and 4) a sample Dover Police Department Civilian Employee Evaluation Form. He suggested discontinuation of the City's current PFP Evaluation Forms, explaining that employees who use the forms find them to be cumbersome, noting that they are 12 pages long. He indicated the importance of having an evaluation tool; however, he suggested that members consider a shorter and less cumbersome evaluation form.

Mr. Koenig advised members that utilizing core competencies for non-bargaining employees has worked well and suggested including three (3) to five (5) goals rather than 10-15. Referring to the sample evaluation form for the State of Delaware, he felt that it would not provide the evaluation mechanism necessary for City staff. Mr. Koenig noted that the Dover Police Department form requires less written support documentation; however, it does not provide much flexibility in the evaluation and is lengthy due to the instruction packet. He advised members that staff also considered Kent County's evaluation form; however, the instructions were 20-25 pages in length, which he felt was problematic.

Staff recommended the use of a revised evaluation form that would utilize the strengths of the PFP evaluation forms and adapt them to include the strengths of the Dover Police Department Civilian Employee Evaluation Form.

Mr. Hare stated that it was his experience that goals are often a routine part of an employee's job and he did not feel that a 4-5 page evaluation form was necessary. In addition, he suggested a review of employee job descriptions. Concurring, Mr. Koenig stated that there are many instances where job descriptions do not reflect an employee's duties and responsibilities. He concurred that, as a supervisor, he is aware if an employee is performing well or not; however, he noted the necessity for evaluation forms as court documentation in the event of employee dismissal. Mr. Koenig explained that performance appraisal forms meet the needs of both the employer and employee.

Dr. Jones suggested that staff develop a revised evaluation form appropriate for non-bargaining employees and consider the difference between goals and objectives. She felt that an evaluation form should include objectives for the employee, explaining that goals are established for the position or organization and that objectives are time based and measurable and help to determine an employee's level of performance. It was her opinion that the purpose of an evaluation was not only to evaluate an employee over a given period of time but also to assist in planning growth for an employee.

Concurring with Dr. McGlumphy, Mr. Hare felt that staff should consider the use of the Dover Police Department Civilian Employee Evaluation Form.

Dr. McGlumphy requested that staff take the Committee's comments into consideration and develop a revised evaluation form to be brought back to the Committee.

Recommendation of the Health Benefits Committee Regarding Elimination of Medicare Part B Reimbursements for Current Non-Bargaining Employees *(Referred to Committee by LF&A on June 27, 2011)*

Mrs. Kimberly Hawkins, Human Resources Director, reminded members that, as directed by the Legislative, Finance, and Administration Committee during their meeting of June 27, 2011, the Health Benefits Committee considered the proposal to eliminate Medicare Part B reimbursement for current non-bargaining employees at their meeting held on August 16, 2011. She reported that the Health Benefits Committee recommended that the Medicare Part B reimbursements for non-bargaining employees remain unchanged.

Mr. Scott Koenig, Interim City Manager, explained that the City has been attempting to address budget issues and that by the end of October 18 positions will be vacant, resulting in organizational gaps throughout the City. He stated that staff is struggling with how to develop and maintain a balanced budget for Fiscal Year 2013. Mr. Koenig noted that at the beginning of Fiscal Year 2012-13, it is estimated that the City will be $5M further "in the hole" than in the current year, and that this is being driven by retiree health care benefit funding and other post-employment benefits. Taking this into consideration, Mr. Koenig stated that there has been much discussion regarding the reimbursement of Medicare Part B. He noted that there are approximately 82 non-bargaining employees who would be eligible for Medicare Part B reimbursement between now and the date the employee turns 65 years old. This benefit amounts to approximately $115 per month. Mr. Koenig explained that his recommendation to impose a cap is due to the cost involved, noting that approximately $9.8M would be necessary to fund this benefit between the current year and 2053. The proposed $200 cap would drop this obligation to $4.8M and he felt that a $200 cap was a reasonable trade to preserve the benefit. Mr. Koenig explained that his concern was that if action is not taken to preserve the benefit, at some point this benefit will be eliminated. He clarified that the proposed cap would apply only to the 82 current non-bargaining employees and was not intended to affect any employee who is already retired. He also stated that his intention would be to set a date for instituting the cap rather than making the change effective immediately, which would provide those employees wishing to retire an opportunity to do so before the cap is established.

Ms. Diane Glenn, 218 Northdown Drive, read the following statement into the record:

"Good Evening, my name is Diane Glenn.

In 1993, I moved from New Castle County to Dover to work with Dover Police to establish a Victim Services Program. When I was offered the job, I carefully thought about this move I was making and the impact this would have on my future. I thought about the opportunities that this job would provide me and I reviewed the benefits because at that point in my life, I was at an age where it was equally important for me to know that the benefits that were offered were in line for what my needs were for future retirement. I fully committed to the City of Dover over 18 years ago based on the above. What was offered to me was in line with what I wanted and I couldn't have chosen a better place to come and work.

Years ago, the three unions had an opportunity to negotiate with the City about Medicare Part B, they chose to negotiate this away in exchange for other compensation. As a non bargaining employee, those same opportunities to negotiate have not been afforded to me. I am not able to sit at the table to discuss or bargain with the City. I come here tonight, because it is the only forum in which I am able to at least voice my opinion and let you know where I stand.

Tonight, I want to go on record as stating that I am not in agreement with the Legislative and Finance Committees proposal to eliminate Medicare Part B for non bargaining employees AND I do not support the idea that a cap be put on either for the City or an employee. I want the plan to stay in place from when I was hired.

I fully understand the financial climate that faces government entities be it on the federal state, or municipal level. I understand that corporations as well struggle with the same questions, however policy within government agencies is generally to make changes to retirement plans for incoming employees and has never affected plans for those employee already in place.

Every day it is expected that I come to work and that I act in a professional manner. I am expected to respond at a moment's notice day and night to emergency situations and provide crisis support to crime victims and survivors and I am expected to do my job to the best of my ability.

I will do no less than my best and I will continue to provide the quality of care that each person deserves AND I expect that the City plan in which I was hired continue to remain intact for my future retirement.

Thank you for giving me this opportunity to speak tonight."

Ms. Donna Mills, 5459 Sandtown Road (Felton), advised members that she is a 25-year veteran of the City of Dover. She stated that Medicare Part B Reimbursement was a benefit, a promise made by the City of Dover to her as an employee. Noting that non-bargaining employees do not have the ability to negotiate benefits, she stated that if this benefit is eliminated, the City would be breaking a promise made to these employees when hired. She reminded members that this matter was considered in 2009 and City Council confirmed at that time that this benefit was promised to these employees and should be retained; therefore, she questioned why this matter is being presented again for consideration. She suggested that the budget issues be addressed equally and not be placed on 82 individuals who, as non-bargaining employees, do not have a voice.

Ms. Robin Adkins, 27 Waterwheel Circle, read the following statement into the record:

> "I'd like to thank you for this opportunity to speak. It is an honor to work for the Dover Police Department and I am truly thankful that I am employed in a position that I enjoy. However, the handling of the Medicare-B entitlement issue for non-bargaining employees has been very disappointing.
>
> I have survived a lot of hard economic times and challenges throughout my 30 plus years of federal and municipal government experience. As a member of the military, I served many years overseas and stateside. We worked a lot of hours, withstood a lot of hardships including extended family separations. We worked through issues such as Gramm-Rudman budget cuts, military base closures, Desert Storm and others. The pay was sufficient, but our dedication to the larger picture of National Defense was more important. Morale was fairly high because our leadership treated us fairly and with respect, according to the standards and policies in place to keep it that way. Unions weren't needed in most areas because the leadership did the right thing to take care of us.
>
> I've been working for the City of Dover for almost eleven years. I consider myself to be among a group of similarly dedicated individuals in the city employed as mid and department level managers, technicians, professionals and their assistants. We are educated, so many of us have undergraduate degrees, graduate degrees and/or professional certifications. We are collectively responsible for maintaining the continuity of the outstanding services this city provides to the community, so we are a stable and dependable group. However, we do not belong to any union because our positions disqualify us from joining one.
>
> All I want to ask you today is why can't ALL City employees be treated fairly and equitably? The union Groups within the city negotiated annual pay raises in their contracts and negotiated away their Medicare B entitlements. However, we non-union employees are expected to sacrifice pay raises year after year and Medicare B entitlements for the "greater good". We have not been asked to participate in any form of negotiations for these items so the loss of ANY portion of the Medicare-B entitlement should not be considered fair and equitable since we had no say in determining any of the reductions to that entitlement.

I do acknowledge the hard economic times we are currently experiencing, but you as members of our City's Leadership, should also acknowledge your basic responsibility for treating all city employees fairly and equitably. The right for equal treatment is as basic as the 1st and 14th Amendment rights we enjoy as citizens in our great nation."

Police Chief James Hosfelt, 303 Pebble Valley Place, read the following statement into the record:

"I know I don't need to remind you that the non-bargaining group of city employees did not receive a raise this year and I don't think it will be a shock to any of us if we don't receive a raise in 2012.

We as a group already anticipate paying a portion of our Health Care costs and by all accounts are doing so in an attempt to share the burden.

One year of furloughs, two years of no pay raises and we are going to pay more for health care, something we have never had to do. Now on top of all of this I have to worry about you as a committee working towards taking away a retirement benefit that has been promised to those non-bargaining employees who work for the police department.

We don't mind doing our part, but when is enough – enough.

Before this was sent to the City Solicitor for a legal opinion and then forwarded to the Health Benefits Committee for a review and recommendation, there was a motion on the floor to retain this benefit for those employees who were vested or had reached ten years of service.

I hope we haven't reached the point where promised retirement benefits are being arbitrarily taken away from non bargaining employees, i.e. Medicare B. If we have then I would ask you to reconsider a motion that was made by Councilman Hare and seconded by Dr. McGlumphy before being withdrawn on June 13, 2011. In that motion it was moved that Medicare Part B for all vested employees, or should I say those employees with ten or more years of service, be maintained. If this were the case, according to Ms. Mitchell's estimates, over 5 million dollars would be saved.

While this is a tough stance to take and a hard one for me to put forth, I do so because those employees who are vested have demonstrated their loyalty and commitment to the city through their hard work and years of service."

Ms. Christina Kober, 343 Orchard Grove Drive, Camden, read the following statement into the record:

"Good evening. Thank you for allowing me to speak regarding Medicare Part B for non-bargaining employees. My name is Christina Kober. I have been with the City of Dover for 23 years. My first 10 years was served as an unioned police dispatcher and the remaining 13 years I have served as the 911 Manager. I am a part of a group of the non-bargaining employees.

I accepted employment with the City of Dover due to the benefits. I have been dedicated and loyal to my responsibilities as a City of Dover employee but I do not feel that my voice has been heard or that my opinion matters to Council. I have upheld the terms of my employment and hope you will also do the same – and honor the Medicare Part B as agreed upon.

The city budget for 2012 has already been passed and all non-bargaining employees will receive no pay increase. Every union group had the right to negotiate Medicare Part B and subsequently received compensation for it. As a non-bargaining employee, the same respect has not been afforded to non-bargaining employees.

- The IUE-CWA received additional vacation days per year and retirement health care.
- The IBEW received additional vacation days per year and salary step increases.
- The FOP received a rank increase of MCPL, which is equivalent to a 4.5% increase.
- All of these have been above and beyond their contractual pay increases.

City council is seeking to eliminate Medicare Part B reimbursement from all non-bargaining employees. Council has previously agreed that any employee hired after July 27, 2009 would not be eligible for Medicare Part B. Why are we back here today?

There is a small group within the city that are non-bargaining employees, of our group only a few of us have come forward to speak. I know that others may feel they are in a compromised position and feel that they cannot fully express how they feel. For those of us that are willing to get up and speak, I know that there are others who stand with us in principle.

I respectfully request you uphold our current benefit plan. Thank you for your time and attention to this matter."

Mrs. Fran Hettinger, 63 Sackarackin Avenue (retiree), noted that the proposal, as presented, did not affect retirees; however, she addressed members on behalf of current employees. She stated that many of the employees who would be affected by the proposal were hired before salaries became comparable to the private sector and "gave their all." Mrs. Hettinger explained that it is often the benefits offered by the City, rather than salaries, that attracts new employees, and this is what drew many current employees. Mrs. Hettinger advised members that, several years ago, non-bargaining employees became concerned because union employees were receiving pay raises, resulting in the salaries of some employees becoming higher than their supervisors, since non-bargaining employees had no representation. When this concern was brought to the City Manager, they were advised that it was the City Manager's job to take care of the non-bargaining employees. Mrs. Hettinger noted that, at that time, some of the non-bargaining employees met and decided to form a bargaining group, fearing that the City may "let them down" some day. The City Manager at that time assured the non-bargaining employees that it was not necessary for them to form a bargaining group and that they would be taken care of. She noted that now the City has no City Manager and that a new City Council is in place. Although Mrs. Hettinger supported a balanced budget, she requested that members not penalize certain employees by discontinuing a benefit that they were promised.

Mr. Anderson reminded members that during the past few years, other than last year, non-bargaining employees received pay raises beyond union employees. He stated that the current Council is not bound by the action of a previous Council and that City Council has the responsibility to consider the current realities. Mr. Anderson noted that the world is changing, including Medicare, and Council must consider this and evaluate limiting the City's liability. He stated that the Medicare Part B Reimbursement is not offered by any other entity and that the legal opinion provided indicated that this is not a benefit but rather a right. Although the reimbursement has been the City's practice, he stated his support for its elimination; however, he indicated he was willing to consider a compromise.

Mr. Lynn stated that, as several speakers expressed, the City made a promise to their employees regarding Medicare Part B reimbursement when they were hired. He felt that City employees have relied upon this promise and that such reliance was reasonable and foreseeable by the City. It was his opinion that injustice can only be avoided by honoring the promise; therefore, he suggested that the Committee recommend honoring the promise.

Mr. Bonar referred to fellow police officers with whom he worked and advised members that the police officers made promises to protect and serve the City of Dover, just as the non-bargaining employees committed to serve the City, although these employees may not put their lives on the line on a daily basis as police officers do. He stated that the City made a promise to their employees and, although the economics have changed, he felt that the promise should be honored. He supported eliminating the benefit for employees with less than five (5) years of service and for new hires; however, he stated that he would not support the proposal as presented, particularly for those employees with 20-25 years of service.

Responding to Mr. Hutchison, Mr. Koenig stated that there are a total of 42 non-bargaining vested and 41 non-bargaining non-vested employees. He indicated that eliminating the Medicare Part B reimbursement for non-vested employees would result in a $5M savings (using a 5.6% inflation rate).

Mr. Hare reminded members that City Council has an obligation, not just to the employees but also to the citizens of Dover, to protect their quality of life and the future of the City. He reiterated his suggestion that the reimbursement be capped at $300. He stated that Medicare Part B is an unfunded mandate from the Federal Government and that the City has no control over its cost.

In response to Dr. Jones, Mrs. Hawkins stated that, to her knowledge, details regarding Medicare Part B reimbursement were included in a single-page document, dated 1976, written by a previous Finance Director. It was not included in the Employee Handbook until 2009, when new language was included to indicate that the reimbursement would not be offered to new employees. Mr. Koenig stated that there is now a new employee orientation procedure whereby the benefit package is discussed and employees acknowledge receipt of the Employee Handbook, which includes the employee benefit package.

Mr. Hare moved to recommend that there be no changes to the Medicare Part B reimbursement, seconded by Mr. Shevock.

For clarification, Mrs. Hawkins stated that when this matter was considered in 2009, staff was directed to include language in the Employee Handbook to indicate that the Medicare Part B reimbursement is considered a "right" and not a "benefit"; therefore, it could be presented in the future for reconsideration.

The motion to recommend that there be no changes to the Medicare Part B reimbursement failed by a roll call vote of two (2) yes, two (2) no (Mr. Anderson and Dr. McGlumphy), and one (1) abstention (Dr. Jones).

Mr. Anderson moved to recommend capping the Medicare Part B reimbursement benefit at a $200 level to preserve the integrity of the City's finances and out-year liability. The motion failed for lack of a second.

Dr. McGlumphy stated that the matter would be considered by City Council during their Regular Meeting of October 10, 2011 with no recommendation from the Committee.

Proposed Resolution No. 2011-11 - Request to General Assembly to Amend the City of Dover Charter - Length of Terms for Mayor and Council *(Deferred by Committee on August 22, 2011 Due to Time Constraints) (Tabled by Committee on 9/12/11 Pending Additional Review of the 2005 Charter Review Committee Recommendation)*

During their meeting of September 12, 2011, members considered Proposed Resolution No. 2011-11 requesting the Delaware General Assembly to amend the City of Dover Charter to increase the term lengths for the Mayor and Council from two (2) years to four (4) years. The Committee tabled the matter pending additional review of actions taken by previous Charter Review Committees.

Members received excerpts of the minutes of the previous Charter Review Committee meetings for their review.

Mr. Hare moved to remove the matter from the table, seconded by Mr. Anderson and unanimously carried.

Mr. Hare moved to recommend adoption of Proposed Resolution No. 2011-11 *(Attachment #1)*, seconded by Mr. Shevock and carried with Mr. Anderson voting no.

Proposed City of Dover Prescription Assistance Plan

At the request of Councilman Anderson, information related to United Networks of America Free Statewide Prescription Assistance Program was provided to members for their review and consideration.

Mr. Alan Caan, Program Development for United Networks of America, (19-62 Chandler Drive in Fair Lawn, New Jersey) briefly reviewed the information received by members regarding the Free Statewide Prescription Assistance Program and noted that the program includes eyeglasses, hearing aids, dental, etc. He stated that the program is available to everyone.

Responding to Mr. Anderson, Mr. Caan stated that there would be no cost to the City of Dover to provide this program to its residents, nor any fees to members. He explained that discount cards would be provided to the City to distribute to its residents, family members, employees, businesses and their employees. In addition, Mr. Caan stated that every time a card is used at a pharmacy to fill a prescription, the City of Dover would receive .50¢. He noted that when he departed Bergen County, New Jersey, there were approximately 5,600 prescriptions filled per month in the County through this program, which equated to over $300,000 in savings to residents. Multiplied annually, he stated that the residents would save over $3.5M per year.

In response to Mr. Shevock, Mr. Caan stated that the United Networks of America (UNA) receives revenue from the prescription drug program, which is derived from the formation of pharmacy networks; however, UNA receives no revenue from the other programs offered, such as eyeglasses and hearing aids. He explained that participating pharmacies provide discounts and payment to the UNA who shares its portion with the groups, organizations, and governments that participate in the program.

Responding to Mr. Lynn, Mr. Caan indicated that individuals utilizing prescription insurance coverage cannot use the prescription drug program to pay the co-pay.

Mr. Anderson moved to recommend the implementation of the United Networks of America Free Statewide Prescription Assistance Plan, as presented. The motion was seconded by Mr. Hare and unanimously carried.

Due to time constraints, Dr. McGlumphy suggested that members recess the meeting until Thursday, September 29, 2011 at 5:00 p.m.

Mr. Hare moved to recess until September 29, 2011 at 5:00 p.m., seconded by Mr. Shevock and unanimously carried.

Meeting recessed at 6:59 P.M.

Mr. Shevock moved to reconvene, seconded by Dr. Jones and unanimously carried.

THURSDAY, SEPTEMBER 29, 2011 - 5:00 P.M.

The Legislative, Finance, and Administration Committee Meeting reconvened on September 29, 2011 at 5:00 p.m. with Dr. McGlumphy presiding. Members present were Mr. Anderson (arrived at 5:17 p.m.), Mr. Hare, Dr. Jones, and Mr. Shevock. Members of Council present were Mr. Hutchison, and Mr. Lynn (departed at 5:43 p.m., and returned at 5:51 p.m.). Mayor Carey was also present (departed at 5:40 p.m. and returned at 5:50 p.m.)

AGENDA ADDITIONS/DELETIONS

Chairman McGlumphy requested that Item #2 - Discussion of Historical Perspective of Economic Development Office be considered as Item #1.

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

Discussion - Historical Perspective of Economic Development Office

Mrs. Ann Marie Townshend, Director of Planning and Community Development, read the following statement into the record:

> "The creation of the economic development office was tied closely to the Economic Development Chapter of the Comprehensive Plan, the Hyett Palma Economic Revitalization Strategy for downtown, and the consolidation of the three organizations charged with downtown redevelopment (Parking Authority, DDDC, Main Street Dover).
>
> In 2007, the Kent County Economic Development Strategy Initiative was released. This strategy was funded jointly by Kent County, Dover, Smyrna and DRBA. In November 2007, the consultant (Moran, Stahl and Boyer) who developed the strategy gave a presentation of the Strategy to City Council. The Strategy included Economic Development Recommendations for the City of Dover.
>
> This study and the Hyett Palma study were used heavily in the development of the Economic Development chapter of the Comprehensive Plan. This chapter was developed by assembling a working group of professionals representing Kent County, DEDO, the Chamber of Commerce, and others. The Comprehensive Plan ultimately recommended hiring an economic development professional for the City of Dover.

> Concurrently, as a part of implementing Hyett Palma, meetings were taking place with the leaders of the downtown groups (DDDC, Parking Authority and Main Street) about consolidating the organizations. Ultimately, this was done in July 2008, creating the DDP. In working to consolidate the three organizations, there were three staffing scenarios evaluated: simply absorbing the Main Street Director; absorbing the Main Street Director and creating a new Administrative Assistant position; absorbing the Main Street Director and hiring a new Administrative Assistant and Economic Development Manager. This was the scenario ultimately chosen. Prior to this, City staff (Clerk's Office and Planning Department) provided staff support for the DDDC and Parking Authority, and the Main Street Director provided staff support for Main Street Dover. By-laws for DDP indicate that City Planner is executive director if another executive director is not hired.
>
> The idea was that the new positions would spend 50% of their time on DDP/downtown functions, and 50% of their time on city-wide economic development. Responsibilities to include Garrison Oak, streamlining of business development, working with GSA on locating office space, work with higher education to create a partnership, packaging of downtown redevelopment incentives.
>
> Economic Development Office initially placed under the City Planner; ultimately moved under the City Manager."

Responding to Mr. Hutchison, Mrs. Townshend recalled that the City was paying $16,000-$20,000 annually for a membership with the Kent County Economic Development Office.

Mr. Lynn requested a ratio comparing the cost of staffing the Economic Development Office (EDO) versus the amount of revenue that has been generated for the City. Mrs. Townshend stated that the Economic Development Director tracks economic statistics and reminded members that the City created the Economic Development Office during a time when the economy was declining. However, she assured members that there has been business growth in the downtown area. Elaborating, Mr. William Neaton, Economic Development Director, stated that although he does not have specifics, the unemployment rate this year decreased approximately 1% compared to last year, noting that the unemployment rate in August 2011 was 9.4% and in August 2010, it was 10.3%.

Mr. Neaton advised members that, during the last three (3) years, the EDO has established relationships and completed infrastructure improvements so that the City will be positioned to move very quickly to begin attracting new businesses when the economy turns around. Referring to the Garrison Tract, he reminded members that the City's EDO was tasked with getting the Garrison Tract "shovel ready." The City's EDO sent Requests for Proposals (RFPs) and worked with engineers, the Delaware Department of Transportation (DelDOT), the Delaware Economic Development Office (DEDO), and others, and obtained an approved site plan. Mr. Neaton also noted that he was expecting a response after October 1, 2011 regarding the receipt of infrastructure improvement funds from the State of Delaware. He stated that the City has budgeted $3M for infrastructure improvements to the site. He also advised members that he has been working with a second lessee, Calpine, who is awaiting an impact study from Pennsylvania, Jersey, Maryland

Interconnection (PJM) in order to move forward. Mr. Neaton reminded members that the Calpine project consists of a 618 megawatt power plant at a cost of approximately a half of a billion dollars, which will generate significant tax revenues and water and sewer fees for the City of Dover.

In response to Mr. Hare regarding Main Street Dover, Mrs. Townshend explained that when the Hyett Palma Study was completed in 2006, one of the observations made was that there were three (3) organizations targeting downtown redevelopment, one (1) of which was Main Street Dover. It was determined that there was duplication of efforts and, at times, these organizations were working at cross purposes; therefore, it was recommended that the (3) organizations be brought under one (1) umbrella. She stated that many individuals and organizations that have been part of the downtown area agreed that bringing these organizations together would improve their effectiveness.

Mr. Hare requested that Mr. Neaton provide documentation that proves that the City's EDO has created additional revenue over and above the $250,000 cost of the office. In addition, he stated that the SunPark is costing the citizens of Dover, noting that $112,000 was charged to the City for July.

Responding, Mr. Neaton reminded members that the SunPark was a part of an overall economic development plan for the City, noting that the 2030 Committee recommended that the department develop green energy and a previous Council agreed. As an energy supplier, he stated that the City was mandated by the State to acquire renewable energy credits. He advised members that 80% of the labor for the SunPark was obtained from Kent County and that Calpine, which is a two (2) to three (3) year project, is also committed to utilizing local labor. Concurring, Mrs. Townshend explained that any jobs brought into or retained in the City are beneficial to the economic development of the City. She noted that although some of the successes in retaining jobs are small, the impact to the City is huge.

Mr. Anderson stated that it has been his observation that there have been changes that have provided a focus to the downtown area and that if the City does not invest in economic development, it will go elsewhere. Responding, Mr. Neaton explained the importance of an active economic development office which lays a foundation for future growth. He reminded members that an ordinance was recently developed which provides a tax incentive/tax abatement for large unoccupied buildings, which can be used to attract new tenants. In addition, he stated that there are 13 parcels available at the Garrison Oak Tract and, once funding is obtained, this area will become "shovel ready." He explained that another advantage of having an EDO is that it allows for the City to act and react more quickly in such matters as the issuance and review of RFPs for recommendation.

Mr. Anderson stated that he has been in contact with other organizations and was advised that the City's EDO is well known and considered one of the most proactive organizations throughout the State. Noting that these are difficult economic times, he reminded members that immediate results cannot always be obtained.

Concurring, Mr. Neaton indicated the importance of developing relationships in the process of economic development and that during the past three (3) years, he has developed relationships with the Secretary of Economic Development for the State of Delaware and Presidents and/or Campus Administrators of Colleges/Universities, etc. Although these relationships take time to develop, he reiterated their importance.

Mr. Anderson suggested that the City become more involved with obtaining grants and stated that he felt the City lacks in this area. He questioned if the City's EDO will be pursuing a strategic partnership with Delaware State University's new research initiatives. Responding, Mr. Neaton stated that he has worked with the Delaware State University's School of Business and that they have developed a business plan and marketing plan for the downtown area. In regard to the grants, he advised members that a Delaware Main Street Conference was held recently where grant acquisitions was discussed, and he assured members that he would be pursuing this in the future. He noted that grants have been awarded to the City during the past few years, such as a $45,000 grant awarded by the United States Department of Agriculture (USDA) that continues to be utilized.

Dr. McGlumphy noted that the City's EDO had provided monthly updates, including statistics, to the Parks, Recreation, and Community Development Committee and encouraged staff to also provide updates of the information that was included in the City's budget, including goals and objectives. He offered to meet with Mr. Neaton to explain further. Dr. McGlumphy relayed his understanding of the value of recent projects in the City, such as the new library and the Dover SunPark. However, he stated his concern that jobs created through these undertakings may not be benefitting City residents and minorities. He requested that staff provide detailed information regarding the residence and ethnicity of individuals hired for such projects.

There was no further action taken by the Committee.

Presentation by Downtown Dover Partnership (DDP): Recent Grant Award in the Amount of $3M; Status of $1.3M Loan for 120 S. Governors Avenue; Future Plans

Mr. William Neaton, Executive Director of the Downtown Dover Partnership (DDP), advised members that, as a result of several studies conducted, it was determined that there was a need for an overall plan for the downtown area. Upon completion of the Dover Transit Center, he stated that the Dover/Kent County Metropolitan Planning Organization (MPO) requested a "plan book" to determine what the area surrounding the Transit Center could or should become in the future. The MPO hired the Renaissance Planning Group and Becker Morgan Group, Inc. to assist with this project. Mr. Neaton stated that he approached the MPO regarding the possibility of the DDP partnering in this effort, since there were several properties in the downtown area that should be reviewed by the architects and engineers to determine their potential use in the future and how they would fit into the Master Plan for the downtown area. As a result, Mr. Neaton reminded members that a charrette was conducted, which consisted of interested parties meeting to determine what the City should become in the future, without consideration of funding. During this charrette, several parcels were evaluated, including those owned by the DDP and the North Street Corridor. Legislators were then approached and presented with a written document regarding proposed improvements in the downtown area and, in response, legislators awarded $3M in Bond Bill monies to assist in the completion of downtown projects.

Recent Grant Award in the Amount of $3M

Mr. Gregg Moore, President of the DDP, reviewed the Dover Transit Center Neighborhood Plan - Charrette Presentation ***(Attachment #2)***. He stated that the projects that were chosen for funding by the State are located on North Street and include the Collegian Site (consisting of three buildings - newsstand, hardware store, and former Capital Office Supply), seven (7) parking lots, and upgrades to North Street so that it serves as another gateway to the City.

Mr. Moore reminded members that the vacant building at 22-24 W. Loockerman Street, which was formerly occupied by W.T. Grant and consists of 20,000 sq. ft., was purchased by the DDP. He noted that although this project is not a part of the $3M that the DDP received through the FY 2012 State Bond Bill to finance area improvements, it is a part of the overall plan to make investments in the heart of downtown, in an effort to upgrade Loockerman Street and The Green, and to improve parking. Mr. Moore stated that the DDP plans to make upgrades to the former W.T. Grant building and obtain tenants. Once this has been completed, the DDP will sell the property to a developer to own and operate.

Mr. Moore explained that the Collegian Property would be developed in such a manner that pedestrian pathways would be created from Loockerman Street to and from North Street. He noted that it would not be appropriate to construct additional buildings on the property at this time; however, he noted that this would be the ultimate goal.

Mr. Moore advised members that there are many other projects in the DDP Comprehensive Plan and that funding is required as part of the Transit Center Study; however, he assured members that the City is not being requested to consider any funding issues involved with these projects. He stated that the DDP plans to continue to pursue funding from the State of Delaware to continue other projects and improvements to the area.

Mr. Moore noted that DDP is also working on the old Acme site, stating that this project would not be funded through the $3M that the DDP received from the State. On the advice of local commercial realtors, he stated that a plan was developed for the site so that the sale of the property actually includes an improved plan. Mr. Moore explained that the plan for the site has been reviewed and approved by the Historic District Commission, Planning Commission, etc. and the property is listed for sale at $1.4M.

In response to Dr. Jones, Mr. Moore stated that the developer would determine the tenants of the apartments. Dr. Jones felt that consideration should be given to making the City as diverse as possible.

Responding to Mr. Hare, Mr. Moore stated that the DDP does not own any of the properties along New Street; however, it is their desire for New Street and other surrounding streets to be upgraded and redeveloped. He noted that the DDP could assist in facilitating such a change. Mr. Moore explained that the DDP obtains revenues through rental properties, re-investments, parking lot revenues, etc.

Status of $1.3M Loan for 120 S. Governors Avenue

Mr. Moore advised members that the DDP inherited a $1.3M loan co-signed by City Council in 2008 (prior to the creation of the DDP). He stated that the loan is an interest only loan, paid by the DDP, with approximately two (2) years remaining. The goal of the DDP is to sell the property before the loan expires and pay the loan; however, if this does not happen, the DDP plans to renegotiate the loan in such a manner that there is positive cash flow. He anticipated that the DDP would be successful in either situation. He noted that the DDP owns several properties and, therefore, felt confident that the City will not be faced with any catastrophic problem in this regard.

The Committee took no further action regarding this matter.

Due to time constraints, and noting that there were members of the public wishing to speak, by unanimous consent, Agenda Item #5 - Review, Consolidation and/or Elimination of City Committees, Commissions, and Boards - Dover Human Relations Commission was considered prior to Item #3.

Review, Consolidation and/or Elimination of City Committees, Commissions, and Boards - Dover Human Relations Commission

With increasing staff vacancies, and in consideration of current hiring limitations, Council President Leary requested members of Council and City Staff to explore possible inefficiencies within City of Dover committees, commissions, and boards. Some boards appear to serve like purposes and others have become obsolete; therefore, the Committee will consider whether any groups can be consolidated or eliminated. Several recommendations have been received and will be considered by the Committee in the following weeks and months.

Members reviewed information regarding the Dover Human Relations Commission (DHRC).

Ms. Faye Della White, 101 Babb Drive, relayed her support for the DHRC, feeling that they have accomplished good work for the City, including the defense of human rights and freedom of expression. She noted that there currently are six (6) vacancies on the DHRC and informed members that she submitted a resume for consideration earlier in the day. She requested that the City retain the DHRC.

Mr. Lawrence Byrd, 49 Acacia Place, felt that there is a need for a voice for those who have a better understanding of the people's backgrounds and status of living. He also felt that the Commission makes the City a better place in which to live, noting that there have been racial issues throughout the City. With a Human Relations Commission, he felt that the City can build a better place for its resident to live, an improved school system, etc.

Mr. David McCorkle, 20 N. New Street, stated that, as a representative of the House of Pride, this organization has worked closely with the Dover Human Relations Commission. He stated that the DHRC has provided much assistance to recovering addicts, explaining that addicts living in the area of New Street have been discriminated against. He relayed appreciation for the DHRC and requested that they not be disbanded or discontinued.

Mr. Anderson stated that he has had the pleasure of serving as a member of the DHRC. Although he was aware that there have been weaknesses in the Commission, he indicated that he has been impressed with the new leadership during the past year. Mr. Anderson noted that the DHRC has been involved in recent issues regarding the relations of people of the City. He stated that Dover has had a homeless problem that was not being recognized and that the DHRC provided a forum to make this issue known to assist in developing a resolution. It was Mr. Anderson's observation that the Commission has made several issues known to the public. He noted that the Commission provides a means for the public to relay concerns, explaining that constituents do not always come to

City Hall to express their concerns. He stated that these forums resulted in a new electric bill format and helped defeat a hike in natural gas rates. Mr. Anderson felt that there are minimal costs associated with the Commission, noting that the members serve without compensation. He stated that the Commission is a good investment for the City and that members should allow the new leadership an opportunity to provide beneficial results.

Dr. Jones stated that the DHRC serves a role in the City. She stated that, as a citizen, she would like for it to continue and for their leadership to work, as partners, with members of City Council and other leadership positions within the City. She felt that the membership should include all who are represented, particularly those that may feel they are disenfranchised.

Mr. Hare relayed his concurrence with Dr. Jones; however, he felt that the Commission may be acting outside their purview. He did not feel that the Commission should make recommendations to the Police Department for arrests, or suggestions regarding who should obtain counseling or rehabilitation, etc. Should the Commission be maintained, he suggested that they act within their defined objectives and goals.

Council President Leary stated that, due to the City's economic situation, there have been various considerations to save expenses, including leaving vacant positions unfilled. He felt that if there are ways to contract some of the City's activities without affecting constituent services, it was important that these suggestions be presented for consideration. In this particular instance, he noted that there is a State of Delaware Human Relations Commission, which has a similar charge and currently has seven (7) members that reside in Kent County. He felt that the City's Human Relations Commission is duplicative and felt that this would be a good time for members to consider eliminating the City's Commission and utilize the State's Commission in this regard.

At the request of Mrs. Russell, Dr. McGlumphy read the following statement, dated September 29, 2011, into the record:

> "I am unable to attend tonight's meeting of the Legislative, Finance, and Administration Committee; however, I would like to express my opinion regarding Agenda Item #6, the Review, Consolidation and/or Elimination of City Committees, Commissions, and Boards as it relates to the Dover Human Relations Commission.
>
> I do not feel that this organization should be eliminated. I believe that the Commission would benefit from reorganization, improved guidelines, better defined rules, and possibly diversity training. The Commission should also work more closely with the State Human Relations Commission. I believe that the Dover Human Relations Commission serves a useful purpose in promoting understanding between people of all races and backgrounds.
>
> Sophia R. Russell
> Fourth District Representative"

Council President Leary reiterated that this is not the only Board, Committee, or Commission being considered and that there will be others examined as well.

In response to Dr. Jones, Mr. Roy Sudler, Jr., Chairman of the DHRC, stated that initially the Commission's budget was $10,000, it was later reduced to $5,000, and the current budget was $3,000.

Mr. Anderson moved to recommend that the Dover Human Relations Commission be retained and that the Commission itself conduct a review and report back to the Committee within three (3) months with suggestions to make operations more effective. The motion was seconded by Dr. Jones and unanimously carried.

Due to time constraints, Chairman McGlumphy suggested that Items #3 - Review of Cell Phone Use, and #4 - Review of Take-Home Vehicle Use be deferred until the next Committee meeting.

Mr. Anderson moved to defer Items #3 and #4 until the next regularly scheduled Committee meeting, seconded by Dr. Jones and carried with Mr. Hare voting no.

By uanimous consent, the meeting adjourned at 6:33 P.M.

William P. McGlumphy
Chairman

WPM/DD/jg/js/tm
S:\AGENDAS & MINUTES\Committee-Minutes\2011\09-26-2011 LF&A.wpd

Attachment
Attachment #1 - Proposed Resolution No. 2011-11

Attachment to Original Minutes and File Copy
Attachment #2 - Dover Transit Center Neighborhood Plan - Charrette Presentation

City of Dover

MAYOR AND COUNCIL

PROPOSED COUNCIL RESOLUTION NO. 2011-11

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

That the Mayor and Council have determined that the Charter of the City of Dover, should be amended by increasing the term lengths of the Mayor and City Council members from two (2) years to four (4) years. Therefore, the Mayor and Council of the City of Dover respectfully request the General Assembly of the State of Delaware to amend Article II - Mayor and Council, Section 5 - Council to be legislative body; size; districts; terms of mayor and councilmen; qualifications, Section 6 - Municipal election; dates, time, and place of elections, and Section 7 - Nomination petitions for candidates for council and mayor, of its Charter, which amendments, if adopted by the General Assembly, would be as follows:

CITY OF DOVER CHARTER - ARTICLE II - MAYOR AND COUNCIL

Sec. 5. - Council to be legislative body; size; districts; terms of mayor and councilmen; qualifications.

The council shall be the legislative body of the city and composed of nine members nominated and elected as herein provided.

In order that the members of council shall be distributed over the city, the city shall be divided into four election districts, the district boundaries of which shall be established by council so that the districts are nearly equal in population as shown by the most recent federal decennial census. The district boundaries established for municipal elections shall continue in effect until the next succeeding federal decennial census is made available for use by municipalities in the State of Delaware, at which time council shall redistrict the city so that the districts shall be nearly equal in population in accordance with said census, which redistricting shall be used for the next regular municipal election, which procedure shall be followed by council after each succeeding federal decennial census in this manner so that the districts shall be maintained as nearly equal in population as possible at all times.

~~The term of mayor shall be for a period of two years commencing on the second Monday in May following their election and continuing for a term of two years until the second Monday in May or until their successor has been duly elected and qualified.~~

~~The term of the councilmen shall be for two years. In each regular municipal election held in an odd numbered year, five councilmen shall be elected, four by district voting being from the districts and one at-large as stated herein. In each regular municipal election held in an even numbered year, four councilmen shall be elected by district voting from each of the districts of the city.~~

At the regular municipal election held in April of 2012, the mayor shall be elected at-large. The term of mayor elected at the April 2012 regular municipal election shall be for a period of three (3) years, commencing on the second Monday in May following his election and continuing for a term of three (3) years until the second Monday in May 2015, or until his/her successor has been duly elected and qualified.

Thereafter, commencing with the regular municipal election to be held in April of 2015, the term of mayor shall be for a period of four (4) years commencing on the second Monday in May following his/her election and continuing for a term of four (4) years until the second Monday in May, or until his/her successor has been duly elected and qualified.

At the regular municipal election held in April of 2012, four (4) councilmen shall be elected by district voting from each of the districts of the city. The term of the councilmen elected at the April 2012 regular municipal election shall be for three (3) years, commencing on the second Monday in May following their election and continuing for a term of three (3) years until the second Monday in May 2015, or until their successors have been duly elected and qualified.

At the regular municipal election held in April of 2013, five (5) councilmen shall be elected, four (4) by district voting being from the districts and one (1) at-large. The term of the councilmen elected at the April 2013 regular municipal election shall be for a period of four (4) years, commencing on the second Monday in May following their election and continuing for a period of four (4) years until the second Monday in May, or until their successors have been duly elected and qualified.

Thereafter, commencing with the regular municipal election to be held in April of 2013, the terms of the councilmen shall be for a period of four (4) years, commencing on the second Monday in May following their election and continuing for a term of four (4) years until the second Monday in May, or until their successors have been duly elected and qualified. The mayor and at-large councilman shall be elected at alternating biennial regular municipal elections.

In order to be eligible to be elected as mayor or as a member of council, the person must as of the date of the election be:

(1) A citizen of the United States and of the State of Delaware;

(2) A resident of the city and having continuously resided therein or in an area annexed to the

city during the two years next preceding the day of the election;

(3) A resident of the election district from which they are seeking election, unless they are seeking election as an at-large councilman or mayor;

(4) Eighteen years of age; and

(5) Nominated therefore, as hereinafter provided.

Holding Other Office. Except where authorized by law, no council members shall hold any other elected public office during the term for which the member was elected to the council. No council member shall hold any other city office or employment during the term for which the member was elected to the council. No former council members shall hold any compensated appointive office or employment with the city until one year after the expiration of the term for which the member was elected to the council, unless granted a waiver by the Board of Ethics (Ethics Commission).

Sec. 6. - Municipal election; dates, time, and place of elections.

~~**At the regular municipal election held on the third Tuesday in April of any even numbered year, four (4) councilmen shall be elected by district voting from each of the districts as designated by council for a term of two years, and a mayor shall be elected by the voters of the city for a term of two years, as provided in section 5 of this Charter.**~~

Regular municipal elections shall be held ~~**each year**~~ **biennially** on the third Tuesday in April. All other municipal elections that may be held shall be known as special municipal elections. At each such municipal election, the polls shall be opened at 7:00 a.m. and closed at 8:00 p.m. The council may designate the places of election and make all necessary rules and regulations not inconsistent with this Charter or with other laws of the State of Delaware for the conduct of elections, for the prevention of fraud in elections, and for the recount of ballots in case of doubt or fraud. At ~~**the**~~ **alternating biennial** regular municipal election**s** held on the third Tuesday in April ~~**of any odd numbered year**~~, five councilmen shall be elected for a term of ~~**two**~~ **four** years, four of whom shall be elected by district voting from each of the districts as designated by council and one of whom shall be elected by at-large voting by all voters of the city, as provided in section 5 of this Charter. At the **next biennial** regular municipal election held on the third Tuesday in April ~~**of any even numbered year**~~, four councilmen shall be elected by district voting from each of the districts as designated by council for a term of ~~**two**~~ **four** years, and a mayor shall be elected by the voters of the city for a term of ~~**two**~~ **four** years, as provided in section 5 of this Charter.

Sec. 7. - Nomination petitions for candidates for council and mayor.

The mode of nomination of candidates for the council and for mayor shall be by petition, signed by not less than ten nor more than 25 electors of the city, filed with the clerk of council on or before 4:30 p.m. on the second Friday of February ~~**of each year**~~ **biennially** for candidates for council and on or before 4:30 p.m. on the last working day in January **biennially** for candidates for mayor in the years when a mayor is to be elected. Should the second Friday of February fall on a legal holiday,

the filing date shall be 4:30 p.m. on the next working day thereafter which is not a legal holiday.

Whenever a petition nominating a person for the office of mayor or councilman shall have been filed as above prescribed, the name of such person shall be printed on the ballot for the regular **biennial** municipal election as a candidate for the office for which they were nominated, provided they possess the qualifications prescribed by this Charter for a candidate for such office.

No nominating petition shall designate more than one person to be voted for as a member of council or as mayor.

The signers of a nominating petition for a member of the council must be electors of the city residing in the city election district in which the nominee resides; but the signers to the nominating petition for the mayor and for the at-large councilman may be city electors residing in the city at-large.

There must be attached to each nominating petition an affidavit of the circulator thereof, stating the number of signers and that each signature appended thereto was made in their presence, and is the genuine signature of the person whose name it purports to be, and that all of said signers are entitled to vote at the regular municipal election referred to; and, in the case of a petition nominating a candidate for councilman running from a particular district and to be elected by district voting, that the circulator of the petition verily believes that each signer of said petition is a resident of the same city election district in which the nominee resides.

With each signature shall be stated the place of residence of the signer, giving the street and number or other description sufficient to identify the same. The form of the nominating petition shall be substantially as follows:

We, the undersigned, electors of the City of Dover, hereby nominate _____, who resides in the _____ City District of the said City of Dover, for the office of Councilman (or for the office of Mayor as the case may be) to be voted for at the regular municipal election to be held in the said City, on the _____ day of _____ in the year _____; and we individually certify that we are qualified to vote for a candidate for the office named, and that we have not signed any other nominating petition for that office, and that our places of residences are truly stated after our signatures.

Name .....

Street and number .....

(Space for Signatures)

STATE OF DELAWARE

KENT COUNTY

SS.

_____ being duly sworn (or affirmed) deposes and says that they were the circulator

of the foregoing petition paper containing signatures, and that the signatures appended thereto were made in his**/her** presence, and are the signatures of the persons whose names they purport to be, and that they verily believe the residence of each signer thereof to be truly stated, and that all of said signers are entitled to vote at the regular municipal election referred to in said paper; and, in case the petition is nominating a candidate for councilman to be elected from a specific district by district voting, that each signer of said petition is a resident of the same city election district in which the nominee resides.

(Signed) .....

Subscribed and sworn to (or affirmed) before me this _____ day of _____

_____ Justice of the Peace (or Notary Public)

ADOPTED: *

_____	_____
THOMAS J. LEARY	CARLETON E. CAREY, SR.
COUNCIL PRESIDENT	MAYOR

SYNOPSIS

This amendment would increase the term lengths of the Mayor and City Council members from two (2) years to four (4) years.

Actions History

Aug. 22, 2011 - Proposed for Introduction at Legislative, Finance, and Administration Committee

October 10, 2011

Sponsor:_____

DELAWARE STATE SENATE
146th GENERAL ASSEMBLY
SENATE BILL NO._____

AN ACT TO AMEND THE CHARTER OF THE CITY OF DOVER BEING CHAPTER 130, VOLUME 77 OF THE LAWS OF DELAWARE, AS AMENDED, REGARDING TERM LENGTHS FOR MAYOR AND COUNCIL

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE (Two-thirds of all members elected to each House concurring therein):

Section 1. Amend Sec. 5. - Council to be legislative body; size; districts; terms of mayor and councilmen; qualifications of Chapter 130, Volume 77, Laws of Delaware, by deleting the text indicated in strikeout and inserting the text indicated in underscore as follows:

Sec. 5. - Council to be legislative body; size; districts; terms of mayor and councilmen; qualifications.

The council shall be the legislative body of the city and composed of nine members nominated and elected as herein provided.

In order that the members of council shall be distributed over the city, the city shall be divided into four election districts, the district boundaries of which shall be established by council so that the districts are nearly equal in population as shown by the most recent federal decennial census. The district boundaries established for municipal elections shall continue in effect until the next succeeding federal decennial census is made available for use by municipalities in the State of Delaware, at which time council shall redistrict the city so that the districts shall be nearly equal in population in accordance with said census, which redistricting shall be used for the next regular municipal election, which procedure shall be followed by council after each succeeding federal decennial census in this manner so that the districts shall be maintained as nearly equal in population as possible at all times.

~~**The term of mayor shall be for a period of two years commencing on the second Monday in May following their election and continuing for a term of two years until the second Monday in May or until their successor has been duly elected and qualified.**~~

~~The term of the councilmen shall be for two years. In each regular municipal election held in an odd numbered year, five councilmen shall be elected, four by district voting being from the districts and one at-large as stated herein. In each regular municipal election held in an even numbered year, four councilmen shall be elected by district voting from each of the districts of the city.~~

At the regular municipal election held in April of 2012, the mayor shall be elected at-large. The term of mayor elected at the April 2012 regular municipal election shall be for a period of three years, commencing on the second Monday in May following his/her election and continuing for a term of three years until the second Monday in May 2015, or until his/her successor has been duly elected and qualified.

Thereafter, commencing with the regular municipal election to be held in April of 2015, the term of mayor shall be for a period of four years commencing on the second Monday in May following his/her election and continuing for a term of four years until the second Monday in May, or until his/her successor has been duly elected and qualified.

At the regular municipal election held in April of 2012, four councilmen shall be elected by district voting from each of the districts of the city. The term of the councilmen elected at the April 2012 regular municipal election shall be for three years, commencing on the second Monday in May following their election and continuing for a term of three years until the second Monday in May 2015, or until their successors have been duly elected and qualified.

At the regular municipal election held in April of 2013, five councilmen shall be elected, four by district voting being from the districts and one at-large. The term of the councilmen elected at the April 2013 regular municipal election shall be for a period of four years, commencing on the second Monday in May following their election and continuing for a period of four years until the second Monday in May, or until their successors have been duly elected and qualified.

Thereafter, commencing with the regular municipal election to be held in April of 2013, the terms of the councilmen shall be for a period of four years, commencing on the second Monday in May following their election and continuing for a term of four years until the second Monday in May, or until their successors have been duly elected and qualified. The mayor and at-large

councilman shall be elected at alternating biennial regular municipal elections.

In order to be eligible to be elected as mayor or as a member of council, the person must as of the date of the election be:

(1) A citizen of the United States and of the State of Delaware;

(2) A resident of the city and having continuously resided therein or in an area annexed to the city during the two years next preceding the day of the election;

(3) A resident of the election district from which they are seeking election, unless they are seeking election as an at-large councilman or mayor;

(4) Eighteen years of age; and

(5) Nominated therefore, as hereinafter provided.

Holding Other Office. Except where authorized by law, no council members shall hold any other elected public office during the term for which the member was elected to the council. No council member shall hold any other city office or employment during the term for which the member was elected to the council. No former council members shall hold any compensated appointive office or employment with the city until one year after the expiration of the term for which the member was elected to the council, unless granted a waiver by the Board of Ethics (Ethics Commission).

Section 2. Amend Sec. 6. - Municipal election; dates, time, and place of elections of Chapter 130, Volume 77, Laws of Delaware, by deleting the text indicated in strikeout and inserting the text indicated in underscore as follows:

Sec. 6. - Municipal election; dates, time, and place of elections.

~~**At the regular municipal election held on the third Tuesday in April of any even numbered year, four (4) councilmen shall be elected by district voting from each of the districts as designated by council for a term of two years, and a mayor shall be elected by the voters of the city for a term of two years, as provided in section 5 of this Charter.**~~

Regular municipal elections shall be held ~~**each year**~~ **biennially** on the third Tuesday in April. All other municipal elections that may be held shall be known as special municipal elections. At each such

municipal election, the polls shall be opened at 7:00 a.m. and closed at 8:00 p.m. The council may designate the places of election and make all necessary rules and regulations not inconsistent with this Charter or with other laws of the State of Delaware for the conduct of elections, for the prevention of fraud in elections, and for the recount of ballots in case of doubt or fraud. At ~~the~~ **alternating biennial** regular municipal election**s** held on the third Tuesday in April ~~of any odd numbered year~~, five councilmen shall be elected for a term of ~~two~~ **four** years, four of whom shall be elected by district voting from each of the districts as designated by council and one of whom shall be elected by at-large voting by all voters of the city, as provided in section 5 of this Charter. At the **next biennial** regular municipal election held on the third Tuesday in April ~~of any even numbered year~~, four councilmen shall be elected by district voting from each of the districts as designated by council for a term of ~~two~~ **four** years, and a mayor shall be elected by the voters of the city for a term of ~~two~~ **four** years, as provided in section 5 of this Charter.

Section 3. Amend Sec. 7. - Nomination petitions for candidates for council and mayor of Chapter 130, Volume 77, Laws of Delaware, by deleting the text indicated in strikeout and inserting the text indicated in underscore as follows:

Sec. 7. - Nomination petitions for candidates for council and mayor.

The mode of nomination of candidates for the council and for mayor shall be by petition, signed by not less than ten nor more than 25 electors of the city, filed with the clerk of council on or before 4:30 p.m. on the second Friday of February ~~of each year~~ **biennially** for candidates for council and on or before 4:30 p.m. on the last working day in January **biennially** for candidates for mayor in the years when a mayor is to be elected. Should the second Friday of February fall on a legal holiday, the filing date shall be 4:30 p.m. on the next working day thereafter which is not a legal holiday.

Whenever a petition nominating a person for the office of mayor or councilman shall have been filed as above prescribed, the name of such person shall be printed on the ballot for the regular **biennial** municipal election as a candidate for the office for which they were nominated, provided they possess the qualifications prescribed by this Charter for a candidate for such office.

No nominating petition shall designate more than one person to be voted for as a member of council or as mayor.

The signers of a nominating petition for a member of the council

must be electors of the city residing in the city election district in which the nominee resides; but the signers to the nominating petition for the mayor and for the at-large councilman may be city electors residing in the city at-large.

There must be attached to each nominating petition an affidavit of the circulator thereof, stating the number of signers and that each signature appended thereto was made in their presence, and is the genuine signature of the person whose name it purports to be, and that all of said signers are entitled to vote at the regular municipal election referred to; and, in the case of a petition nominating a candidate for councilman running from a particular district and to be elected by district voting, that the circulator of the petition verily believes that each signer of said petition is a resident of the same city election district in which the nominee resides.

With each signature shall be stated the place of residence of the signer, giving the street and number or other description sufficient to identify the same. The form of the nominating petition shall be substantially as follows:

We, the undersigned, electors of the City of Dover, hereby nominate _____, who resides in the _____ City District of the said City of Dover, for the office of Councilman (or for the office of Mayor as the case may be) to be voted for at the regular municipal election to be held in the said City, on the _____ day of _____ in the year _____; and we individually certify that we are qualified to vote for a candidate for the office named, and that we have not signed any other nominating petition for that office, and that our places of residences are truly stated after our signatures.

Name .....

Street and number .....

(Space for Signatures)

STATE OF DELAWARE

KENT COUNTY

SS.

_____ being duly sworn (or affirmed) deposes and says that they were the circulator of the foregoing petition paper containing signatures, and that the signatures appended thereto were made in his**/her** presence, and are the signatures of the persons whose

names they purport to be, and that they verily believe the residence of each signer thereof to be truly stated, and that all of said signers are entitled to vote at the regular municipal election referred to in said paper; and, in case the petition is nominating a candidate for councilman to be elected from a specific district by district voting, that each signer of said petition is a resident of the same city election district in which the nominee resides.

(Signed) .....

Subscribed and sworn to (or affirmed) before me this _____ day of _____

_____ Justice of the Peace (or Notary Public)

Section 4. This Act shall be effective upon its enactment in accordance with law. New term lengths will be effective with the election next preceding enactment.

SYNOPSIS

This act would increase the term lengths for the Mayor and City Council of the City of Dover from two (2) years to four (4) years.









Dover Transit Center Neighborhood Plan

Charrette Presentation to Legislative and Finance Committees

September 26, 2011

Dover/Kent County MPO
Metropolitan Planning Organization

DOWNTOWN DOVER PARTNERSHIP

BECKER MORGAN GROUP
ARCHITECTURE ENGINEERING

RENAISSANCE PLANNING GROUP

ATTACHMENT #2
LF&A Committee Meeting of 09/26/2011

1st Day of the Charrette











Dover/Kent County MPO Metropolitan Planning Organization
DOWNTOWN DOVER PARTNERSHIP
BECKER MORGAN GROUP
RENAISSANCE PLANNING GROUP

A Mission for Dover

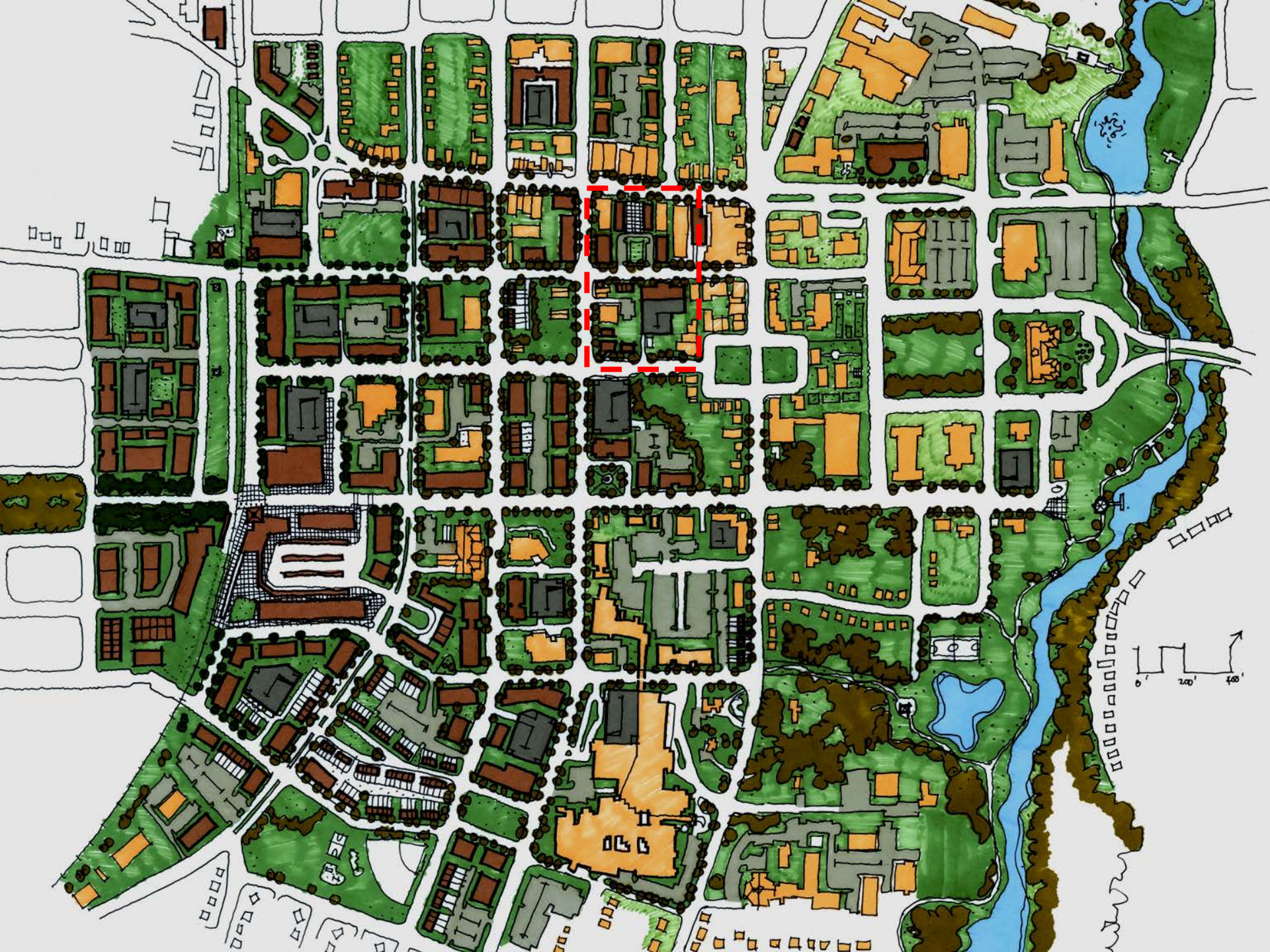
Partners committed to a plan and working to build a downtown worthy of the First State Capital

Dover/Kent County MPO Metropolitan Planning Organization

Downtown Dover Partnership

Becker Morgan Group

Renaissance Planning Group

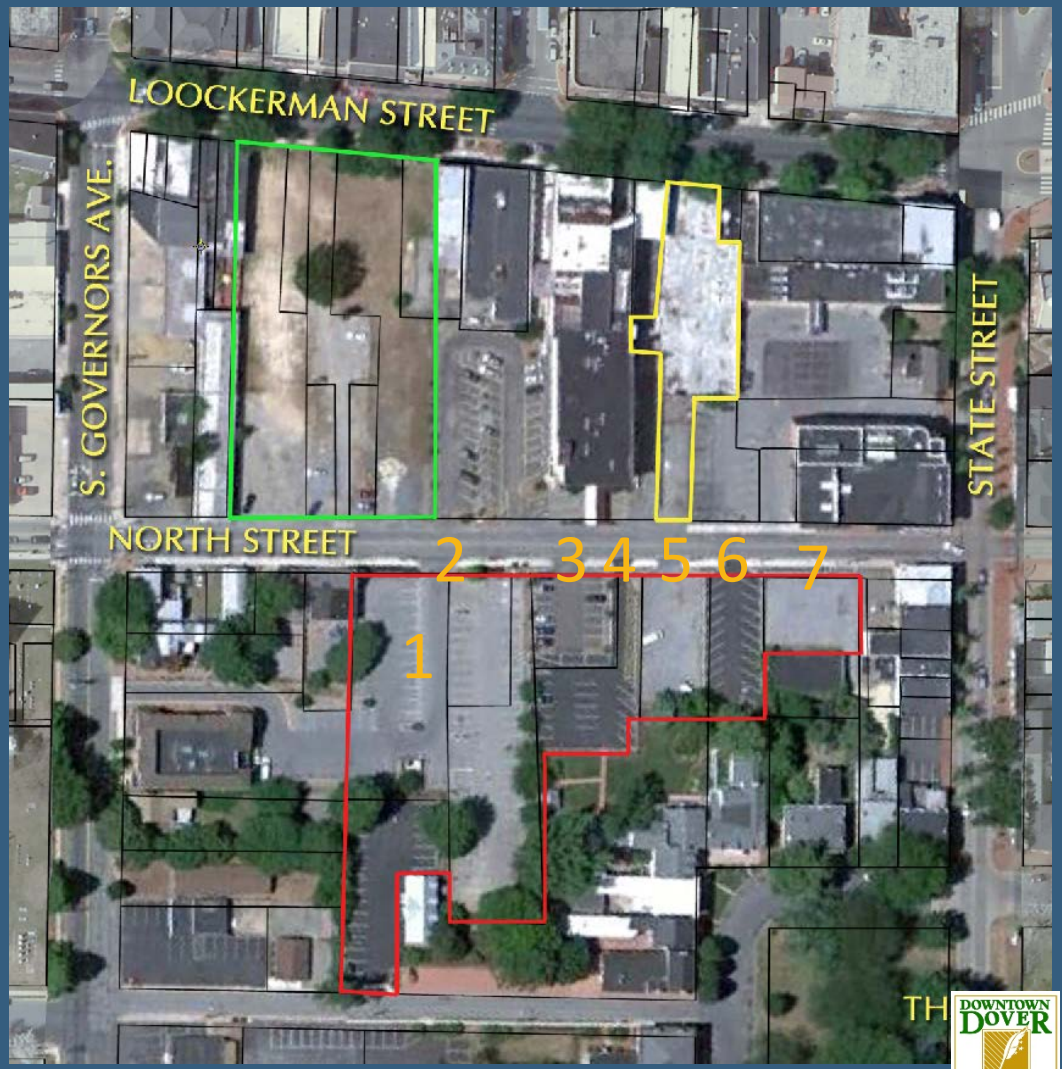


Existing Parking Along North Street

Parking Lot Counts Along North Street

- 21 Spaces
- 71 Spaces
- 14 Spaces
- 18 Spaces
- 16 Spaces (Approx.)
- 20 Spaces
- 12 Spaces (Approx.)

Total 172 Spaces



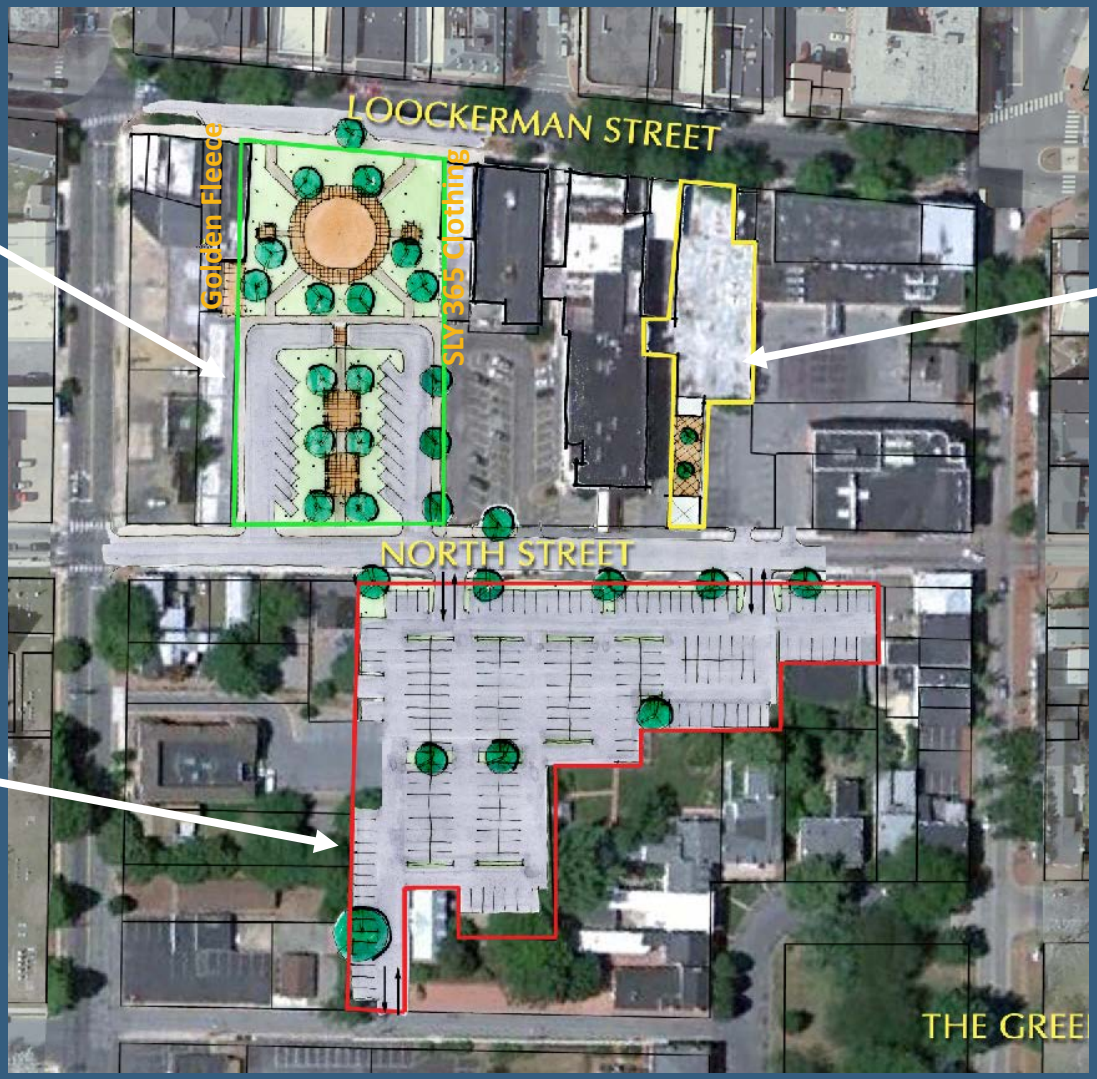
Existing Parking Along North Street - Owners



Concept Plan Along North Street – Option 1

Parking Provided at new Loockerman Plaza: 18 Spaces

Parking Provided in North Street Lot reconfiguration: 204 Spaces



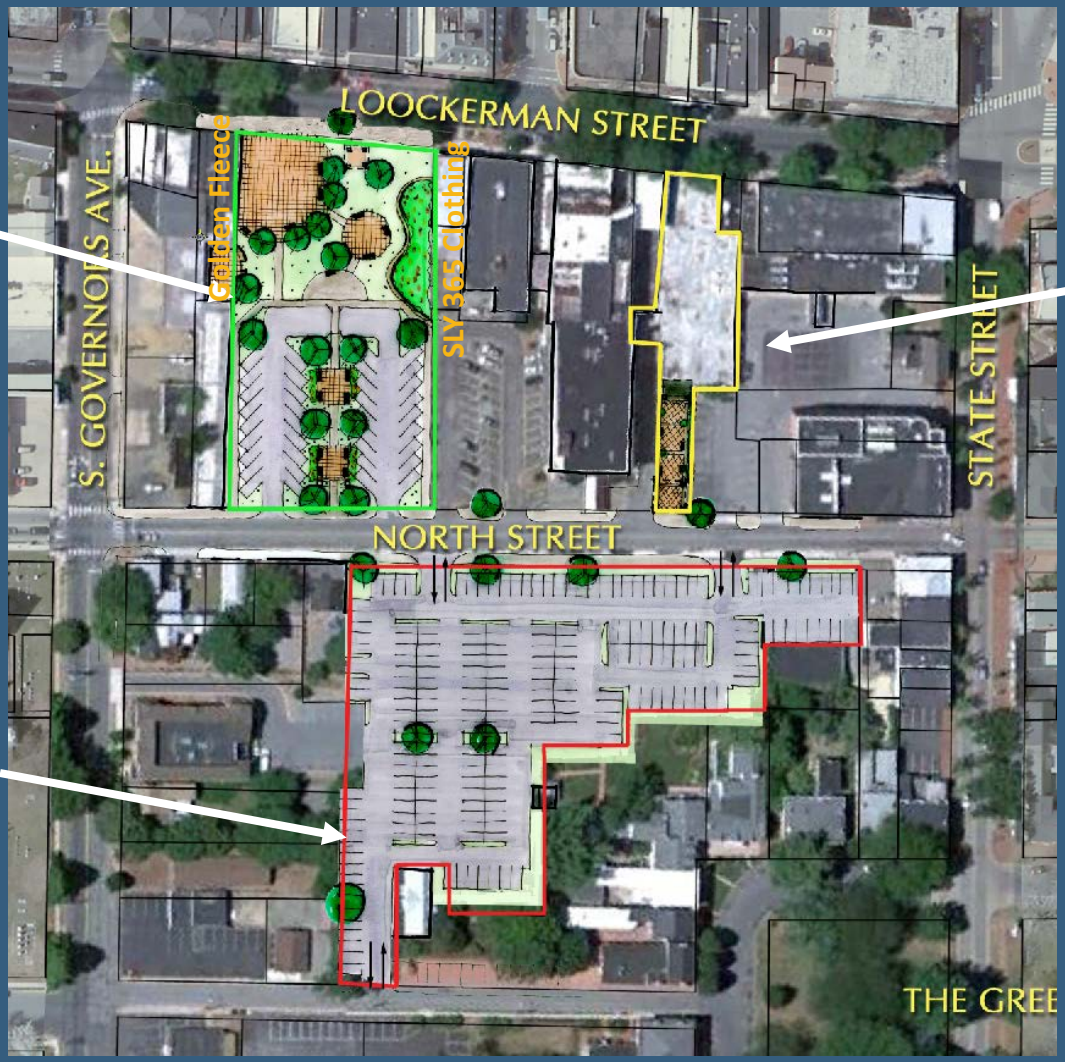
DDP Building with entrance enhancements on North Street façade and renovations to Loockerman St. facade

DOWNTOWN DOVER PARTNERSHIP

BECKER MORGAN GROUP

Concept Plan Along North Street – Option 2

Parking Provided at new Loockerman Plaza: 36 Spaces



DDP Building with entrance enhancements on North Street façade and renovations to Loockerman St. facade

Parking Provided in North Street Lot reconfiguration: 206 Spaces

DOWNTOWN DOVER PARTNERSHIP

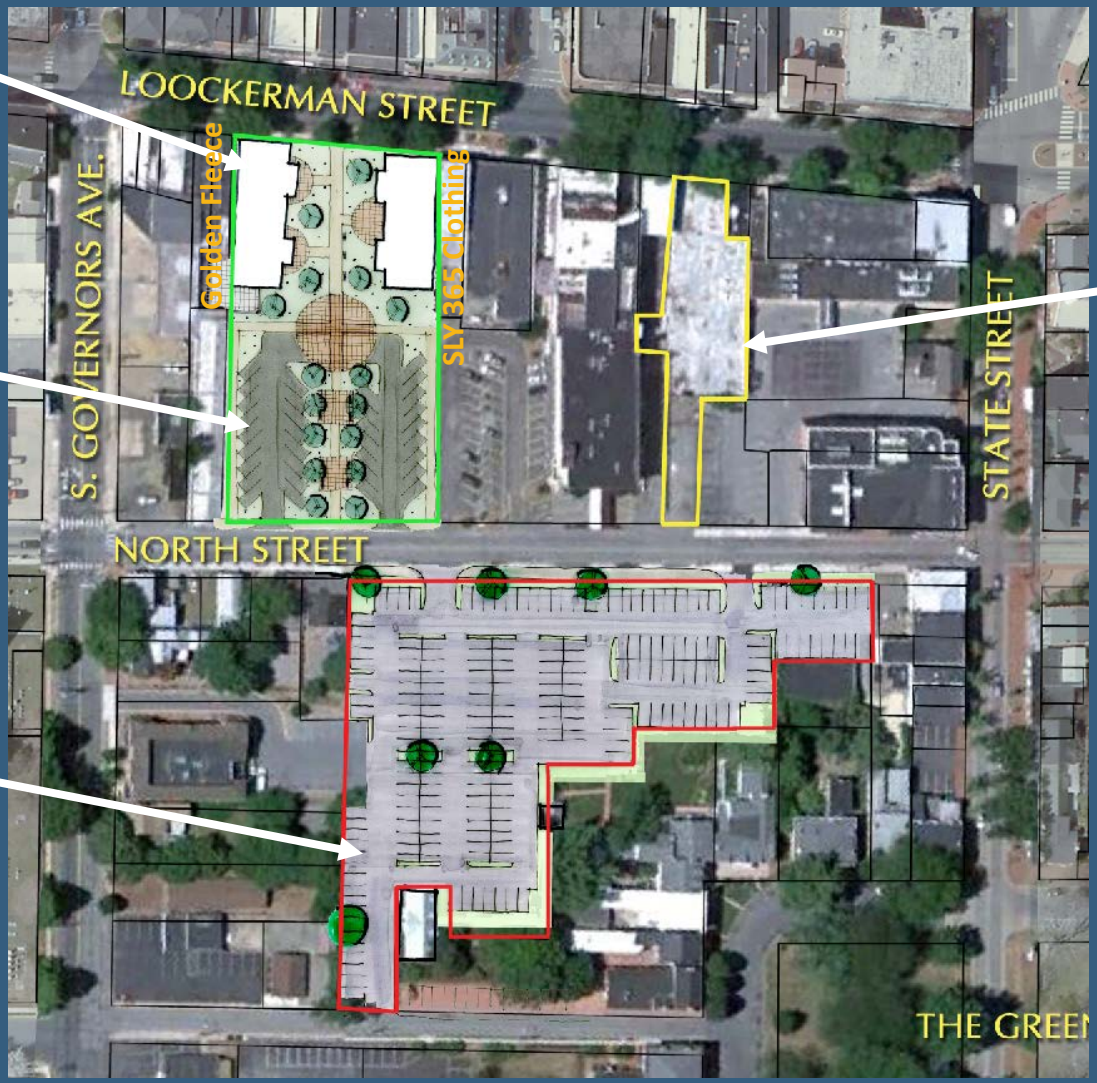
BECKER MORGAN GROUP

Concept Plan Along North Street – Option 3

(2) New 2-Story Buildings
2,800 SF Retail on 1st floor

Parking Provided at new Loockerman Plaza: 36 Spaces

Parking Provided in North Street Lot reconfiguration: 206 Spaces



DDP Building with entrance enhancements on North Street façade and renovations to Loockerman St. facade

DOWNTOWN DOVER PARTNERSHIP

BECKER MORGAN GROUP

Loockerman Plaza
View from Loockerman Street



22-24 W. Loockerman Street / DDP Property Existing Conditions View from Loockerman Street



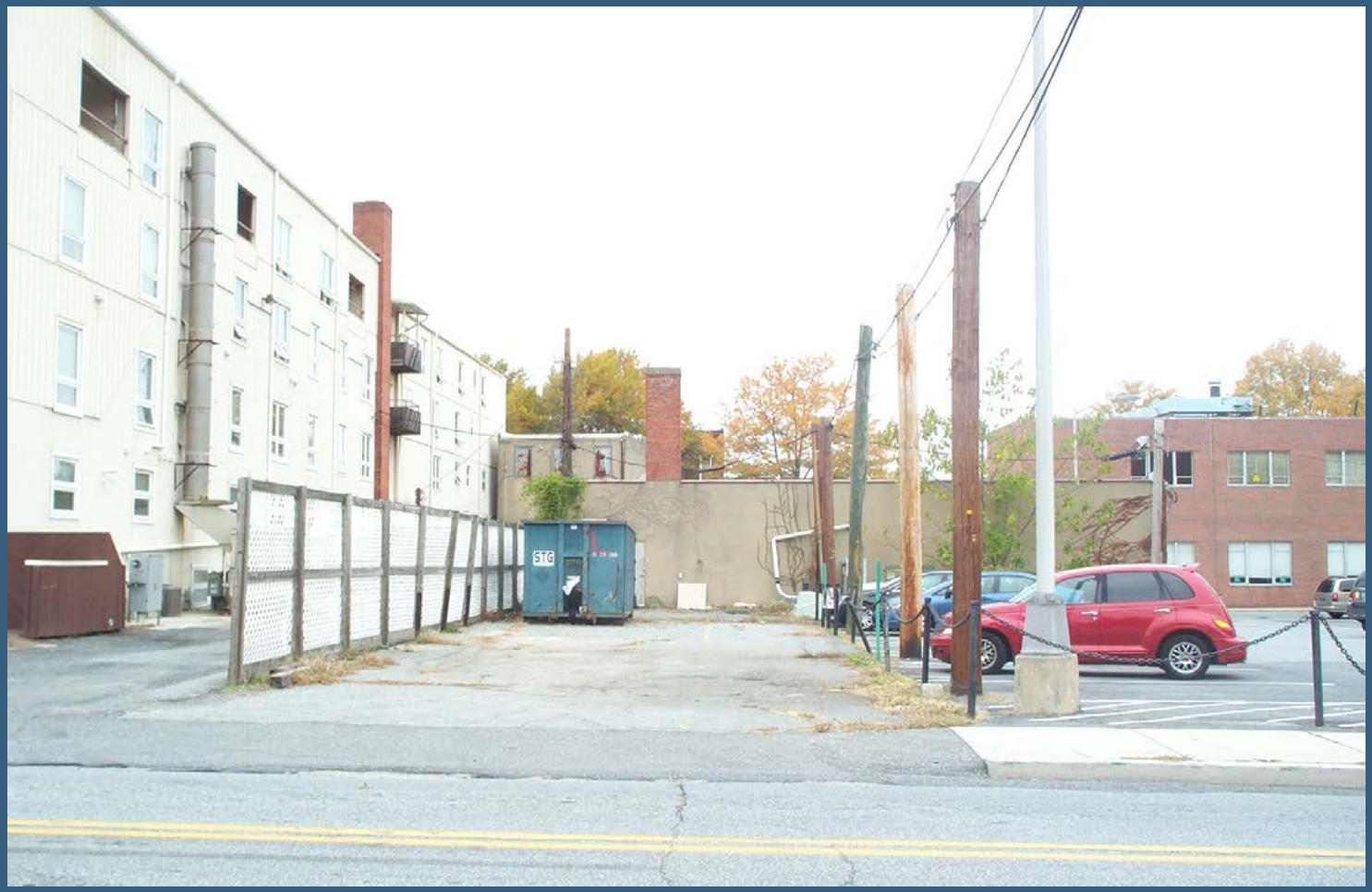
22-24 W. Loockerman Street / DDP Property Elevation



DOWNTOWN DOVER PARTNERSHIP

BECKER MORGAN GROUP

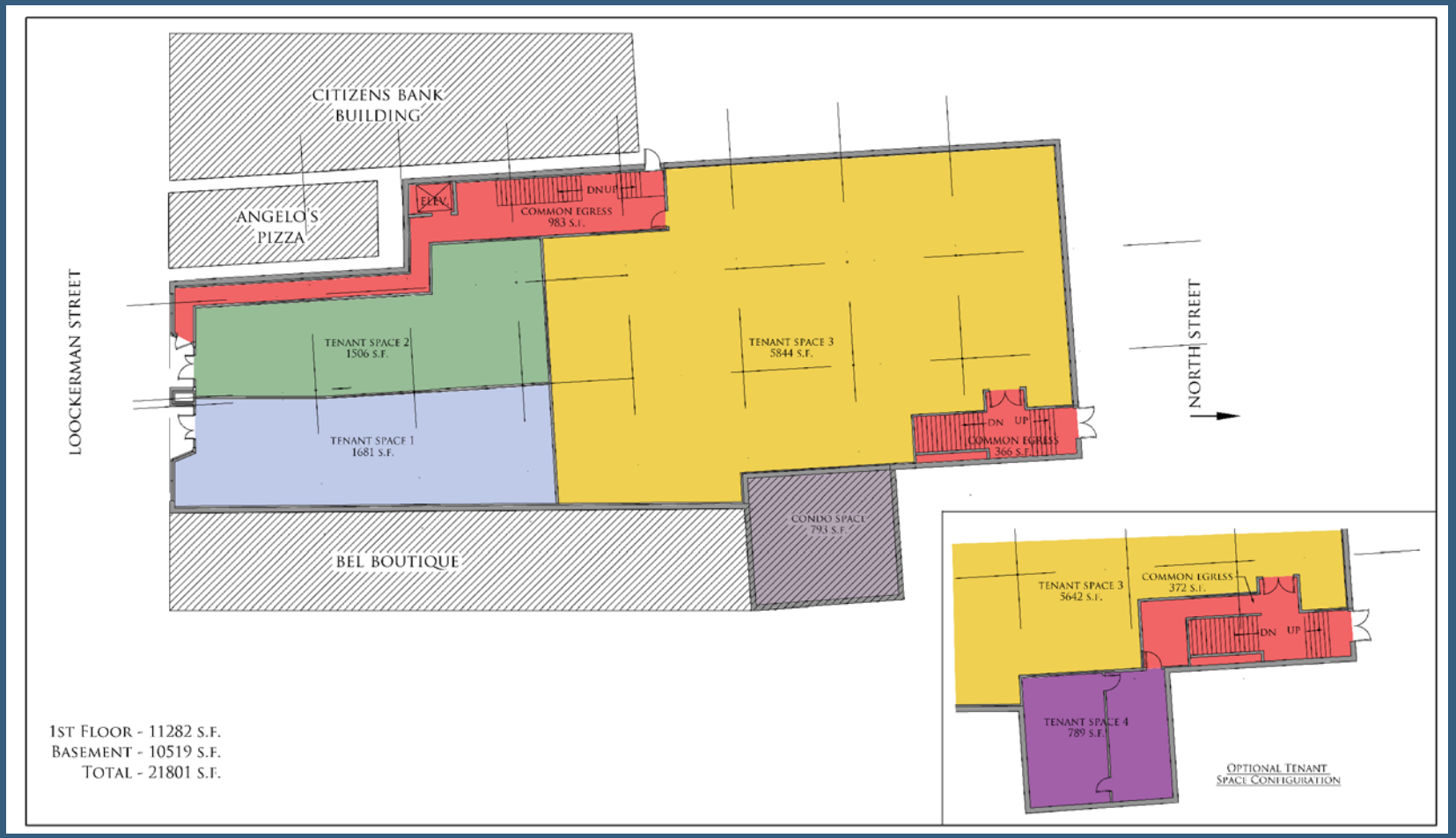
22-24 W. Loockerman Street
Existing Conditions View from North Street



22-24 W. Loockerman Street
Elevation View from North Street



22-24 W. Loockerman Street
Tenant Fit Out Plan



Site Plan for Redevelopment of Acme Site

68 Surface Parking Spaces

24 Garage Parking Spaces

3-Story Apartment Building with Parking Garage below Building at Grade



4-Store Mixed Use Building

Retail on 1st Floor

Apartments on 2nd-4th Floors

27 Residential Units

DOWNTOWN DOVER PARTNERSHIP

BECKER MORGAN GROUP

Retail and Apartment Building at Improved Acme Site



Apartment Building at Improved Acme Site

