

## **REGULAR CITY COUNCIL MEETING**

The Regular City Council Meeting was held on April 13, 2026 at 7:45 p.m. with Council President Neil presiding. Council members present were Ms. Hall, Mr. Anderson, Dr. Pillsbury, Ms. Arndt, Mr. Rocha (via Webex), and Mr. Lewis. Mr. Boggerty and Dr. Sudler were absent.

Staff members present were Police Chief Johnson, Ms. Marney (left at 8:31 p.m.), Ms. Duca (left at 8:31 p.m.), Mrs. Melson-Williams (left at 8:31 p.m.), Mr. Griffith, Deputy Chief Iannucci, and Ms. Rivera. Mayor Christiansen was also present. Fire Chief Carey was absent.

### **OPEN FORUM**

The Open Forum was held at 6:15 p.m., prior to commencement of the Official Council Meeting. Council President Neil declared the Open Forum in session and reminded those present that Council was not in official session and could not take formal action.

William Faust Jr., 136 Orchard Avenue, raised concerns about the lack of communication and transparency from Council President Neil, accusing him of not responding to emails and mishandling Mayor Christiansen's absence. He stated that he was working on filing ethics complaints against Mr. Neil for superseding his authority as Council President and called for public documentation regarding Mayor Christiansen's absences. He also expressed concern about the city's budget, urging council to be upfront about the upcoming budget challenges. He criticized automatic pay raises for council when there was financial strain, arguing that rising costs were hurting residents, especially seniors and low-income individuals.

Responding to Mr. Lewis, Mr. Faust stated that over the past 30 to 90 days, every email he sent received a response, and that Mr. Lewis responded to each one. He noted that he had stopped contacting Council President Neil, since the few responses that he had received from him were negative.

Sue Harris, 241 Pine Street, Coordinator for People's Community Center, reviewed the FOIA complaints, noting that several letters were submitted simultaneously with similar wording, raising questions about their origin. She explained that their organization existed because of the continuing and growing need for supportive housing, substance abuse, and mental health treatment centers, and effective law enforcement that only municipalities could address in a comprehensive way. The People's Community Center provides emergency support when needed, especially during the cold weather, and would welcome additional community resources and support from other churches. She added that they would help those individuals in need regardless. She acknowledged the \$325,000 that was already allocated to the city through the Opioid Commission, which should be used for the trained behavioral health units in the police department to concentrate on downtown to address their decade-long issues and crisis. She noted that the city would continue to receive approximately \$250,000 each year for at least 10 years, which could sustain those positions. She mentioned that the Opioid Commission was considering directing funds to black and brown communities that were struggling with the opioid crisis and offering grants to local police. She emphasized that using those funds to address the city's most urgent issues would respond to community needs, improve downtown conditions, and support a safer, more welcoming environment.



Melinda Weber, a Dover resident, acknowledged that People's Church has good intentions in helping those individuals in need, but argued that they were reckless, with boundaries of responsibility that led to disastrous consequences on Bradford Street, downtown, nearby residents, and local businesses. She emphasized that they should take responsibility for their actions and manage their community, noting that they have taken on the role of stewards of the people. She highlighted safety concerns, particularly for her daughter and the community, and that the People's Church had failed to uphold its responsibility to the neighbors, local businesses, owners, and all of Dover's residents, and should be held accountable for the outcomes of its actions.

Reverend Jennifer Keiser Knighton, President of the Board of Trustees for the Central Atlantic Conference of the United Church of Christ, read a letter from the Reverend Freeman Palmer, Conference Minister, expressing their support for the People's Church and Community Center.

Pastor G. D Hodge, President of the Board of Directors of People's Community Center, argued that the social issues in Downtown Dover, such as drug use, crime, and homelessness, have existed for decades and were long ignored by city officials. He rejected claims that those problems began with the recent People's Church outreach efforts, stating that those efforts only made the issues more visible. He defended the People's Church and its partners as part of a collaborative effort to address those longstanding problems, emphasizing that no single organization could solve them alone. He criticized the city for rejecting collaboration, shifting blame onto the church, and engaging in what he described as selective enforcement and harassment. He called on city leadership to take responsibility, based on facts and reason, and work cooperatively with community organizations instead of targeting them.

Yolanda Jackson, a Magnolia resident, supporter of the People's Church, and a previous board member for the church, urged council not to allow the closure of the People's Community Center. She emphasized that the People's Community Center was simply not a building. Still, she noted that it was a lifeline for men in the community who were experiencing homelessness, job loss, mental health challenges, recovery, or personal crisis. She mentioned that the People's Community Center provided safety, accountability, dignity, and a realistic pathway forward, offering stability that allowed individuals to recover, reconnect with work, and regain their footing. She further added that removing that option did not reduce homelessness.

Jean Hitchens, 630 North State Street, stated that she and her husband have lived in Dover for 56 years and did not think that the criminal element was new to Dover, but that it just moved around on different streets over the years. She believed that the People's Community Center was not causing any criminal activity and felt that they were responding to those in need, homelessness, children in the neighborhood, and veterans in need of transitional housing.

Horace Best Emmett, 34 North New Street, expressed his support for the People's Church and Community Center. He stated that the People's Church has helped him with job placement.

Michael Scheinbaum, a Dover resident, expressed his strong support for the People's Church and Community Center.

Chelle Paul, a Dover resident, expressed frustration with city leadership over issues of crime, homelessness, and violence, emphasizing that those problems have existed for decades and only gained attention when they began affecting non-minority communities. She excluded blaming churches or other external factors, insisting the situation was a policing issue. She criticized the lack of police presence, sharing observations of unsafe conditions and violence, particularly affecting youth. She highlighted her own unpaid efforts working with at-risk youth and families, contrasting them with what she saw as inadequate police response. She called for proactive policing strategies, such as mobile substations, curfews, and visible deterrence, rather than reactive measures. She urged police leadership and city officials to take accountability, follow through on past commitments, and actively protect the community.

Stuart Marks, a Dover Resident, expressed his support for the People's Church and Community Center.

Lisa Rockford, a Dover resident, expressed her support for the People's Church and Community Center.

David Bower, a representative for Janie's Hands, expressed his strong support for the People's Church and Community Center.

Kevin Richardson, a Dover resident, expressed his support for the People's Church and Community Center.

Cleveland Wilson, a Dover resident, suggested having a "hope meeting" and urged council to come together with the community to listen, collaborate, and develop hopeful solutions that address the issues.

Tameka Chapman, a Dover resident, expressed her support for the People's Church and Community Center. She noted that she was a volunteer at the People's Community Center because she wanted to have a better understanding of why individuals wanted to live on the streets and be homeless. She learned that some individuals have a mental illness, and to combat that, they need resources, kindness, and help to get the treatment that they deserve. She emphasized that the People's Community Center was a sanctuary that helped keep men off the street during the harsh winter, and noted that the center helped those men with their goals and helped them better their lives.

DeCember Bodine, 200 Beachwood Avenue, Lot 48, founder of DeCember's Light Outreach & Cleanup, expressed her strong support for the People's Church and Community Center.

Garth Stubbolo, a Clayton resident, expressed his support for People's Church and stated that he was a volunteer helping with neighbors in need and feeding individuals.

Ted Henderson, a Dover resident, expressed concerns that the community was reacting to the issues because those issues have spread beyond the affected neighborhoods. He urged the city to take action immediately, before the problems worsen.

Johnny Serenano, a Smyrna resident, emphasized that there were enough resources to ensure that everyone had access to two (2) meals a day, a safe place to sleep, and a place to wash up. He stated that homelessness was ugly and that they could fix homelessness. He added that Dover should risk being creative, review the zoning laws, and look at what other cities and countries have used to address homelessness.

Laura Axtell, a Dover resident, expressed her support for the People's Church and Community Center. She stated that she has volunteered, provided, and donated meals to the People's Church and to individuals in need and knows the incredible work they have done.

Pastor Leroy Bradshaw, a Dover resident, criticized the "blame game" surrounding homelessness and poverty. He argued that real change would not happen unless underlying systems were changed, emphasizing that individuals could not understand the struggles of poverty and homelessness without experiencing them firsthand. He mentioned the focus on beautifying Dover through buildings while homelessness continues. He rejected the idea that churches were to be blamed, instead accusing the council of being the problem.

Belinda Main, a Dover resident, expressed concerns about the speeding in her neighborhood, including a recent incident where family members were nearly harmed. She stated that she had contacted council members, but feels that the issue has not been addressed. She argued that council was not effectively informing the community. She urged council for stronger collaboration with the communities. She suggested supporting the People's Community Center by building a new facility in an open area or using an abandoned or empty building. She stated that the city has more space being unoccupied and unused that could help the People's Community Center.

### **INVOCATION**

The invocation was given by Mayor Robin R. Christiansen.

### **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Councilwoman Pillsbury.

### **ADOPTION OF AGENDA**

Mr. Neil requested that Item #20 – Proposed Ordinance #2025-14 with Staff Amendment #1 – Amending Chapter 22 – Buildings and Building Regulations, by inserting Article XIII – Lemon Housing.

**Mr. Anderson moved for adoption of the agenda with removal of Item #20, seconded by Ms. Arndt, and unanimously carried (Boggerty and Sudler absent).**

### **ADOPTION OF CONSENT AGENDA**

All Consent Agenda items are considered routine and non-controversial and will be acted upon by a single roll call vote of the Council. There will be no separate discussion of these items unless a member of Council so requests, in which event the matter shall be removed from the Consent Agenda and considered a separate item.

**Ms. Arndt moved for adoption of the consent agenda, seconded by Mr. Lewis and carried by a unanimous roll call vote (Boggerty and Sudler absent).**

**PROCLAMATION – ARBOR DAY**

The City Clerk read the following Proclamation into the record:

**WHEREAS**, each year the City of Dover, Delaware, celebrates the last Friday in April as "Arbor Day." Established by J. Sterling Morton, a Nebraska pioneer, on April 10, 1872. In 1885, Arbor Day was named a legal holiday whose mission is to inspire people to plant, nurture, and celebrate trees. Arbor Day observances are also an integral part of community recognition programs such as Tree City USA; and

**WHEREAS**, the City of Dover was named a Tree City USA in 2025 for the thirty-sixth consecutive year by the National Arbor Day Foundation in recognition of the City's outstanding urban forestry program; and

**WHEREAS**, trees play a vital role in enhancing the quality of life in our community by improving air quality, conserving energy, reducing stormwater runoff, providing wildlife habitat, and increasing property values; and

**WHEREAS**, the City of Dover recognizes that a healthy urban forest contributes to the well-being of residents by creating more livable neighborhoods and promoting environmental sustainability; and

**WHEREAS**, trees, wherever they are planted, are a source of joy and spiritual renewal, help beautify our city, and foster a sense of pride and community; and

**WHEREAS**, the City of Dover is committed to responsible tree management, conservation, and planting programs, and encourages residents to take an active role in caring for trees and green spaces throughout the city; and

**WHEREAS**, Arbor Day provides an opportunity for all citizens to support efforts to protect our natural resources and to plant and care for trees for future generations.

**NOW, THEREFORE, I, ROBIN R. CHRISTIANSEN, MAYOR OF THE CITY OF DOVER, DELAWARE**, do hereby proclaim April 24, 2026 as **ARBOR DAY** in the City of Dover, and urge all residents to celebrate Arbor Day by planting trees and supporting efforts to enhance and preserve our community's natural environment.

On behalf of the Mayor and Council, Mayor Christiansen and Ms. Arndt presented the proclamation to Nate Farrow.

Responding to Mr. Farrow, Ms. Arndt stated on behalf of the Department of Parks and Recreation, and especially the ground crew, for doing a phenomenal job in maintaining the trees and the landscaping throughout the city. She emphasized that Dover was beautiful and noted that it was a large part of the work that they do.

Mr. Farrow expressed gratitude for accepting the proclamation and gratitude to the Grounds Department. He gave a special thanks to James Lewis, Hayden Wansbley, Matt Grant, and Tim Welch. He mentioned that they pulled through with the early warnings and the dangerous situations as the trees came down.

**PROCLAMATION – EARTH DAY AND EARTH WEEK 2026**

The City Clerk read the following Proclamation into the record:

**WHEREAS**, Earth Day is observed annually on April 22 and serves as a global reminder of the importance of environmental stewardship, sustainability, and the protection of our natural resources; and

**WHEREAS**, Earth Week provides an opportunity for individuals, families, schools, businesses, and community organizations to engage in activities that promote environmental awareness, conservation, and responsible use of our planet's resources; and

**WHEREAS**, the City of Dover is committed to preserving the quality of life for current and future generations through environmentally responsible practices, including waste reduction, recycling, energy conservation, and protection of air and water quality; and

**WHEREAS**, the health of our environment directly impacts the health, safety, and well-being of our residents, and collective action is essential to address challenges such as climate change, pollution, and habitat loss; and

**WHEREAS**, the residents of Dover are encouraged to participate in Earth Day and Earth Week activities, including community cleanups, tree plantings, educational programs, and sustainability initiatives that foster civic pride and environmental responsibility; and

**WHEREAS**, by working together, the City of Dover can continue to build a cleaner, greener, and more resilient community.

**NOW THEREFORE I, ROBIN R. CHIRSTIANSEN, MAYOR OF THE CITY OF DOVER, DELAWARE**, do hereby proclaim **April 22, 2026 as EARTH DAY and the week of April 19-25, 2026 as EARTH WEEK** in the City of Dover, and urge all residents to recognize this observance and participate in activities that protect and preserve our environment.

On behalf of the Mayor and Council, Mayor Christiansen presented the proclamation to Bryn Wambaugh and Aireal Vickers.

Ms. Wambaugh expressed gratitude for accepting the proclamation. She stated that the Department of Public Works would be hosting Earth Week in partnership with the Dover Public Library and the Department of Parks and Recreation for the second year. She noted that there was a great turnout last year, and they are looking forward to hosting the event again. She further added that it was great to be able to host events for the community while educating Dover about the quality of stormwater and the motto of only rain down the drain. She invited everyone to participate in all

the Earth Week activities, especially on Thursday, April 23<sup>rd</sup>, at Silver Lake Park, where they would be hosting their second annual community stormwater day.

Ms. Vickers expressed gratitude for accepting the proclamation and for council recognizing Earth Week for a second year. She also expressed gratitude towards the Department of Public Works, the Department of Parks and Recreation, and the Dover Public Library for their cooperation.

**PROCLAMATION – NATIONAL VICTIM’S RIGHTS WEEK**

The City Clerk read the following Proclamation into the record:

**WHEREAS**, National Crime Victims' Rights Week is observed annually across the United States to honor crime victims and survivors, recognize the dedicated professionals and volunteers who provide critical services, and promote awareness of victims' rights and available resources; and

**WHEREAS**, since its inception in 1981, this observance has challenged communities to confront and remove barriers to justice while ensuring victims are treated with fairness, dignity, and respect; and

**WHEREAS**, crime victims often face emotional, physical, and financial hardships, and it is essential that communities work together to ensure access to services, support, and pathways toward healing; and

**WHEREAS**, the 2026 theme for National Crime Victims' Rights Week, "Listen. Act. Advocate. Protect victims, serve communities," calls upon all individuals and institutions to actively support victims through meaningful engagement, compassionate response, and strong advocacy; and

**WHEREAS**, the City of Dover recognizes the importance of collaboration among law enforcement, victim service providers, advocates, and community members to ensure victims' voices are heard and their rights upheld; and

**WHEREAS**, raising awareness of victims' rights and services strengthens our community and reinforces our shared commitment to justice, healing, and public safety;

**NOW, THEREFORE, I, ROBIN R. CHRISTIANSEN, MAYOR OF THE CITY OF DOVER, DELAWARE**, do hereby proclaim the week of April 19-25, 2026, as **National Crime Victims' Rights Week** in the City of Dover and urge all residents to recognize this observance, support victims of crime, and promote efforts to ensure justice and healing for all.

On behalf of the Mayor and Council, Mayor Christiansen and Police Chief Johnson presented the proclamation to Casey Wilson, Dover Police Department Victim Services Coordinator.

Ms. Wilson expressed gratitude for accepting the proclamation and recognizing the importance of crime victims in the State of Delaware, and especially in the City of Dover. She emphasized that with passion came advocacy and noted that as a victim specialist, she hears that passion. She acknowledged the hard work that was going on at the police department and that there was still good, and that she was committed to that good as much as she could be in her capacity.

Chief Johnson praised Ms. Wilson and her team for their dedication to victim services, noting their commitment to helping others in the office and in the field.

**PRESENTATION – ST. PATRICK’S DAY AWARDS**

Mayor Christensen presented awards for the City of Dover St. Patrick’s Day Parade as follows:

| <u>Category</u>                                   | <u>Recipient</u>                     |
|---------------------------------------------------|--------------------------------------|
| Better than a Pot of Gold (Best Overall)          | Sandy Kinkus                         |
| Saint Patrick Award (Most Authentic Irish Attire) | Deacon Bob McMullen                  |
| 4 Leaf Clover Award (Best Irish-Themed)           | Brittany Klecan                      |
| SHAMROCKIN’ Award (Best Musical Group)            | Hester Academy of Dance              |
| SHAMROCKIN’ Scholars Award                        | CG Henry Dover Middle School<br>Band |
| Luck of the Irish (Best Irish Spirit)             | Kate Howard                          |
| Leprechaun Award (Best in Show – Youth Group)     | Joshua & Olivia Vereen               |

**RESOLUTION NO. 2026-05 – SUPPORTING THE CREATION OF A GREATER DOVER MUSEUM**

The City Clerk read the following Resolution into the record:

**A RESOLUTION SUPPORTING THE CREATION OF A GREATER DOVER MUSEUM**

**WHEREAS**, upon taking the Oath of Office, Dover City Council members affirm the right of future generations to share in the rich historic and natural heritage of Delaware; and

**WHEREAS**, the City of Dover has been the capital of the First State since 1777 and the County Seat of Kent County, Delaware, since 1683, thereby significantly shaping the history of the state, county, and city itself; and

**WHEREAS**, the City of Dover has been a proponent of downtown revitalization, economic development, and tourism; and

**WHEREAS**, the Friends of Old Dover, Inc. (the “Friends”) have amassed a large collection of documents and memorabilia that is currently and inadequately housed at the Society’s offices, which doubles as the Dover Museum; and

**WHEREAS**, the Friends have resolved to support the creation of an independent non-profit corporation to be named the Greater Dover Museum, Inc., and will, to the extent possible, provide support with funds and other resources for the purpose of housing and expanding its collections and allowing for educational programming; and

**WHEREAS**, the Friends have resolved that the purpose of the Greater Dover Museum Inc. will be to receive and expend funds toward the construction, maintenance, and operation of the museum and be governed by a Board of Directors that broadly represents citizens and organizations interested in establishing said museum; and

**WHEREAS**, the Friends have asked the Dover City Council to collaborate with them on the creation of the Greater Dover Museum; and

**WHEREAS**, the Dover City Council finds that a Greater Dover Museum in Downtown Dover will add to a vibrant and thriving downtown and serve as a cultural, tourist, and retail destination for the region.

**NOW, THEREFORE BE IT RESOLVED** that the Mayor and Council of the city of Dover hereby express its support of the creation of the non-profit corporation to be named the Greater Dover Museum, Inc., and will, to the extent possible, provide support with funds and resources; and

**BE IT FURTHER RESOLVED** that the City Council shall:

1. Appoint a representative to join the initial Board of Directors.
2. Support the initial Board of Directors, including but not limited to the following members
  - a. The President of the Friends of Old Dover, Inc.
  - b. One member of the Friends of Old Dover, Inc. appointed by its Executive Committee.
  - c. The Mayor of the City of Dover or the Mayor's appointed representative.
  - d. The City Council President or the President's appointed representative.
  - e. A representative of the Dover Historic District Commission.
  - f. The Executive Director of the Downtown Dover Partnership or their appointee.
  - g. The Executive Director of the Kent County Tourism Corporation or their appointee.
  - h. The Superintendent of the First State Heritage Park or their appointee.
  - i. The State Historic Preservation Officer or their appointee.
  - j. The President of the Delaware State University or their appointee.
3. Establish that additional Board members may be selected by the original Board. New members to the Board shall be elected by a majority vote of the Board.

ADOPTED: April 13, 2026

Mr. Tom Smith stated that they were asking council for their support in establishing a professional museum, the Greater Dover Museum. He explained that the State of Delaware Museum closed decades ago, leaving a cultural and educational void in the community. Dover has a unique and rich history that mirrors the story of America, from the indigenous individuals to the C-5's and C-17's they see in the skies. He noted that The Friends of Old Dover established a small museum at 323 South State Street several years ago and that it was inadequate in the exhibit and storage space. He mentioned that although they were currently in the process of upgrading the existing areas, more space was certainly needed. He emphasized that the time was now for a professional historic museum and research center befitting of Dover and noted that presenting all the stories of the people and the commonality would be a great deal to promote understanding and cooperation in the community. He further added that a museum with a larger space and a more robust presence would have a positive economic impact, generating tourist dollars for Dover and more specifically for the downtown area, its restaurants, cafes, and shops. The establishment of the Greater Dover Museum would give the Dover community a very special project to focus on during our 250th year of independence.



Mr. Tony DePrima stated that the purpose of a new nonprofit was that they needed to bring in influential organizations, including the mayor's office, city council, Delaware State University, Kent County, Kent County Tourism, and Downtown Dover Partnership. He noted that the Downtown Dover Partnership had passed a similar resolution to what was before council, and so the effort bringing in those organizations meant new perspectives, talents, and influence. He further added that it would allow them to bring in citizens who could be helpful, who have real estate backgrounds, museum management, finance, and construction. He emphasized that it would be important to bring those types of individuals in. Most importantly, he mentioned that they wanted to start with a clean slate for fundraising that would be supported by broad representation, which then strengthened their credibility for fundraising, whether it was in the legislature or with foundations, across many different places, and eventually, funds that could be raised.

Mr. Nate Atard, President of the Friends of Old Dover, expressed gratitude that the city was recognizing the Resolution in support of the Greater Museum of Dover. He thanked Mr. DePrima and Mr. Smith for their efforts and advocacy and alluded to Friends of Old Dover that he has been working with for a long time. He noted that the Friends of Old Dover has historically been their historic preservation group, so they have had other advocacy areas and partnerships were an important part of the new effort. He asked council to support the Resolution and assist in bringing in other partners so that they would be able to cooperate as a city in establishing a museum for their community.

Responding to Mr. Lewis, Mr. DePrima stated that he could not imagine a board getting messy.

**Mr. Lewis moved for the adoption of the Resolution No. 2026-05 – Supporting the Creation of a Greater Dover Museum, seconded by Ms. Hall, and carried by a unanimous roll call vote (Boggerty and Sudler absent).**

**PUBLIC HEARING/FINAL READING – PROPOSED ORDINANCE #2026-08 LANDS OF ASMA PROPERTY, LLC AT 317, 319, AND 325 WEST DIVISION STREET.**

A public hearing was duly advertised for this time and place to consider the rezoning of properties located at 317, 319, and 325 West Division Street, consisting of 0.05 +/- acres, 0.13 +/- acres, and 0.08 +/- acres, for a total of 0.26 +/- acres (11,628 SF +/-), owned by ASMA Property, LLC. The properties are currently zoned IO (Institutional and Office Zone). The proposed zoning for all three properties is C-1A (Limited Commercial Zone). (Tax Parcels: ED-05-076.08-05-03.00-000, ED-05-076.08-05-02.00-000, and ED-05-076.08-05-01.00-000. Planning Reference: Z-26-02. Council District 4.)

Council President Neil reminded members of the public that copies of the proposed ordinance were available at the entrance of the Council Chambers or on the City's website at [www.cityofdover.gov](http://www.cityofdover.gov) under "Government".

**Ms. Arndt moved that the Final Reading of Proposed Ordinance #2026-08 be acknowledged by title only, seconded by Dr. Pillsbury, and unanimously carried.** (The First Reading of the Ordinance was accomplished during the Regular Council Meeting of February 25, 2026.)

Ms. Dawn Melson-Williams, Principal Planner, reviewed Proposed Ordinance #2026-18 – Lands of ASMA Property, LLC at 317, 319, and 325 West Division Street. The property is zoned IO

(Institutional and Office Zone). The proposed zoning for the property is C-1A (Limited Commercial Zone).

Responding to Mr. Lewis, Ms. Melson-Williams clarified that there was no traffic study analysis or traffic impact study that was completed for the rezoning request. She stated that the property currently has existing access points from both Division Street and the alley that comes off of Queen Street. She explained that if the property pursued any kind of redevelopment in the future, then additional traffic review could be required, and any changes to the entrance on West Division Street would be subject to the State Department of Transportation Review. Along with any changes to access from North Queen Street or the alley, it would be subject to the city's review processes with the Department of Public Works, the Department of Water and Wastewater, and Engineering Services.

Council President Neil declared the Public Hearing opened at 8:27 p.m.

Council President Neil declared the Public Hearing closed at 8:28 p.m.

**Ms. Arndt moved for the adoption of Ordinance #2026-08 – Lands of ASMA Property, LLC at 317, 319, and 325 West Division Street, as recommended by the Planning Commission. The motion was seconded by Mr. Anderson, and by a unanimous roll call vote, Council adopted Ordinance #2026-08, as follows:**

**AN ORDINANCE AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF DOVER, CHANGING THE ZONING DESIGNATION OF PROPERTY LOCATED AT 317, 319, AND 325 WEST DIVISION STREET**

**WHEREAS**, the City of Dover has enacted a zoning ordinance regulating the use of property within the limits of the City of Dover; and

**WHEREAS**, it is deemed in the best interest of zoning and planning to change the permitted use of properties below from IO (Institutional and Office Zone) to C-1A (Limited Commercial Zone).

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

1. That from and after the passage and approval of this ordinance the Zoning Map and Zoning Ordinance of the City of Dover have been amended by changing the zoning designation from IO (Institutional and Office Zone) to C-1A (Limited Commercial Zone) on that property located at 317 West Division Street, consisting of 0.05+/- acres, 319 West Division Street, consisting of 0.13+/-16 acres, and 325 West Division Street, consisting of 0.08+/- acres, (on the north side of West Division Street and east of North Queen Street), owned by ASMA Property, LLC.

(Tax Parcel: ED-05-076.08-05-03.00-000, ED-05-076.08-05-02.00-000, and ED-05-076.08-05-01.00-000; Planning Reference: Z-26-02; Fourth Council District)

ADOPTED: April 13, 2026

**ADOPTION OF MINUTES - REGULAR COUNCIL MEETING OF MARCH 23, 2026**

**The Minutes of the Regular Council Meeting of -March 23, 2026 were unanimously approved by motion of Ms. Arndt, seconded by Mr. Lewis, and bore the written approval of Mayor Christiansen (Boggerty and Sudler absent).**

**COUNCIL COMMITTEE OF THE WHOLE REPORT – MARCH 24, 2026**

The Council Committee of the Whole met on March 24, 2026, at 6:05 p.m. with Council President Neil presiding. Members of Council present were Mr. Anderson (arrived at 6:08 p.m.), Ms. Arndt, Mr. Boggerty, Ms. Hall (arrived at 6:11 p.m.), Dr. Pillsbury, and Dr. Sudler. Mr. Lewis and Mr. Rocha were absent. Mayor Christiansen was also absent. Civilian members present for their Committee meetings were Dr. Jackson, Ms. Smack (via WebEx) (*Safety, Advisory, and Transportation*), Mr. Shevock (via WebEx), and Mr. Garfinkel (*Legislative, Finance, and Administration*).

**ADOPTION OF AGENDA**

**Ms. Arndt moved for adoption of the agenda, seconded by Dr. Pillsbury and unanimously carried.**

**SAFETY, ADVISORY, AND TRANSPORTATION COMMITTEE**

The Safety, Advisory, and Transportation Committee met with Chairman Boggerty presiding.

**Adoption of Agenda**

**Ms. Arndt moved for adoption of the agenda, seconded by Dr. Pillsbury and unanimously carried.**

**East Loockerman Street Update (Jason Lyon, Director of Water & Wastewater)**

Mr. Jason Lyon, Director of Water & Wastewater, reviewed the background and analysis regarding the East Loockerman Street update.

This item was informational; committee action was not required.

Mr. Neil stated that there are these types of issues throughout the city, and he thinks that speed cameras should be revisited in the high-speed areas. He further stated that bringing back an Alderman's Court will help get these issues under control much faster.

Mrs. Arndt stated that she agreed with Mr. Lyon that the entire neighborhood should be notified of any closure, not just the residents on East Loockerman Street. Mrs. Arndt agreed with Mr. Neil that closing a road due to speeding sets a dangerous precedent that would be unsustainable throughout the city, and council would need to be prepared for all the additional requests. Mrs. Arndt then suggested potential signage indicating that through traffic is not welcome and speed-limit reminders.

She reminded council that the numbers from the study done were not indicative of needing aggressive measures and stated she supports doing this on a temporary basis, but reminded council to be prepared to receive complaints from residents.

Responding to Dr. Sudler's question regarding speed cushions, Mr. Lyon explained that speed cushions are permitted on private property but are prohibited on city streets. Mr. Lyon further stated that the ordinance regarding speed humps was adopted in 2016.

Responding to Mr. Boggerty, Mr. Lyon explained that school buses would have to take an alternative route and would experience similar delays to emergency vehicles.

Mr. Boggerty echoed the concerns of Mrs. Arndt regarding opening Pandora's box once council grants a request to close a road due to speeding, it will lead to many more requests being made throughout the city. He further stated that a delay of a few minutes could turn into greater delays overall.

Responding to the inquiries about speed cameras, Mr. Lyon explained that a speed camera is rented at a certain price, and then a cost-benefit analysis would need to be done to see if the city is going to generate enough revenue to offset the cost. He further explained that the speed cameras are under contract with the State of Delaware, and DelDOT would have to approve a study, and due to the numbers on this particular street, it would not be approved. Mr. Lyon stated that there was not enough speeding on East Loockerman Street to justify the state approving the speeding over 11 miles an hour in the 85<sup>th</sup> percentile.

Mr. Lyon explained he understands the safety aspect of this initiative and that it could be done, but the numbers would need to be really scrutinized because if not, the city would be losing money, and that wouldn't be financially prudent. Mr. Lyon then offered to reach out to the City of Newark to discuss how it is going there financially and report back to council.

Mr. Lyon stated that the reason this item is back before the committee is due to the motion made in December to close a portion of East Loockerman temporarily to do studies. He further explained that it does not mean it is being closed forever. He explained that during the closure, it will be studied to see if alternative traffic calming ideas may be of benefit to the area and come up with potential solutions. They received an estimate of \$20,000 to have an engineer do some evaluations on the road, both geometrically and with signage. The funding is not in the current budget, so he suggested reaching out to legislators for potential CTF funding or a potential DelDOT grant.

Responding to Dr. Pillsbury, Mr. Lyon stated he was not sure of the specific costs of placing a 25-mile-an-hour speed limit sign and a child at play sign. He suggested

the cost would probably be in the \$200 range, but he would also need to poll the residents in the area.

Responding to Dr. Sudler, Mr. Lyon explained that the analysis is called a Traffic Calming Analysis, and it utilizes the DelDOT Traffic Calming Manual as well as a federal manual that would be utilized by the firm. Mr. Lyon further explained that it considers crash data and speed count data that they have collected from the police department. The information has already been provided to them to process, so the analysis would be about what sort of geometric features could be done on a very narrow road of 21 feet, curb to curb. Mr. Lyon stated that due to this information, it would be very difficult to place a chicane or a roundabout; however, the firm would look at different striping or signage that could be done.

Mr. Lyon stated that staff recommends striping the road with a double yellow line and a white shoulder to give a visual to keep in the lane, as there really should not be parking on this road, as it is not wide enough. He explained that the horizontal white lines are used as a visual deterrent to keep drivers from speeding. He further explained that these are all things the firm is going to evaluate and provide the city with feedback and recommendations.

Mr. Lyon responded to the suggestion of speed signs that have blinking lights. He explained that those signs are radar signs that are solar powered, and the cost is approximately \$10,000-\$12,000 each.

Responding to Dr. Sudler, Mr. Lyon explained that the city has utilized a temporary speed sign mobile unit in the proposed area, but it does not capture data to know how effective it is in calming traffic. Mr. Lyon further explained that there are more expensive devices that require an internet data connection.

Responding to Dr. Sudler, Mr. Lyon explained that he was unsure of the definite date of the previously captured data from this area, and he would get that information to council.

**Dr. Pillsbury moved to recommend placing a speed limit sign at the entrance of the development and Caution Children at Play, as soon as possible. The motion was seconded by Mr. Anderson and unanimously carried.**

**By consent agenda, Ms. Arndt moved for approval of the Committee's recommendation, seconded by Mr. Lewis and carried by a unanimous roll call vote and carried by a unanimous roll call vote (Boggerty and Sudler absent).**

Mr. Anderson moved to amend the motion to include a Strictly Enforced sign. Dr. Pillsbury accepted the amendment.

Mr. William Faust, 136 Orchard Avenue, Dover, had two suggestions for combating speeding. He suggested placing a patrol car with tinted windows and a dummy in

the seat in the area of the speeding. His second suggestion was to have police officers on motorcycles with radar guns in the areas affected by speeding. He also suggested using license plate readers to capture the speeders.

Bonnie Pennington, 200 North Kirkwood Street, Dover, stated that she has been trying to get assistance for the speeding on Kirkwood Street since 2005. She explained that they have no signs, and it is not just the public that speeds. Ms. Pennington stated that it is police officers, buses, and other vehicles. She watches vehicles run stop signs, and she worries about the children in the area. She further stated that the speeding issues are not just in one development. She stated she had begged for a police officer to come and sit at the corner and catch the speeders, but never received a response. She further complained that she sees officers sitting in their vehicles, eating lunch or talking to other officers.

**Speeding Concerns Update – Lincoln Park (Jason Lyon, Director of Water & Wastewater)**

Mr. Jason Lyon, Director of Water and Wastewater, presented the committee with an update on the speeding concerns surrounding Lincoln Park.

This item was informational; committee action was not required.

Responding to Mrs. Arndt, Mr. Lyon stated that the firm being used is RK & K, and the cost is \$48,000. He explained that he would get back to council with the timeline.

Responding to Dr. Sudler, Mr. Lyon explained that the study being done in Lincoln Park is the same type of study as just discussed for East Loockerman, a traffic calming analysis. He further explained that ADA improvements to sidewalks and curbing are done in conjunction with paving, and that is why some streets in Lincoln Park have not been completed.

Responding to Mr. Anderson, Mr. Lyon explained that one of the areas to look at traffic calming issues is Slaughter Street and that he would like to take a holistic approach to the process, making sure it is not paved if they are going to place a chicane at some point. He further explained that these items will be provided to the firm as part of the analysis.

Responding to Dr. Sudler, Mr. Lyon explained that there are no sidewalks on either side of Slaughter Street and that putting a sidewalk on a street without original sidewalks will need design work that will need to be figured out throughout the process.

Dr. Sudler suggested, while speaking about the area of Lincoln Park, that there is continued dumping in that area, and he wanted to request a camera to be placed in that location.

**Mr. Boggerty moved for adjournment of the Safety Advisory and Transportation Committee meeting, hearing no objection the meeting adjourned at 6:56 p.m.**

### **LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE**

The Legislative, Finance, and Administration Committee met with Chairman Anderson presiding.

#### **Adoption of Agenda**

**Mr. Shevock moved for adoption of the agenda, seconded by Dr. Pillsbury and unanimously carried.**

#### **Evaluation of Bids – Water Street Flooding Improvements (Jason Lyon, Director of Water & Wastewater)**

Mr. Jason Lyon, Director of Water & Wastewater, reviewed the background and analysis regarding the Evaluation of Proposal for the Water Street flooding improvements.

Staff recommended awarding the contract to A-Del Construction for the Water Street Flooding Improvements project, Bid #26-0013WW, for the amount of \$531,916.

Responding to Mr. Boggerty, Mr. Lyon explained that the project was bid in accordance with the city procurement policy, reaching out to contractors that are recognized in the Supplier Office of Diversity through the state of Delaware. A non-mandatory pre-bid meeting was held to review the project details, and all bids have been evaluated based on minority ownership. There is also a preference for local vendors. Mr. Lyon further explained that all the information is included in the committee action form.

Responding to Mr. Boggerty, Mr. Lyon confirmed that individuals showed up to the nonmandatory pre-bid meeting, it was announced, and individuals could have attended, and smaller contractors could have contacted A-Del Construction during the process.

Responding to Mrs. Arndt, Mr. Lyon explained that they are in negotiations with the state currently to discuss who is going to be financially responsible for finishing the paving project after the road infrastructure improvements are completed. Mr. Lyon agreed that he believes the state should be responsible, as they have already scheduled to complete road improvements.

Responding to Dr. Sudler, Mr. Lyon explained that he is not aware of the county participating in cost-sharing as it relates to infrastructure or road improvements. He further explained that there have been coordinated efforts regarding wastewater projects because the county accepts and treats the city's sewage. Mr. Lyon agreed to look into the county as a potential funding source.

**Dr. Sudler moved to recommend accepting the staff recommendation. The motion was seconded by Mr. Shevock and unanimously carried by a roll call vote (Lewis, Rocha absent).**

**By consent agenda, Ms. Arndt moved for approval of the Committee's recommendation, seconded by Mr. Lewis and carried by a unanimous roll call vote and carried by a unanimous roll call vote (Boggerty and Sudler absent).**

**Proposed Ordinance #2026-03 – Amending Chapter 22 – Buildings and Building Regulations, Article XI – Dangerous Buildings (Eddie Kopp, Chief Code Enforcement Office)**

Mr. Eddie Kopp, Chief Code Enforcement Officer, reviewed the background and analysis regarding Proposed Ordinance #2026-03.

Staff recommended forwarding the Proposed Ordinance #2026-03 to council for approval.

**Ms. Arndt moved to recommend accepting the staff recommendation. The motion was seconded by Dr. Sudler and unanimously carried.**

**By consent agenda, Ms. Arndt moved for approval of the Committee's recommendation, seconded by Mr. Lewis and carried by a unanimous roll call vote and carried by a unanimous roll call vote (Boggerty and Sudler absent).**

**Proposed Ordinance #2026-04 – Amending Chapter 22 – Buildings and Building Regulations, Article XII – Vacant Buildings (Eddie Kopp, Chief Code Enforcement Office)**

Mr. Eddie Kopp, Chief Code Enforcement Officer, reviewed the background and analysis regarding Proposed Ordinance #2026-04.

Staff recommended forwarding the Proposed Ordinance #2026-04 to council for approval.

Responding to Mr. Neil, Mr. Kopp explained that a lot of properties, particularly those located downtown, have apartments above vacant storefronts, and although it is one building, this situation has two separate issues. Mr. Kopp gave the example of Loockerman Street, where there are buildings with broken windows, trash, and debris all around the first floor of the building; however, the apartments on the higher floors are rented. Mr. Kopp further explained that the public views that building as vacant due to the unsightliness of the first floor, and wonders why they are being cited but not the residential buildings downtown. Mr. Kopp explained there are a number of businesses on Loockerman Street that are sitting empty, and while he understands that it's a difficult situation, he feels it's an injustice to allow it to continue and believes holding the same standards throughout is about being fair.



Responding to Mr. Neil, Mr. Kopp stated that he is willing to modify the language of the ordinance so that it does not cause legal issues when the upper part of the building is occupied, but the storefront or street level portion of the building is unoccupied. He stated that he could edit the language and use words such as unit or space to have a clear distinction within the definition, and this would help clarify this concern.

After further discussion regarding the potential legal issues with the amendments, Mr. Neil requested that the item be postponed for legal review and asked that it be returned to council as quickly as possible.

Responding to Mr. Anderson, Mr. Kopp explained that what is being discussed would be clarifying the exemption, so it would be an exemption from the vacant building registration fee.

Mrs. Arndt stated that she wanted to express support for the ordinance, and she also responded to Mr. Neil's concern, explaining that other municipalities are passing similar ordinances and gave the example of the Town of Smyrna. She further suggested that the specific language that Smyrna has included in its ordinance would possibly be more impactful than what is in the proposed amendments.

Responding to Mr. Anderson, Mr. Kopp stated that he has not received any feedback from the Downtown Dover Partnership or any downtown merchants.

Mr. Anderson suggested that while amending the ordinance, possibly addressing the difference between vacant buildings and temporarily unoccupied buildings. He further explained that some residents still maintain their properties while being away for a few months of the year, and this is a matter that has been raised during Code Board of Appeals meetings.

Responding to Mr. Anderson, Mr. Kopp stated that he agreed. Mr. Kopp further stated that it would be best if it were placed under exemptions and could be a permanent exemption. He explained that it would be good to document and track the buildings that may be unoccupied for six months; however, not notifying the public, but for city records in the event of any type of emergency. Mr. Kopp stated that it would be an easy amendment in the same section.

Responding to Mr. Boggerty, Mr. Kopp explained that a brownfield is an exemption in the vacant building ordinance.

Responding to Dr. Pillsbury, Mr. Kopp stated that all ordinances and amendments receive legal review.

**Mr. Neil moved to recommend having the proposed ordinance brought back at the next committee meeting with the two amendments requested. The motion was seconded by Dr. Pillsbury and unanimously carried.**

**By consent agenda, Ms. Arndt moved for approval of the Committee's recommendation, seconded by Mr. Lewis and carried by a unanimous roll call vote and carried by a unanimous roll call vote (Boggerty and Sudler absent).**

Bonnie Pennington, Dover, spoke, explaining that she lives on Kirkwood Street and Cecil Street is on the side of her home. She expressed concern regarding crime in her area and requested that a camera be placed on a telephone pole on Cecil Street. She explained that there is already a camera that exists on Kirkwood Street.

Mr. Anderson responded to Ms. Pennington that the camera network is at capacity, and they will need to put additional funding into the budget to install more cameras throughout the remaining areas of the city.

Dr. Sudler suggested possibly relocating an existing camera from an area with low criminal activity to the address where the criminal activity is, as Ms. Pennington suggested.

William Faust, Dover, explained a situation where someone robbed a store and was released on unsecured bail, and commended the Dover Police Department.

**Mr. Garfinkel moved to request that Dover Police conduct an evaluation of the efficacy of the camera system and report their findings back to the Safety, Advisory, and Transportation Committee. The motion was seconded by Mr. Neil and unanimously carried.**

**By consent agenda, Ms. Arndt moved for approval of the Committee's recommendation, seconded by Mr. Lewis and carried by a unanimous roll call vote and carried by a unanimous roll call vote (Boggerty and Sudler absent).**

**Mr. Anderson moved for adjournment of the Legislative, Finance, and Administration Committee meeting, hearing no objection the meeting adjourned at 7:45 p.m.**

**Mr. Neil moved for adjournment of the Council Committee of the Whole meeting, hearing no objection the meeting adjourned at 7:45 p.m.**

**By consent agenda, Ms. Arndt moved for acceptance of the Council Committee of the Whole Report, seconded by Mr. Lewis and carried by unanimous roll call vote (Boggerty and Sudler absent).**

#### **MONTHLY REPORTS – FEBRUARY 2026**

**By motion of Ms. Arndt, seconded by Mr. Lewis, the following monthly reports were accepted by consent agenda (Boggerty and Sudler absent):**

City Council's Community Enhancement Fund Report  
City Manager's Report

Fire Chief's Report  
Police Chief's Report

**FIRST READING - PROPOSED ORDINANCE #2026-03 – AMENDING CHAPTER 22 – BUILDING AND BUILDING REGULATIONS, ARTICLE XI – DANGEROUS BUILDINGS (EDDIE KOPP, CHIEF CODE ENFORCEMENT OFFICER)**

Council President Neil reminded the public that copies of the proposed ordinance were available on the City's website at [www.cityofdover.gov](http://www.cityofdover.gov) under "Government," or by contacting the City Clerk's Office at 302-736-7008 or [cityclerk@dover.de.us](mailto:cityclerk@dover.de.us). Final action by Council on the proposed ordinance will take place during the Council Meeting of April 27, 2026.

Mr. Eddie Kopp, Chief Code Enforcement Officer, reviewed the Proposed Ordinance #2026-03, Amending Chapter 22 – Building and Building Regulations, Article XI – Dangerous Buildings.

In accordance with Section 1-9 of the Dover Code, Council acknowledged the First Reading of the proposed Ordinance #2026-03, as read by the City Clerk, by title only, as follows:

ORDINANCE #2026-03 – AMENDING CHAPTER 22 – BUILDING AND BUILDING REGULATIONS, ARTICLE XI – DANGEROUS BUILDINGS

**CITY MANAGER'S REQUEST FOR HEARING PURSUANT TO CITY OF DOVER CHARTER, ARTICLE III, SECTION 33**

Mr. Dan Griffith, City Solicitor, stated that the city's charter provided under Article III, Section 33, by impertinent part, that the city manager shall be removable at the pleasure of council. Before the city manager may be removed, they shall, if they so demand, be given a written statement of the reasons alleged for their removal and the right to be heard publicly thereon at a meeting of the council prior to the final vote on the question of their removal. He noted that the discussion was being held pursuant to Article III, Section 33, at the request of the current City Manager, Mr. Hugg. He mentioned that Mr. Hugg had been given a statement of reasons and that it was the second part of what he was entitled to under that provision, which was the right to be heard publicly. He emphasized the benefit was for Mr. Hugg and his attorney, Mr. Anthony Delcollo, to be heard, and noted that it was not for members to cross-examine. He stated that Mr. Delcollo would present, on behalf of Mr. Hugg, call witnesses in support of Mr. Hugg, and that Mr. Hugg himself would also provide testimony. He pointed out that it was not an opportunity for members of the public to speak, but for Mr. Delcollo to call on witnesses on Mr. Hugg's behalf, and no individual would be compelled to testify. He noted that the testimony was provided by the proposed witnesses who were willing to provide testimony upon Mr. Delcollo's request. He also noted that Mr. Hugg had the right to request the discussion be held in executive session rather than in public, and that counsel could confirm Mr. Hugg had waived that right and instead chose to proceed with a public hearing.

Mr. Delcollo stated that one (1) of the documents in front of council concerned two (2) preliminary matters that he was going to address at the outset of the presentation. He noted that one (1) of the documents was a request that Dr. Sudler recuse himself from the proceedings due to prior comments that were made about Mr. Hugg conspiring to take his family's property (**Exhibit #1**). The second matter, he explained for the record, he wanted to address a letter, dated April 10<sup>th</sup>, in

the interest of fairness, that was necessary for the matter to be continued for a period of time, for at least 14 to 30 days. The reason for that would provide reference to a number of documents that were relevant to Mr. Hugg's ability to prepare, which were relevant to one (1) of the two (2) requirements of basic due process, which was the concept of notice. He noted that there were references, such as concerns about the People's Community Church, and that they have not been provided to this day with those concerns. He further noted they have not seen any dates of when those concerns were raised, who wrote those concerns, or how they were received. He mentioned that the final item was with respect to HIPAA and issues involving executive privilege, and there were no dates with respect to an event involving HIPAA or sharing protected health information. He requested that council consider providing those documents to them so that they could have a fair process and an appropriate period of time be provided to review those documents and prepare, so that, in essence, continue those proceedings for at least 14 days.

Responding to Mr. Delcollo, Mr. Griffith stated that by his count, that was the fourth time the request for documents had been made, and the third type of request. He explained that the charter provided that Mr. Hugg was to receive a statement of reasons and a public discussion, and he had already received the first, and he was receiving a second. He emphasized that the discussion was not a discovery, litigation, or a trial, but noted that Mr. Hugg was receiving what was afforded under the city's charter. He pointed out that he made reference to other requests, and there have been requests made for documentation in correspondence. He noted that his office had submitted a FOIA request to the city for documents, but the city maintained its position that Mr. Hugg had received everything he was entitled to under the charter, which was a statement of the reasons and a full opportunity to be heard.

Responding to Mr. Griffith, Mr. Delcollo stated that he had anticipated such a response and wanted on the record to be clear so that he could understand that was his position as legal counsel to the council, but he did not know if there would be any response to the request that they had made beyond his position. He noted that if council was not going to respond, then he would move on.

Responding to Mr. Delcollo, Mr. Griffith stated that he had responded as the city solicitor for council.

Mr. Delcollo asked council to remember their oath and act as neutral decision-makers on an issue of major public importance. He stated that they must fairly evaluate whether the reasons given for Mr. Hugg's termination hold up and were supported by evidence, and were legally sound. He also stressed that council should approach the matter with an open mind, determine whether the alleged actions actually occurred (despite some being vague), and decide whether the legal conclusions in the notice were accurate.

For his first witness, Mr. Delcollo called Diane Laird to respond to some questions. He noted that Ms. Laird submitted a letter in support of City Manager Mr. Hugg.

Via Webex, Ms. Laird, Executive Director for Downtown Dover Partnership, stated she has been with Downtown Dover Partnership for eight (8) years and served with the Delaware Economic Development Office at the State of Delaware for 20 years prior. She emphasized that she was representing herself and not the Downtown Dover Partnership.

Responding to Mr. Delcollo, Ms. Laird stated that she had interactions with Mr. Hugg in the performance of her duties for both positions with the Downtown Dover Partnership and the Delaware Economic Development Office, but she did not report to him directly as a supervisor in those roles. She noted that she had ongoing interactions with him during that time, as well as interacted with him earlier when she was at the University of Delaware, while pursuing a master's degree between 1998 and 2000. She added that he was a thesis advisor for her master's thesis.

Responding to Mr. Delcollo, Ms. Laird explained that in her current role as the Executive Director and oversee the Office of Revitalization, which was the Downtown Dover Partnership, it was the coalition of city stakeholders, including residents, business owners, merchants, elected officials, and nonprofits that come together to make decisions to better the community and economic revitalization as well as a historic preservation. She further explained that she oversees 17 Board of Directors, which was made up of a group of those representing stakeholders that were just mentioned, and they work to better downtown. They are involved in a master plan, which was a transformative effort to prepare the downtown for years to come, to be sustainable as a living and a place to live, work, recreate, prepare for new leaders for tomorrow, and sustainable for years to come.

Responding to Mr. Delcollo, Ms. Laird stated that she regularly spoke with Mr. Hugg on topics regarding revitalization, planning, ordinances, codes, awarding grants, and reviewing applicants. She noted that he would review the Request for Proposals (RFP) that she would write and discuss anything related to the work because both of them had done downtown revitalization for 28 years. She mentioned that Mr. Hugg was not only involved in downtown revitalization, but also in planning, and their paths would always cross with reference to work in downtowns. She highlighted that when she was at the University of Delaware, her internship was with the Main Street Program, which was a national program that was coordinated at the local level, and she served as the coordinator for the State of Delaware during her internship. During that time of knowing each other, she noted that she and Mr. Hugg have always been focused on bettering downtowns and the revitalization of Delaware's downtowns.

Responding to Mr. Delcollo, Ms. Laird clarified that she submitted a letter dated April 13, 2026, for consideration by council.

Responding to Mr. Delcollo, Ms. Laird stated that she personally characterized Mr. Hugg's performance as a professional advisor, a mentor, and a confidant. She emphasized that she held him in the utmost regard and noted that she has always looked to him and contacted him first for any issue relating to her work, whether it be with staff, revitalization issues, or anything related to her work. She further noted that she has always felt very comfortable talking with Mr. Hugg because he always provided a metered response, an indication that her indication that his understanding of revitalization, downtown issues, and interactions was far more than anyone that she knew. She appreciated that he could help her resolve complex issues or advise her on others who may know more about them. She stated that Mr. Hugg was always patient, taught her the value of persistence, and following the process because the process would ensure that individuals and issues were handled fairly. She also added that with not an individual response to make decisions, but rather the process allowing the appropriate individuals to be at the table and making decisions.

Responding to Mr. Delcollo, Ms. Laird clarified that Mr. Hugg was an asset to the City of Dover.

Responding to Mr. Delcollo, Ms. Laird clarified that Mr. Hugg has done a good job representing the city in his role as the City Manager.

Mr. Delcollo read the conclusion of Ms. Laird's letter (**Exhibit #2**).

Responding to Mr. Delcollo, Ms. Laird clarified that she agreed with the sentiments that he outlined in her letter.

Responding to Mr. Delcollo, Ms. Laird stated that she did not have any other matters to address and that she laid it out clearly in her letter and her comments.  
For his next witness, Mr. Delcollo called Representative Bill Bush to respond to some questions.

Responding to Mr. Delcollo, Representative Bush stated that he was the state representative for the 29<sup>th</sup> District.

Responding to Mr. Delcollo, Representative Bush stated that he has had interactions with Mr. Hugg over the years.

Responding to Mr. Delcollo, Representative Bush stated that he has had the opportunity to work with Mr. Hugg in many different areas. He noted that he had served in the Bond Committee, and a lot of the work they had been trying to do was for the revitalization of Downtown Dover. He explained that Mr. Hugg has guided him since he took office in 2018 with a lot of needs and issues in Dover, and Mr. Hugg has been professional, knowledgeable, and very responsive. When he introduces a piece of legislation or anyone else does that might impact the city, they know they would expect a phone call from Mr. Hugg, because he was always looking out for the best interest of the city.

Responding to Mr. Delcollo, Representative Bush stated that Mr. Hugg was truly one (1) of the best public servants that he knew, and he highly respected him for what he did.

For his next witness, Mr. Delcollo called Rick Ferrell to respond to some questions.

Responding to Mr. Delcollo, Mr. Ferrell stated that he was the President of Retail Market Answers, which was a business and economic development consulting firm.

Responding to Mr. Delcollo, Mr. Ferrell stated that he had met Mr. Hugg over 20 years ago, and in his capacity as an economic and business development consultant, he has worked with hundreds of municipalities around the country, but was based in Delaware. He noted that he was introduced to Mr. Hugg by Ms. Laird, who was at the time the director of the Main Street Program, and the Town of Smyrna was an affiliate of the Main Street Community, and that was where he first met Mr. Hugg.

Responding to Mr. Delcollo, Mr. Ferrell stated that his relationship was to serve as an economic and business development advisor to the Town of Smyrna for more than a decade, so he had the

opportunity to interact with Smyrna's council, with Mr. Hugg directly, and with volunteers that were part of the affiliate organizations that did the heavy lifting for Smyrna's revitalization practices. He highlighted that with his work with Mr. Hugg, he found him to be a hands-on leader, engaged in all aspects of the community development, and an advocate for all things, quality of life, and for the community that he served. He described Mr. Hugg as innovative, open-minded, results-oriented, fair, and a developer of consensus. He further added that he would mirror everything that has been mentioned from the previous witnesses who have described their relationships with Mr. Hugg, and that Mr. Hugg is a terrific, good individual.

Responding to Mr. Delcollo, Mr. Ferrell stated that it would be out of Mr. Hugg's character to ignore a constituent's concern, and unlike anything he had ever experienced. He noted that he has made presentations to several councils and city managers or individuals in similar roles around the country, and Mr. Hugg was a standout among that group of individuals, conscientious and fair across the board.

Responding to Mr. Delcollo, Mr. Ferrell clarified that Mr. Hugg would not reveal confidential or sensitive information appropriately. He noted that it was shocking to him to learn that he had been terminated from his employment.

Responding to Mr. Delcollo, Mr. Ferrell clarified that Mr. Hugg would not ignore discord amongst management within an organization. As he mentioned earlier, he found Mr. Hugg to be a consensus builder. He noted that before he was a consultant, he worked as a developer, developing shopping malls around the country, and they used to be able to dictate the terms of individual occupancies when they came to them for leases in their various shopping malls. He explained that when he found the crossover to working in public venues and in municipalities, he found that property owners who own their various properties, that can only be reached by building consensus and talking with individuals. He emphasized that was something Mr. Hugg stood for, and noted he would bring parties together and have discussions because that was how the heavy lifting was done.

Responding to Mr. Delcollo, Mr. Ferrell stated that he was unaware of the specific facts of the terms of removing Mr. Hugg from his position, but he relied on over 20 years of personal experience working with Mr. Hugg, whom he regarded as an extraordinary individual. He noted that Mr. Hugg made his time and work personally better and more fulfilling because he was like-minded and a joy to be around. He emphasized that he was shocked that the kind of finding was in the works and noted that it had to be a misunderstanding. He added that there had to be some facts or circumstances that, if they were more fully fleshed out and revealed, would shed light on the situation in a way that he could not understand it.

For his next witness, Mr. Delcollo called Charles Salkin to respond to some questions.

Responding to Mr. Delcollo, Mr. Salkin, 15 Maple Lane, stated that he had been a resident of Dover since 1979, and within that time, he had met Mr. Hugg, and since that time, he had known Mr. Hugg as a colleague, an advisor, a mentor, a partner, a collaborator, and a civic leader. He noted that he had observed Mr. Hugg's professionalism and good-natured interactions with numerous individuals, including colleagues, public officials, the media, and the general public. He further stated that, based on those observations, Mr. Hugg successfully handled the most

challenging and complex responsibilities in a range of roles, including planner, administrator, coordinator, manager, executive, and, most importantly, as an effective team leader. He emphasized that the community would be wise to continue taking advantage of Mr. Hugg's incredible skills and assets.

For his next witness, Mr. Delcollo called Mayor Robin Christiansen to respond to some questions.

Responding to Mr. Delcollo, Mayor Christiansen stated he rarely disagrees with council, but this was one (1) of those times. He described Mr. Hugg as an exemplary city employee, but noted concerns about a gradual shift over time in how responsibilities have been carried out since he was first elected to City Council in 1983, including what he viewed as an erosion of council's charter roles in legislation and finance. He explained that council's role was to legislate and manage finances, while the city manager was responsible for running the city day to day without interference. He further added that the city has tried to maintain that structure, and in his view, Mr. Hugg has done so effectively. He noted that they had worked together, but he never directed Mr. Hugg to do anything outside his realm of responsibilities. He highlighted that during the pandemic, Mr. Hugg brought a major employer to the City of Dover, marketed Garrison Oak Technology Park, and created more potential for businesses and jobs in that area. He emphasized that Mr. Hugg was a believer in succession to positions.

Responding to Mr. Delcollo, Mayor Christiansen clarified that he assessed Mr. Hugg's performance positively. He stated that does not mean anyone was perfect or without faults, but everyone has their own quirks. In his opinion, Mr. Hugg did the job he was assigned to do.

Responding to Mr. Delcollo, Mayor Christiansen stated that he worked with Mr. Hugg every day.

Responding to Mr. Delcollo, Mayor Christiansen stated that Mr. Hugg would not be the type of individual who would ignore a constituent's concern.

Responding to Mr. Delcollo, Mayor Christiansen stated that Mr. Hugg was not the type of individual who would provide confidential information that would breach confidentiality.

Responding to Mr. Delcollo, Mayor Christiansen stated Mr. Hugg did not let disagreements within departments linger or go unresolved. He described him as a mediator, collaborator, and team builder.

Responding to Mr. Delcollo, Mayor Christiansen stated that, to the best of his knowledge, any complaints received by the City Manager were forwarded to the city staff for handling, when referencing the documents in the binder (**Exhibit #3**).

Responding to Mr. Delcollo, Mayor Christiansen believed that no complaints were ignored, but was unable to answer the question.

Responding to Mr. Delcollo, Mayor Christiansen stated that he would address constituents' questions or concerns with Mr. Hugg that may come up.



Responding to Mr. Delcollo, Mayor Christiansen stated that Mr. Hugg likely received several of the same phone calls as council members have gotten.

For his next witness, Mr. Delcollo called David Hugg, III, to respond to some questions.

Responding to Mr. Delcollo, Mr. Hugg clarified that he was familiar with the letter referring to the reasons for termination.

Responding to Mr. Delcollo, Mr. Hugg clarified that he had the chance to review the letter and draft a response.

Responding to Mr. Delcollo, Mr. Hugg stated that, to his knowledge, he had never seen the 17 complaints he was accused of ignoring and had no direct knowledge of them. He believed the 17 complaints were received by the City Clerk's Office and then forwarded to the Assistant City Manager, since they involved Planning, Zoning, Code Enforcement, and Fire Safety issues. He further stated that after being accused of not bringing the complaints forward, he met with staff and the City Solicitor to address the situation and understand what happened. He added that the broader issue appeared to stem from a disagreement over a grant request from the People's Church for a workforce development program. He explained that the grant went through review, concerns were addressed, and the matter was brought back to council but delayed for a later meeting.

Responding to Mr. Delcollo, Mr. Hugg believed that it was around February when the 17 complaints were discussed; he does not recall the exact date. At the meeting, he recommended that council defer the item due to concerns with the application, and council agreed. He noted that at that point, the Council President raised the issue of the 17 complaints, stating that he had not been informed about the complaints.

Responding to Mr. Delcollo, Mr. Hugg stated that he had not been aware of those specific complaints prior to the council meeting. He explained that he had dealt with a complaint issued by a property owner back in December, which was essentially to have Code Enforcement and the Fire Marshal conduct their inspections and do their reviews. He answered one (1) complaint that came from a local attorney, which must have been from early February, and the same thing was addressed by the Inspections Department.

Responding to Mr. Delcollo, Mr. Hugg stated that by reflecting on the document, he did not see where the 17 documented resident complaints were submitted.

Responding to Mr. Delcollo, Mr. Hugg stated the document did not include any details, such as when it was submitted, and only noted that there were 17 complaints.

Responding to Mr. Delcollo, Mr. Hugg stated that there was no information about who or what the contents were submitted by.

Responding to Mr. Delcollo, Mr. Hugg stated that he has been involved with matters relating to accountability for employees.

Responding to Mr. Delcollo, Mr. Hugg stated it would be unusual for an accountability document to be overlooked when the individual involved received or learned about the issue. He further noted that it would be difficult to comment on something that they would not have seen, have no knowledge of, and have not yet been presented for action.

Responding to Mr. Delcollo, Mr. Hugg stated that once he became aware of those items, he acted two (2) days later. He contacted the Assistant City Manager, the Managers of Inspections, Fire Marshals, and the Public Information Officer. He noted that he was unsure who else was involved in that meeting, but he reached out to the City Solicitor's office to begin the next steps.

Responding to Mr. Delcollo, Mr. Hugg stated that the City of Dover serves close to 41,000 residents.

Responding to Mr. Delcollo, Mr. Hugg stated that the City of Dover staffs all the agencies, including the Police Department, with a little over 400 employees. He noted that about half those employees were Public Safety civilians and uniformed officers, and the rest were all other functional departments.

Responding to Mr. Delcollo, Mr. Hugg stated that his philosophy was that an employer hired the best employees they could, and the employer gave the employee the responsibility and authority to work as a team. He noted that staff knew that they could come to him with any issues, and not be afraid to admit when they have failed, when something was going on, and when needed, they come together as a team to find the appropriate solution.

Responding to Mr. Delcollo, Mr. Hugg stated that the concern about accountability, communication gaps, and conflicts among senior staff related to the City's Human Resources and financial system was unclear. He explained that the City has spent about 10 years implementing a complex accounting system with multiple modules, including one (1) for Human Resources that handled hiring, payroll, and benefits. While Human Resources handled personnel functions, responsibilities like payroll and benefits were managed by the Controller/Treasurer. A small team, the Controller/Treasurer, Human Resources Director, Information Technology Director, and a consultant, was responsible for setting up the system. He further added that those who were experienced professionals understood their roles, and the work was handled within that group. He mentioned that the main issue arose when the Human Resources Director wanted full administrative access to the system. After the issue escalated, he consulted with the Information Technology Director and the project manager, and both agreed that only the Information Technology Director should have full access due to the sensitive nature of the data. He stated that the Human Resources and Finance staff should only have access related to their specific duties. He reviewed the system to ensure Human Resources had all the access it needed and confirmed that it did. However, he further stated the Human Resources Director disagreed and brought the issue to a council member, which led to further discussion at a council workshop. He stated that the Council Workshop was on January 30<sup>th</sup>. He noted that each department was asked to present to council its future challenges as part of the budget planning. He mentioned that most departments reported issues such as outdated equipment or staffing shortages. He explained that when the Human Resources Director chose to involve a council member and make a statement about being denied full access to the system. He reminded her that the final decision was made by him and that

she would not have full administrative access. He stated that it was partly because the existing Human Resources system allowed broad access, which could be misused, and he believed there had been inappropriate changes made in the past.

Responding to Mr. Delcollo, Mr. Hugg stated that early on, he may not have given the issue as much attention as it needed. He explained that the staff were skilled professionals hired for Human Resources and finance roles, and it was their responsibility to resolve their own issues without him closely managing every detail. He initially told them to work it out themselves, while giving them space to solve the problems. He also reached out to the Human Resources Director to ask which access she was missing, but did not receive a response, prompting him to review the issue himself.

Responding to Mr. Delcollo, Mr. Hugg stated in the first bullet under Section II, "*HR and Finance System Issues*" (**Exhibit #3**), that it only referenced Human Resource Senior Administrators, without naming individuals or providing any timeline of the issues or concerns. For the record, he noted that the original intent was to implement the module on February 1<sup>st</sup>, but certain financial benefit functions were not fully developed, so the module was delayed for a short period.

Responding to Mr. Delcollo, Mr. Griffith stated that he had been careful not to mention other staff members' names, which was appreciated. He noted that Mr. Hugg had waived his privacy rights, but other employees had not, so please continue to avoid naming those employees.

Responding to Mr. Delcollo, Mr. Hugg stated that no dates or timeframes were provided for the second point under Section II, "*Leadership and Department Oversight Failures*" (**Exhibit 1**), which described delays in addressing unclear departmental roles that led to nearly \$100,000 in improper payments and potential financial and legal risks to the City.

Responding to Mr. Delcollo, Mr. Hugg clarified that no details were provided about the type of payments or what the amounts were for, such as payroll, pension, shift differentials, or overtime.

Responding to Mr. Delcollo, Mr. Hugg stated that he was unsure where the particular consequence item came from. He explained that an employee contacted the Finance Department about a possible error in their paycheck, specifically that the city's contribution to their pension fund appeared too high. He clarified that it was not a payment or disbursement issue, but a pension match made by the city. The employee who was in the civilian police department raised the concern appropriately, and it was reviewed with the Controller/Treasurer, who was responsible for managing pensions and benefits, not him.

Responding to Mr. Delcollo, Mr. Hugg clarified that the individual was hired under the direction and management of the Chief of Police.

Responding to Mr. Delcollo, Mr. Hugg clarified that the individual who is in charge of Finance reports to the City Council, and that he has no direct oversight over their operations or their decisions.

Responding to Mr. Delcollo, Mr. Hugg stated that the Controller/Treasurer worked closely and understood their roles, so he was uncertain who raised the issue first, but it appeared there was an

error. He explained that the Controller/Treasurer reviewed the issue and found it may have affected three (3) individuals. It was determined to be a clerical error in the pension system, where a setting that should have been turned off for certain benefits was not, resulting in excess contributions. He was unsure where the \$100,000 figure came from, and the suggestion to hire an outside firm did not make no sense to me.

Responding to Mr. Delcollo, regarding the first bullet under Section III, "*Legal Ramifications of Breach of Executive Session Regulations and Violation of Health Insurance Portability and Accountability Act (HIPAA) Issues*" (**Exhibit 1**), Mr. Hugg stated that, although the paragraph used the word "repeated," it only referenced one alleged past incident involving a former grant writer. He confirmed there were no other separate incidents described.

Responding to Mr. Delcollo, Mr. Hugg stated that he was unaware when that incident occurred, and he could not say yes or no because he could not remember anything about the incident. He also pointed out that there was nothing in his personnel file that would support that allegation.

Responding to Mr. Delcollo, Mr. Hugg clarified that nothing was provided that would help recall the incident, such as a timeline or names, and noted that he did not have any knowledge of the incident occurring.

Responding to Mr. Delcollo, regarding the second bullet under Section III, "*Legal Ramifications of Breach of Executive Session Regulations and Violation of Health Insurance Portability and Accountability Act (HIPAA) Issues*" (**Exhibit #3**), Mr. Hugg explained that under the city code, the hiring of the City Planner was the only position in his area of responsibility that required a second approval from City Council. All other approvals go through a process of review, but in that particular case and title, the City Council must make a decision whether or not it could make an employment offer to a particular candidate. He noted that they have been trying to recruit a Planning Director for a year and a half and that he was aware of a candidate with whom he had worked regularly. He expressed some concerns about the candidate meeting all the requirements, but he was willing to take the risk and recommend hiring that candidate. He interviewed the candidate to make the recommendation and reviewed their resume. He stated that he had spoken with several individuals who knew of the candidate in an outside city government, including other planners who had worked with the candidate, and he had made a recommendation to the City Council in executive session. He mentioned that some of his staff who were part of the review process were not comfortable with the candidate for various reasons. He respected their recommendation, but he believed that the candidate would be a good fit and recommended hiring them. He further added that the City Council reviewed the application without disclosing things that were noted during the executive session and determined that they were not going to extend an employment offer.

Responding to Mr. Delcollo, Mr. Hugg stated that he believed the matter was discussed in executive session, and afterward, they likely voted based on that discussion. He informed the candidate who was waiting in the lobby that they were not able to make him an offer.

Responding to Mr. Delcollo, Mr. Hugg stated that he had drafted a letter addressed to the candidate thanking them for applying and explaining that the position required council approval, and that

council declined to make an offer. He expressed disappointment and wished the candidate well. He noted that he did not include any details or explanations, just the outcome.

Responding to Mr. Delcollo, Mr. Hugg stated that he did not understand why the city would state that more details would be provided in connection with the public hearing, and then the listed reasons were non-exhaustive. He emphasized that it was unfair.

Responding to Mr. Delcollo, Mr. Hugg stated that “all applicants who are interviewed for a position with the city and not selected shall be told why they were not selected for the position” was in the employee handbook (**Exhibit #3**).

Responding to Mr. Delcollo, Mr. Hugg stated that the handbook applied to everyone.

Responding to Mr. Delcollo, Mr. Griffith clarified that Mr. Hugg was not brought there; he requested the hearing himself.

Responding to Mr. Delcollo, Mr. Hugg stated that on page 34 of the employee handbook, Section Nine (9), within a subsection called Severability, Disclosure of Confidential Information, that section did not mention the Health Insurance Portability and Accountability Act (HIPAA) (**Exhibit #1**).

Responding to Mr. Delcollo, Mr. Hugg stated that he had reviewed the whole handbook prior to the hearing.

Responding to Mr. Delcollo, Mr. Hugg stated that the entirety of the handbook, which included him and other offices of the city, was not subject to the Health Insurance Portability and Accountability Act (HIPAA).

Responding to Mr. Delcollo, Mr. Hugg stated that under the section of Disclosure of Confidential Information, that would be where he would look if he had questions regarding the protections of the Health Insurance Portability and Accountability Act (HIPAA).

Responding to Mr. Delcollo, Mr. Hugg stated that under Part E, rights under the Health Insurance Portability and Accountability Act (HIPAA), titled “*Who Must Follow These Laws?*” (**Exhibit #1**), the City of Dover was not a healthcare plan, a healthcare provider, or a healthcare clearing house.

Responding to Mr. Delcollo, Mr. Hugg stated that the City of Dover was not providing accounting, legal, or Information Technology services to a healthcare clearing house or health plan.

Responding to Mr. Delcollo, Mr. Hugg stated that the City of Dover was not a business associate. Responding to Mr. Delcollo, Mr. Hugg clarified that under the heading on page four (4), “*Who is not required to follow these laws?*” (**Exhibit #1**), many municipal officers were not required to follow the Freedom of Information Act (FOIA).

Responding to Mr. Delcollo, Mr. Hugg clarified that he was there because he had violated the Freedom of Information Act (FOIA) as a municipal employee and that he ought to lose his job for that. He noted the Health Insurance Portability and Accountability Act (HIPAA) as a result.

Responding to Mr. Delcollo, Mr. Hugg stated that although a HIPAA violation was alleged, it does not apply based on government guidance.

Responding to Mr. Delcollo, Mr. Hugg stated that he agreed that on page 55 of the employee handbook (**Exhibit #3**), the reasons letter was essentially a summary of alleged failures in his job duties.

Responding to Mr. Delcollo, Mr. Hugg stated that he was familiar with that part of the employee handbook.

Responding to Mr. Delcollo, Mr. Hugg stated that the City Council was his supervisor.

Responding to Mr. Delcollo, Mr. Hugg stated that he has reviewed his personnel file in detail.

Responding to Mr. Delcollo, Mr. Hugg stated that he made the request to see his personnel file in the initial demand letter in early March.

Responding to Mr. Delcollo, Mr. Hugg stated that he was granted access to his personnel file around last week or the end of the week before last.

Responding to Mr. Delcollo, Mr. Hugg stated that he was unsure why there was a significant delay between the initial request and the ability to review the personnel file.

Responding to Mr. Delcollo, Mr. Hugg clarified that the file did not contain any reference to anything that resembled the reasons in his termination letter within his personnel file.

Responding to Mr. Delcollo, Mr. Hugg clarified that his file was bereft of any sort of failure to report constituent concerns and bereft of any disciplinary action at all.

Responding to Mr. Delcollo, Mr. Hugg clarified that his file was bereft of alleged failures to coordinate disagreements amongst department heads.

Responding to Mr. Delcollo, Mr. Hugg clarified that his file was bereft of any items related to the Health Insurance Portability and Accountability Act (HIPAA) violations.

Responding to Mr. Delcollo, Mr. Hugg clarified that his file was bereft of any items related to the violation of regulations for executive session.

Responding to Mr. Delcollo, Mr. Hugg stated that he was very concerned that his file contained no documentation of those problems, yet he was still considered for termination. He also noted that there was no documentation of a Health Insurance Portability and Accountability Act (HIPAA) violation or any related issues, either from the initial request or in the personnel file. PAGE 50

Responding to Mr. Delcollo, Mr. Hugg stated that if he kept a note at his desk about a certain individual who was difficult to get along with and that note stayed at his desk and was not placed in his Human Resources file, then they could not use that for any disciplinary purpose.

Responding to Mr. Delcollo, Mr. Hugg stated that the termination was based on issues not documented in his personnel file, despite employee handbook requirements.

Responding to Mr. Delcollo, Mr. Hugg stated that his entire personnel file, every page copy was made available.

Responding to Mr. Delcollo, Mr. Hugg stated that serving as City Manager has been an opportunity to look at the community and help identify challenges, issues, and opportunities to be involved in bringing the employer, helping get rid of dilapidated houses, writing contemporary zoning ones, all those things to make those better places, which he viewed as part of his job responsibility. He noted that his goal was to make a positive impact, whether through small improvements or major projects, and to leave the community better than he found it. He described his management style as hiring good employees, paying them well, giving them responsibility, regularly providing feedback, and then trusting them to do their jobs without interference. He supported his staff and showed appreciation, but did not micromanage, respecting their expertise.

Responding to Mr. Delcollo, Mr. Hugg confirmed that he had received three (3) letters of support from David Edgel, Joanne Masten, and Senator Trey Paradee (**Exhibit #3**).

Responding to Mr. Delcollo, Mr. Hugg confirmed that he had received three (3) more letters of support that were not in the Exhibit Binder, and they were from Diane Laird (**Exhibit #2**), Ken Anderson (**Exhibit #4**), and Chuck Stiegelman (**Exhibit #5**).

Mr. Hugg stated that he was very disappointed that the performance allegations were made without being discussed with him or giving him a chance to respond, which led to council being convinced to make the decision to end his employment. He described a situation in which he was called to a meeting on February 9th with no agenda, with Mr. Neil, Mr. Boggerty, and Mr. Rocha, who had given him the option to retire, resign, or be fired, all of which would lead to the same result. He felt it was an attempt to pressure him to leave voluntarily and found the process insulting, demeaning, and unfair, given his long career in public service and nearly a decade with the City of Dover.

Responding to Mr. Delcotto, Mr. Hugg stated that he asked multiple times what the reasons were and why they wanted him to leave, but they could give him nothing in writing. He emphasized they had no firm reasons, but it was clear that they wanted him out. He could only think of, "Dave, you are old. Dave, it was time for you to go."

Responding to Mr. Delcotto, Mr. Hugg clarified that there was a short discussion about the discord amongst the department heads, but not from a standpoint that they wanted him to leave because he could not solve the problem.

Responding to Mr. Delcotto, Mr. Hugg stated that there was no reference to the Health Insurance Portability and Accountability Act (HIPAA) violations in that conversation.

Responding to Mr. Delcotto, Mr. Hugg stated that there was no reference to a violation of executive session regulations or protocols, but when he had reached out to Ms. Arndt, she stated that he had violated executive privilege.

Responding to Mr. Delcotto, Mr. Hugg stated that he had reached out to Mr. Anderson, but he did not disclose significant reasons, just expressed concern. He further stated that he reached out to Dr. Pillsbury, and she noted that council was concerned that his being there blocked the succession promotion of someone else. He translated that to mean it was time for him to leave.

Responding to Mr. Delcotto, Mr. Hugg stated that the Acting City Manager was maybe 20 years younger than he was.

Responding to Mr. Delcotto, Mr. Hugg stated that he was 83 years old.

Responding to Mr. Delcotto, Mr. Hugg stated that he had to have Mr. Delcotto ask multiple times to get the reasons for his termination.

Mr. Delcotto stated that the last items he had for council to consider were the letters of recommendation. In the interest of transparency, he emphasized that it was important for council to hear the words for their deliberations.

Mr. Delcotto read a Letter of Support from Senator Trey Paradee for Mr. Hugg (**Exhibit #3**).

Mr. Delcotto read a Letter of Support from Joanne Masten for Mr. Hugg (**Exhibit #3**).

Mr. Delcotto read a Letter of Support from David Edgel for Mr. Hugg (**Exhibit #3**).

Mr. Delcotto read a Letter of Support from Jeffrey Spiegelman for Mr. Hugg (**Exhibit #6**).

Mr. Delcotto read a Letter of Support from Chuck Spiegelman for Mr. Hugg (**Exhibit #5**).

Mr. Delcotto read a Letter of Support from Ken Anderson for Mr. Hugg (**Exhibit #4**).

In the concluding remarks, Mr. Delcotto stated that one (1) of the issues that they went to great lengths to discuss was the issue of the Health Insurance Portability and Accountability Act (HIPAA), which he believed did not apply to the situation. He noted that despite repeated requests, no additional explanation or details were provided. He argued that citing the Health Insurance Portability and Accountability Act (HIPAA) as a basis for termination is not appropriate or fair. He questioned the claim that residents could bring substantial threats of litigation in connection with the People's Church and the concept of nuisance issues or problems involving the city code. He noted that, under the Municipal Tort Claims Act and sovereign immunity, it was unclear how a private citizen could pursue legal action for something such as a failure to promptly and aggressively address code violations. He further argued that there was no credible legal exposure on the issue and that any concern was not supported. Regarding Human Resources and Finance issues, he stated that the matter appeared to involve accounting errors or excess contributions that



were identified and corrected, not misconduct or fiduciary breaches. He stated that Mr. Hugg's conduct, which he described as compliant with city policy, and noted that there was no documentation basis for their conclusions. He further stated that the Health Insurance Portability and Accountability Act (HIPAA) and executive session claims were unsupported and not reflected in the personnel file, and that Mr. Hugg followed required procedures and should not be penalized for doing so. He also highlighted strong support from public officials and community members, describing him as an effective public servant. He questioned the fairness, timing, and consistency of the process, noting that key reasons for termination were not previously documented and appeared late, and he asked council not to terminate Mr. Hugg's employment.

Mr. Griffith stated that with the conclusion of the presentation, that would also be the conclusion of the hearing pursuant to Article three, Section 33, and council may deliberate. He noted that Mr. Hugg had waived his rights to have the executive session, so council may proceed with any discussion or comments and then move to a vote.

Mr. Neil moved that Mr. Hugg be removed from the position of City Manager, effective immediately, and that his administrative leave be terminated. The motion was seconded by Ms. Hall.

Mr. Anderson made a point of order and stated that the Council President was not allowed to make a motion. Mr. Neil rescinded his motion.

Ms. Arndt moved that Mr. Hugg be removed from the position of City Manager, pursuant to Article Two, Section 33 of the City Charter, effective immediately, and that his administrative leave be terminated. The motion was seconded by Mr. Rocha.

Ms. Hall stated that she would respectfully abstain from voting on the issue due to being new to council and not having in-depth knowledge of the information presented.

Mr. Anderson stated he would vote yes, citing the concerns in Item Three (3) related to executive session materials and issues he identified under leadership items, including not following council directives related to the Delaware Fund and the State Pension Plan.

Dr. Pillsbury stated that several issues were very concerning to her, and she felt obligated to vote yes.

Ms. Arndt stated she would vote yes, due to the reasons articulated in the statement of reasons, and primarily for the violation of the executive session.

Mr. Rocha stated that he would vote yes, due to reasons articulated in the statement of reasons. Mr. Lewis stated he voted yes for the reasons articulated in the statement of reasons provided to Mr. Hugg through his attorney.

Mr. Neil stated that when he was elected at age 91, he was recognized as the oldest elected official in the nation, and later chosen as Council President based on his experience and capability, not his age. He further stated the same confidence once applied to Mr. Hugg, who was seen as qualified

to lead the City. He noted that while he remained very fond of Mr. Hugg and was unaware of any misconduct that would harm his reputation, the issue before Council was a failure to carry out responsibilities in a timely manner. With genuine sadness, he stated he would vote to confirm Mr. Hugg's removal as Dover's City Manager and believed the vote was unanimous, including absent council members.

**Ms. Arndt moved that Mr. Hugg be removed from the position of City Manager, pursuant to Article Two, Section 33 of the City Charter, effective immediately, and that his administrative leave be terminated. The motion was seconded by Mr. Rocha, and by a roll call vote of six (6) yes (Anderson, Pillsbury, Rocha, Lewis, Neil), one (1) abstain (Hall), and two (2) absent (Boggerty and Sudler).**

#### **CITY MANAGER'S ANNOUNCEMENTS**

Ms. Duca was absent.

#### **MAYOR'S ANNOUNCEMENTS**

Mayor Christiansen had no announcements.

#### **COUNCIL MEMBERS' ANNOUNCEMENTS**

Ms. Hall invited members of the community to attend a meeting at the Pitts Community Center at Schutte Park on April 16th from 6:00 p.m. to 8:00 p.m.

Mr. Lewis stated, for the record, that he wanted to piggyback on Ms. Hall's remarks and noted that he and Dr. Sudler were involved in coordinating and assisting Ms. Hall for that meeting at Schutte Park.

The meeting adjourned at 10:33 p.m.

ANDRIA L. BENNETT  
CITY CLERK

All ordinances, resolutions, motions, and orders adopted by the City Council during their Regular Meeting of April 13, 2026, are hereby approved.

ROBIN R. CHRISTIANSEN  
MAYOR

RC/AB

Exhibits

- Exhibit #1 – Attorney Delcotto’s Recusal and Abstention of Councilmember Roy Sudler Jr.
- Exhibit #2 – Letter of Support from Diane Laird for Mr. Hugg
- Exhibit #3 – Attorney Delcotto’s Exhibit Binder for Mr. Hugg’s Hearing
- Exhibit #4 – Letter of Support from Ken Anderson for Mr. Hugg
- Exhibit #5 – Letter of Support from Chuck Spiegelman for Mr. Hugg
- Exhibit #6 – Letter of Support from Mr. Jeffrey Spiegelman for Mr. Hugg



Anthony Delcollo  
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adelcollo@offitkurman.com

April 10, 2026

VIA EMAIL

City of Dover Council  
c/o Dan Griffith, Esquire  
dgriffith@whitefordlaw.com

**RE: Threshold Issues Requiring Council's Consideration Prior to Monday's Hearing**

Dear Members of Council:

As you know, I represent David Hugg, the City Manager for the City of Dover (the "City"), in connection with the City Council's (the "Council") decision to seek his termination, which is scheduled to be heard and voted upon at a special meeting on April 13, 2026. I write in advance of that meeting to raise certain threshold issues so that the members of Council have ample opportunity to fully consider them before the hearing proceeds. These issues directly affect Mr. Hugg's right to a fair and meaningful opportunity to be heard—as expressly guaranteed by the City Charter and fundamental principles of due process—and his ability to meaningfully respond to the Council's asserted grounds for termination.

I. Recusal and Abstention of Councilmember Roy Sudler Jr.

It is axiomatic that when a public body affords an individual the right to be heard—as the City Charter guarantees to Mr. Hugg—that opportunity must occur before a tribunal that is fair, impartial, and free from personal or financial bias. As the Delaware Supreme Court has made unmistakably clear, the integrity of such a proceeding depends upon the impartiality of all participating members. *See Sullivan v. Mayor & Council of the Town of Elsmere*, 23 A.3d 128, 135 (Del. 2011) ("A fair trial in a fair tribunal is a basic requirement of due process that applies to administrative agencies as well as to courts."). "The bias of one member of a multi-member tribunal taints the entire tribunal's decision and deprives the party subject to the tribunal's judgment of due process." *Id.*

Here, Councilmember Roy Sudler Jr.'s continued participation in the decision to terminate Mr. Hugg—despite his admitted animus and conflicting financial interests—would no doubt undermine Mr. Hugg's right to a fair process and render it illusory. Councilmember Sudler is actively suing the City on his family's behalf over land-use and annexation decisions that he states diminished the value of family-owned property managed by his mother's company, which he leads as CEO. Councilmember Sudler has a direct financial stake in the outcome of that litigation and

has publicly acknowledged that his dual roles as politician (i.e., as a Council member) and as CEO of his family's real-estate interests place him in a precarious position. What is more, Councilmember Sudler has publicly accused City officials—including the City Manager—of conspiring to “take our property.” His resentment toward Mr. Hugg is therefore neither speculative nor attenuated. As the City's chief administrative officer, Mr. Hugg is of course extensively involved in the very land-use and City decisions that Councilmember Sudler challenges in litigation and publicly condemns. Councilmember Sudler has thus cast Mr. Hugg, as the City Manager, as a direct adversary in an ongoing legal dispute with significant financial consequences for himself and his family.

At a minimum, this creates an unmistakable appearance of bias, which alone warrants recusal. *See Home Paramount Pest Control Cos. v. Gibbs*, 953 A.2d 219, 222 (Del. 2008). Here, however, Councilmember Sudler's conduct goes well beyond appearance. His public statements and financial motives demonstrate actual bias that would deprive Mr. Hugg of any fair opportunity to be heard if before members of Council that include him.

For these reasons, Councilmember Sudler must be recused from further participation in the deliberation and decision regarding Mr. Hugg's termination. At an absolute minimum, the City Charter requires him to abstain from voting on Mr. Hugg's termination.

The City Charter expressly provides that: “[a] councilmember shall abstain from voting on a matter ... in which they have a financial interest [or] in a matter in which they have a conflict of interest ... .” Councilmember Sudler's situation, as detailed above, falls squarely within this mandate. Accordingly, Councilmember Sudler has an independent duty under the Charter to abstain from voting on Mr. Hugg's termination, irrespective of whether the Council elects to require full recusal.

## II. Council's Refusal to Adequately Disclose its Reasons to Terminate Precludes Mr. Hugg from Meaningful Opportunity to be Heard

Separately, and equally concerning, is the City's refusal to fully disclose its reasons for termination, thereby depriving Mr. Hugg of his right to be heard on those charges, as expressly required by the City Charter. Mr. Hugg has repeatedly requested clarification and basic information regarding the reasons provided by Council for his termination. Council, through its attorney, has ignored those requests and refused to disclose key information for Mr. Hugg to defend against these allegations. Instead, the letter from Council's attorney stating its purported reasons for termination offers a non-exhaustive list of broadly framed allegations, while expressly reserving the right to identify additional reasons and provide additional detail only at the public hearing itself. That approach is fundamentally inconsistent with the Charter<sup>1</sup>.

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<sup>1</sup> The noted letter may actually imply clarification of the reasons in advance of the hearing. To quote, the letter notes that “[...] additional detail can be provided in connection with the hearing [...].” To date, despite this representation, no such “additional detail” has been provided. To the contrary, upon request for documents or other materials relied upon in connection with preparation of the “reasons for termination” letter, the City has flatly refused to provide such documentation, or even a summary of such items.

The Charter guarantees more than a right to speak; it guarantees the right to be heard “thereon”—that is, on the actual reasons asserted by Council for his removal. A hearing in which Mr. Hugg is first confronted with new or clarified accusations is not a meaningful opportunity to be heard; it is a procedural ambush. Yet that is exactly what Council, through correspondence from its attorney, indicates may occur at the hearing. This structure makes it impossible for Mr. Hugg to reasonably prepare and defend himself. It further deprives him of the ability to gather responsive documents, identify and prepare witnesses, consult meaningfully with counsel, and address the Council in an informed and substantive manner.

Council’s attempt to justify refusal to disclose the requested information based on supposed HIPAA or confidentiality concerns are wholly unfounded. As City Manager, Mr. Hugg is routinely entrusted with confidential and sensitive information and is fully capable of handling such matters appropriately. Additionally, and contrary to the Council’s assertions, HIPAA is not implicated here, as the City is not a covered entity or business associate subject to HIPAA and does not provide healthcare services. In short, without complete disclosure of the specific reasons and factual bases for the Council’s decision to seek his termination in advance of Monday’s hearing, Mr. Hugg will not be able to address these reasons and his right to be heard on these issues.

Accordingly, I respectfully request that the Council consider the issues raised in this letter and ensure that Mr. Hugg is afforded a fair and meaningful hearing before any decision is made regarding his termination.

Very truly yours,

**OFFIT KURMAN, P.A.**

By 

Anthony Delcollo

Diane Laird  
11 Kingfisher Ct.  
Middletown, DE 19709

April 13, 2026

To City Of Dover, Mayor, and Council Members,

I would have preferred to be on site at tonight's Dover city Council meeting, but I am unfortunately out of town at a conference in Oklahoma.

I write to you today, personally, on behalf of Dover City Manager and former Dover City Planner, Dave Hugg, professional advisor, mentor, and confidante.

Dave and I first met at the University of Delaware in 1999 when I was a graduate student in the School of Urban Affairs and Public Policy. While serving as Director of State Planning, Dave was simultaneously an adjunct professor at UD. At that time, he became my third thesis advisor. He poked a few holes in my thesis, which added a little more reality. It hurt for a minute, but Dave provided a necessary alternative perspective. This began a 25-year professional and highly valued relationship.

After graduating from UD, I began to work at the Delaware Economic Development Office. During my 20-year tenure there, Dave's and my paths crossed regularly as I provided Smyrna with revitalization advisement and branding services, as he served as Town Manager for the Smyrna. Not only did he provide the same kind of professional critique and thoughtful perspective to Smyrna as he had provided to me previously, but I watched him work with great focus and creativity, while actually taking action to implement ideas. It was never more clear to me that he was a man of action than when I saw the new brand "driving around Smyrna" on city trucks, proudly printed on city staff jackets, and hoisted high in the air on banners displaying the city he faithfully served.

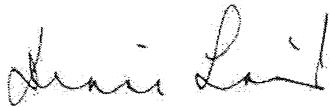
About eight years ago, Dave made a comment to me about coming to Dover. I am confident that I would not be working with City Of Dover today had he not invited me to consider actually working in Dover. And while I had made a decision long before that I would not become a director in a local Main Street program, the true opportunity became available about six months later, when I was hired as Executive Director for the Downtown Dover Partnership. With Dave as the Director of Planning, I knew we would be able to collaborate daily on the revitalization of downtown Dover – and we did.

In my role here in Dover, Dave has continued to be a constant in my professional work – as a trusted mentor to resolve complex issues, sometimes as a psychologist “to talk me off the ledge” of some very challenging issues, and always as a confidante, helping me understand the value and need for process, for patience, and for persistence - always with optimism, professional appropriateness, and a little humor to lighten the day-to-day pressure and keep things in perspective.

I was deeply disappointed and saddened to learn of Dave’s administrative leave. I can attest to the value of his participation in the development of the master plan and revitalization of our downtown district to date, as well as his overwhelming support of me in my professional roles in Delaware.

I am a better professional having worked with Dave over the years and I believe the City Of Dover will continue to see the value of his involvement and leadership for years to come.

Sincerely,

A handwritten signature in cursive script, appearing to read "Diane Laird".

Diane Laird

CC: Dave Hugg



## **EXHIBIT LIST**

### **A. City of Dover Documents**

1. David Hugg's Personnel File
2. City of Dover Personnel Policy (Employee Handbook) – July 2004
3. Statement of Reasons for Removal of David Hugg

### **B. Favorable Comments from City Council Meeting Minutes**

1. Special City Council Meeting (2.10.2022) – Appointment of City Manager
2. City Council Meeting (2.14.2022)
3. City Council Meeting (4.11.2022) – Congressional funding over \$10 Million projects
4. Special Council Meeting (5.9.2022) – President Neil references City Manager as extraordinarily experienced
5. City Council Meeting (8.8.2022 & 9.12.2022) – Employee Cookout
6. City Council Meeting (6.26.2023) – Sudler's Appreciation for the Work done
7. City Council Meeting (1.27.2025) – Selection Process of New City Solicitor
8. City Council Meeting (6.9.2025) – Electric Utility Budget
9. City Council Meeting (6.23.2025) – Budget Ordinance

### **C. News Articles**

1. *We're on a good path forward: Sudler releases statement on staffing changes at Dover city hall*, 10.28.2021
2. *Changing Roles: Former planner Hugg named Dover city manager*, 2.11.2022
3. *City of Dover hires new city manager*, Delaware Public Media, 2.14.2022
4. *Pulled in opposite directions, Dover Councilman claims city took his family land*, Spotlight Delaware, 12.19.2024
5. *Dover moves to oust city manager, tensions revealed*, Spotlight Delaware, 3.19.2026
6. *Dover City Manager on the Way Out*, Delmarva Public Media, 3.25.2026

### **D. Support Letters**

1. Letter from David Edgell, Director Delaware Office of State Planning Coordination
2. Letter from Joanne Masten, President of Kent County Levy Court
3. Letter from Senator Trey Paradee

### **E. HIPAA Requirement Summary**

1. HIPAA Authority

## PERSONNEL ACTION FORM

Action Type Council Approved Increase

Reason for Action

### Employee Information

Employee No 37961 Date of Hire: 07/24/2017  
First Name David Last Name Hugg  
Home Address   
Address (Line 2)   
City  State   
ZIP Code   
Date of Birth 12/12/1942 Gender Male  
Ethnicity Not Hispanic or Latino Race White

### Current Position Information

Effective Date 07/01/2018 Status Regular Full-Time  
Current Position Planning & Comm. Dev. Director Bargaining Unit NON-BARGAINING  
Department Planning Select One: ☒ Exempt ☐ Non-Exempt  
Hourly Rate \$61.80 Yearly Salary \$128,544.00  
Grade/Step: 134  
Account #: 110-1600-533.10-11 EEO Category Officials/Administration  
COLA/Longevity

### Proposed Position Information

Effective Date 10/27/2020 Status Regular Full-Time  
Proposed Position Planning & Comm. Dev. Director Bargaining Unit NON-BARGAINING  
Department Planning Select One: ☒ Exempt ☐ Non-Exempt  
Hourly Rate \$63.04 Yearly Salary: \$131,114.88  
Grade/Step: 134  
Account #: 110-1600-533.10-11 EEO Category Officials/Administration  
COLA/Longevity

Interim City Manager  
10/29/2021

3/4 11/29/2021 = 5%

5% = 3.25

+ 64.93

new 4-68.18 = 5% increase

# PERSONNEL ACTION FORM

Action Type

Reason for Action

## Employee Information

Employee No  Date of Hire:   
First Name  Last Name   
Home Address   
Address (Line 2)   
City  State   
ZIP Code   
Date of Birth  Gender   
Ethnicity  Race

## Current Position Information

Effective Date  Status   
Current Position  Bargaining Unit   
Department  Select One: ☐ Exempt ☒ Non-Exempt  
Hourly Rate  Yearly Salary   
Grade:  Step:   
Account #:  Account #:   
COLA/Longevity

## Proposed Position Information

Effective Date  Status   
Proposed Position  Bargaining Unit   
Department  Select One: ☐ Exempt ☐ Non-Exempt  
Hourly Rate  Yearly Salary:   
Grade  Step:   
Account #:  Account #:   
COLA/Longevity

COMMENTS:

Completion of Performance Evaluations

DEPT HEAD

HR DIRECTOR

CITY MANAGER

Approval Date:

*Kim Hawkins*

*M. H. H. H.*

*5 November 2020*

Please complete and return to the Human Resources Department



**COMMENTS:**

Per Mr. Hugg's employment agreement he has waived rights to enroll in health, dental, vision, LID , supplemental life and deferred comp plans.

Mr. Hugg is entitled to holiday pay.

*NO SICK OR VACATION ACCRUALS.*

**DEPT HEAD:**

**HR DIRECTOR:**

*Kim Hawkins*

**OTHER APPROVAL:**

**Approval Date:**

*7/26/17*

**Please complete and return to the Human Resources Department**





DELAWARE TECHNICAL COMMUNITY CO  
WORKFORCE DEVELOPMENT AND COMMUNITY EDUCATIO

*hereby awards this certificate of completion of*

Leadership Training

*to*

Dave Hugg

Consisting of 24 hours of instruction

9/10/19 - 10/31/19

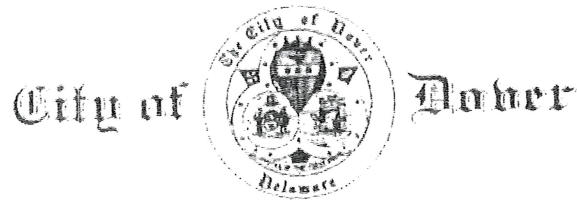


DELAWARE TECH

Kristen

Director, Workforce Development

Vice Presi



## 2018 MANDATORY ETHICS TRAINING

### ACKNOWLEDGMENT OF RECEIPT & ATTENDANCE

*By signing this form, I hereby acknowledge that I have received the City of Dover's Code of Ordinances, Chapter 30 - Standards of Ethical Conduct; Article II. - Standards of Ethical Conduct; and that I have attended mandatory Ethics Training.*

DAVID S. HUGG III  
Name (please print)

*David S. Hugg III*  
Signature

*Planning, Inspections and Community Development*  
Department/Division/Board/Committee

*5/24/18*  
Date



2019 LID Open Enrollment



## GROUP INSURANCE ENROLLMENT FORM

Unum Life Insurance Company of America  
2211 Congress Street, Portland, ME 04122

Policy # \_\_\_\_\_

Division # \_\_\_\_\_

|                                                                                     |                                                                                                                                                 |                                      |                                         |
|-------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|-----------------------------------------|
| Employee Name (last name, first, middle initial)<br><b>HUGG DAVID S. III</b>        |                                                                                                                                                 | Policyholder Name                    |                                         |
| Employee Address (street, city, state, zip code)<br>[REDACTED]                      |                                                                                                                                                 | Social Security Number<br>[REDACTED] | Date of Birth<br><b>12/12/42</b>        |
| Sex <input checked="" type="checkbox"/> Male <input type="checkbox"/> Female        | Salary \$ <b>128,544</b><br><input type="checkbox"/> Weekly<br><input type="checkbox"/> Monthly<br><input checked="" type="checkbox"/> Annually | Hours Worked per Week<br><b>40</b>   | Occupation/Title<br><b>CITY PLANNER</b> |
| Full Time Date of Hire or Date you enter an eligible class<br><b>AUGUST 1, 2017</b> |                                                                                                                                                 |                                      |                                         |

Coverage Elections: Your employer will inform you of available coverage. Check yes to enroll; check no if you decline or coverage is not available.

Life ☒ Yes ☐ No  
AD&D ☒ Yes ☐ No

Life Amount **\$240,000**  
AD&D Amount **\$350,000**

STD ☒ Yes ☐ No

Note: If you have chosen Life coverage over the Guarantee Issue amount for you or your spouse, you will also need to complete an Evidence of Insurability form. The amount of coverage over your Guarantee Issue amount will be subject to medical underwriting approval and will become effective on the first of the month coincident with or next following the date UnumProvident approves your Evidence of Insurability form. If you **do not apply** for any of the above coverage during your initial enrollment period and choose to enroll at a later date, you will need to complete an Evidence of Insurability form for all amounts of coverage.

### Beneficiary Information\*

[REDACTED]

\*Note: Benefits cannot be sent directly to a minor. Please consult your policy for additional information.

### Request for Signature and Certification:

I understand that my insurance coverage may be subject to exclusions, limitations, delayed effective dates and benefit offsets, as described in the enrollment materials or employee booklet(s) that have been provided to me by my employer. I certify that all statements are true to the best of my knowledge and belief and I understand that a copy of this form will be made available to me at my request. I authorize my employer to make the necessary deductions from my salary or wages to pay the premium when my insurance becomes effective. I understand that my payroll deduction amount will change if my coverage or costs change.

Employee Signature [Signature] Date 10/10/18 Work Phone (302) 736-7196 Home Phone [REDACTED]

1268-03

I wish to decline LID insurance. This is a binding election which means you will not be permitted to enroll until October 2019.

☐

**Life, Accident Death and Short Term Disability Insurance Rates**  
Employee Portion of the Monthly Rate

| Annual Salary | Life Insurance | In Case of<br>Accidental Death | Weekly<br>Disability | Life<br>Premium | AD&D<br>Premium | Disability | Employee's<br>Monthly<br>Premium |
|---------------|----------------|--------------------------------|----------------------|-----------------|-----------------|------------|----------------------------------|
| \$ 27,000.00  | \$ 54,000.00   | \$ 108,000.00                  | \$ 363.46            | \$ 4.59         | \$ 0.81         | \$ 7.92    | \$ 13.32                         |
| \$ 28,000.00  | \$ 56,000.00   | \$ 112,000.00                  | \$ 376.92            | \$ 4.76         | \$ 0.84         | \$ 8.14    | \$ 13.74                         |
| \$ 29,000.00  | \$ 58,000.00   | \$ 116,000.00                  | \$ 390.38            | \$ 4.93         | \$ 0.87         | \$ 8.58    | \$ 14.38                         |
| \$ 30,000.00  | \$ 60,000.00   | \$ 120,000.00                  | \$ 400.00            | \$ 5.10         | \$ 0.90         | \$ 8.80    | \$ 14.80                         |
| \$ 31,000.00  | \$ 62,000.00   | \$ 124,000.00                  | \$ 400.00            | \$ 5.27         | \$ 0.93         | \$ 8.80    | \$ 15.00                         |
| \$ 32,000.00  | \$ 64,000.00   | \$ 128,000.00                  | \$ 400.00            | \$ 5.44         | \$ 0.93         | \$ 8.80    | \$ 15.17                         |
| \$ 33,000.00  | \$ 66,000.00   | \$ 132,000.00                  | \$ 400.00            | \$ 5.61         | \$ 0.99         | \$ 8.80    | \$ 15.40                         |
| \$ 34,000.00  | \$ 68,000.00   | \$ 136,000.00                  | \$ 400.00            | \$ 5.78         | \$ 1.02         | \$ 8.80    | \$ 15.60                         |
| \$ 35,000.00  | \$ 70,000.00   | \$ 140,000.00                  | \$ 400.00            | \$ 5.95         | \$ 1.05         | \$ 8.80    | \$ 15.80                         |
| \$ 36,000.00  | \$ 72,000.00   | \$ 144,000.00                  | \$ 400.00            | \$ 6.12         | \$ 1.08         | \$ 8.80    | \$ 16.00                         |
| \$ 37,000.00  | \$ 74,000.00   | \$ 148,000.00                  | \$ 400.00            | \$ 6.29         | \$ 1.11         | \$ 8.80    | \$ 16.20                         |
| \$ 38,000.00  | \$ 76,000.00   | \$ 152,000.00                  | \$ 400.00            | \$ 6.46         | \$ 1.14         | \$ 8.80    | \$ 16.40                         |
| \$ 39,000.00  | \$ 78,000.00   | \$ 156,000.00                  | \$ 400.00            | \$ 6.63         | \$ 1.17         | \$ 8.80    | \$ 16.60                         |
| \$ 40,000.00  | \$ 80,000.00   | \$ 160,000.00                  | \$ 400.00            | \$ 6.80         | \$ 1.20         | \$ 8.80    | \$ 16.80                         |
| \$ 41,000.00  | \$ 82,000.00   | \$ 164,000.00                  | \$ 400.00            | \$ 6.97         | \$ 1.23         | \$ 8.80    | \$ 17.00                         |
| \$ 42,000.00  | \$ 84,000.00   | \$ 168,000.00                  | \$ 400.00            | \$ 7.14         | \$ 1.26         | \$ 8.80    | \$ 17.20                         |
| \$ 43,000.00  | \$ 86,000.00   | \$ 172,000.00                  | \$ 400.00            | \$ 7.31         | \$ 1.29         | \$ 8.80    | \$ 17.40                         |
| \$ 44,000.00  | \$ 88,000.00   | \$ 176,000.00                  | \$ 400.00            | \$ 7.48         | \$ 1.32         | \$ 8.80    | \$ 17.60                         |
| \$ 45,000.00  | \$ 90,000.00   | \$ 180,000.00                  | \$ 400.00            | \$ 7.65         | \$ 1.35         | \$ 8.80    | \$ 17.80                         |
| \$ 46,000.00  | \$ 92,000.00   | \$ 184,000.00                  | \$ 400.00            | \$ 7.82         | \$ 1.38         | \$ 8.80    | \$ 18.00                         |
| \$ 47,000.00  | \$ 94,000.00   | \$ 188,000.00                  | \$ 400.00            | \$ 7.99         | \$ 1.41         | \$ 8.80    | \$ 18.20                         |
| \$ 48,000.00  | \$ 96,000.00   | \$ 192,000.00                  | \$ 400.00            | \$ 8.16         | \$ 1.44         | \$ 8.80    | \$ 18.40                         |
| \$ 49,000.00  | \$ 98,000.00   | \$ 196,000.00                  | \$ 400.00            | \$ 8.33         | \$ 1.47         | \$ 8.80    | \$ 18.60                         |
| \$ 50,000.00  | \$ 100,000.00  | \$ 200,000.00                  | \$ 400.00            | \$ 8.50         | \$ 1.50         | \$ 8.80    | \$ 18.80                         |
| \$ 51,000.00  | \$ 102,000.00  | \$ 204,000.00                  | \$ 400.00            | \$ 8.67         | \$ 1.53         | \$ 8.80    | \$ 19.00                         |
| \$ 52,000.00  | \$ 104,000.00  | \$ 208,000.00                  | \$ 400.00            | \$ 8.84         | \$ 1.56         | \$ 8.80    | \$ 19.20                         |
| \$ 53,000.00  | \$ 106,000.00  | \$ 212,000.00                  | \$ 400.00            | \$ 9.01         | \$ 1.59         | \$ 8.80    | \$ 19.40                         |
| \$ 54,000.00  | \$ 108,000.00  | \$ 216,000.00                  | \$ 400.00            | \$ 9.18         | \$ 1.62         | \$ 8.80    | \$ 19.60                         |
| \$ 55,000.00  | \$ 110,000.00  | \$ 220,000.00                  | \$ 400.00            | \$ 9.35         | \$ 1.65         | \$ 8.80    | \$ 19.80                         |
| \$ 56,000.00  | \$ 112,000.00  | \$ 224,000.00                  | \$ 400.00            | \$ 9.52         | \$ 1.68         | \$ 8.80    | \$ 20.00                         |
| \$ 57,000.00  | \$ 114,000.00  | \$ 228,000.00                  | \$ 400.00            | \$ 9.69         | \$ 1.71         | \$ 8.80    | \$ 20.20                         |
| \$ 58,000.00  | \$ 116,000.00  | \$ 232,000.00                  | \$ 400.00            | \$ 9.86         | \$ 1.74         | \$ 8.80    | \$ 20.40                         |
| \$ 59,000.00  | \$ 118,000.00  | \$ 236,000.00                  | \$ 400.00            | \$ 10.03        | \$ 1.77         | \$ 8.80    | \$ 20.60                         |
| \$ 60,000.00  | \$ 120,000.00  | \$ 240,000.00                  | \$ 400.00            | \$ 10.20        | \$ 1.80         | \$ 8.80    | \$ 20.80                         |
| \$ 65,000.00  | \$ 130,000.00  | \$ 260,000.00                  | \$ 400.00            | \$ 11.05        | \$ 1.95         | \$ 8.80    | \$ 21.80                         |
| \$ 70,000.00  | \$ 140,000.00  | \$ 280,000.00                  | \$ 400.00            | \$ 11.90        | \$ 2.10         | \$ 8.80    | \$ 22.80                         |
| \$ 75,000.00  | \$ 150,000.00  | \$ 300,000.00                  | \$ 400.00            | \$ 12.75        | \$ 2.25         | \$ 8.80    | \$ 23.80                         |
| \$ 80,000.00  | \$ 160,000.00  | \$ 320,000.00                  | \$ 400.00            | \$ 13.60        | \$ 2.40         | \$ 8.80    | \$ 24.80                         |
| \$ 85,000.00  | \$ 170,000.00  | \$ 340,000.00                  | \$ 400.00            | \$ 14.45        | \$ 2.55         | \$ 8.80    | \$ 25.80                         |
| \$ 90,000.00  | \$ 180,000.00  | \$ 350,000.00                  | \$ 400.00            | \$ 15.30        | \$ 2.70         | \$ 8.80    | \$ 26.80                         |
| \$ 95,000.00  | \$ 190,000.00  | \$ 350,000.00                  | \$ 400.00            | \$ 16.15        | \$ 2.88         | \$ 8.80    | \$ 27.83                         |
| \$ 100,000.00 | \$ 200,000.00  | \$ 350,000.00                  | \$ 400.00            | \$ 17.00        | \$ 3.00         | \$ 8.80    | \$ 28.80                         |
| \$ 110,000.00 | \$ 220,000.00  | \$ 350,000.00                  | \$ 400.00            | \$ 18.70        | \$ 3.30         | \$ 8.80    | \$ 30.80                         |
| \$ 120,000.00 | \$ 240,000.00  | \$ 350,000.00                  | \$ 400.00            | \$ 20.40        | \$ 3.60         | \$ 8.80    | \$ 32.80                         |





Employment Eligibility Verification  
Department of Homeland Security  
U.S. Citizenship and Immigration Services

USCIS  
Form I-9  
OMB No. 1615-0047  
Expires 08/31/2019

► **START HERE:** Read instructions carefully before completing this form. The instructions must be available, either in paper or electronically, during completion of this form. Employers are liable for errors in the completion of this form.

**ANTI-DISCRIMINATION NOTICE:** It is illegal to discriminate against work-authorized individuals. Employers **CANNOT** specify which document(s) an employee may present to establish employment authorization and identity. The refusal to hire or continue to employ an individual because the documentation presented has a future expiration date may also constitute illegal discrimination.

**Section 1. Employee Information and Attestation** (Employees must complete and sign Section 1 of Form I-9 no later than the first day of employment, but not before accepting a job offer.)

|                                                 |                                           |                                                        |                                                                       |
|-------------------------------------------------|-------------------------------------------|--------------------------------------------------------|-----------------------------------------------------------------------|
| Last Name (Family Name)<br><b>HUGG</b>          | First Name (Given Name)<br><b>DAVID</b>   | Middle Initial<br><b>S</b>                             | Other Last Names Used (if any)                                        |
| Address (Street Number and Name)<br>[REDACTED]  |                                           | Apt. Number<br>[REDACTED]                              | City or Town<br>[REDACTED] State<br>[REDACTED] ZIP Code<br>[REDACTED] |
| Date of Birth (mm/dd/yyyy)<br><b>12/12/1942</b> | U.S. Social Security Number<br>[REDACTED] | Employee's E-mail Address<br><b>ds_hugg3@gmail.com</b> | Employee's Telephone Number<br>[REDACTED]                             |

I am aware that federal law provides for imprisonment and/or fines for false statements or use of false documents in connection with the completion of this form.

I attest, under penalty of perjury, that I am (check one of the following boxes):

|                                                                                                                                                                                                                |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> 1. A citizen of the United States                                                                                                                                          |
| <input type="checkbox"/> 2. A noncitizen national of the United States (See Instructions)                                                                                                                      |
| <input type="checkbox"/> 3. A lawful permanent resident (Alien Registration Number/USCIS Number): _____                                                                                                        |
| <input type="checkbox"/> 4. An alien authorized to work until (expiration date, if applicable, mm/dd/yyyy): _____<br>Some aliens may write "N/A" in the expiration date field. (See Instructions)              |
| Aliens authorized to work must provide only one of the following document numbers to complete Form I-9:<br>An Alien Registration Number/USCIS Number OR Form I-94 Admission Number OR Foreign Passport Number. |
| 1. Alien Registration Number/USCIS Number: _____<br>OR<br>2. Form I-94 Admission Number: _____<br>OR<br>3. Foreign Passport Number: _____<br>Country of Issuance: _____                                        |
| QR Code - Section 1<br>Do Not Write In This Space                                                                                                                                                              |

|                           |                                               |
|---------------------------|-----------------------------------------------|
| Signature of Employee<br> | Today's Date (mm/dd/yyyy)<br><b>7/25/2017</b> |
|---------------------------|-----------------------------------------------|

|                                                                                                                                                                                                                                                                                                                                                                                     |  |                           |                |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|---------------------------|----------------|
| <b>Preparer and/or Translator Certification (check one):</b><br><input checked="" type="checkbox"/> I did not use a preparer or translator. <input type="checkbox"/> A preparer(s) and/or translator(s) assisted the employee in completing Section 1.<br>(Fields below must be completed and signed when preparers and/or translators assist an employee in completing Section 1.) |  |                           |                |
| I attest, under penalty of perjury, that I have assisted in the completion of Section 1 of this form and that to the best of my knowledge the information is true and correct.                                                                                                                                                                                                      |  |                           |                |
| Signature of Preparer or Translator                                                                                                                                                                                                                                                                                                                                                 |  | Today's Date (mm/dd/yyyy) |                |
| Last Name (Family Name)                                                                                                                                                                                                                                                                                                                                                             |  | First Name (Given Name)   |                |
| Address (Street Number and Name)                                                                                                                                                                                                                                                                                                                                                    |  | City or Town              | State ZIP Code |

STOP Employer Completes Next Page STOP



Employment Eligibility Verification  
Department of Homeland Security  
U.S. Citizenship and Immigration Services

USCIS  
Form I-9  
OMB No. 1615-0047  
Expires 08/31/2019

**Section 2. Employer or Authorized Representative Review and Verification**

(Employers or their authorized representative must complete and sign Section 2 within 3 business days of the employee's first day of employment. You must physically examine one document from List A OR a combination of one document from List B and one document from List C as listed on the "Lists of Acceptable Documents.")

|                              |                                        |                                         |                  |                                |
|------------------------------|----------------------------------------|-----------------------------------------|------------------|--------------------------------|
| Employee Info from Section 1 | Last Name (Family Name)<br><u>Hugg</u> | First Name (Given Name)<br><u>David</u> | M.I.<br><u>S</u> | Citizenship/Immigration Status |
|------------------------------|----------------------------------------|-----------------------------------------|------------------|--------------------------------|

| List A<br>Identity and Employment Authorization           | OR | List B<br>Identity                                                                                     | AND | List C<br>Employment Authorization   |
|-----------------------------------------------------------|----|--------------------------------------------------------------------------------------------------------|-----|--------------------------------------|
| Document Title<br><u>Passport</u>                         |    | Document Title                                                                                         |     | Document Title                       |
| Issuing Authority<br><u>USA</u>                           |    | Issuing Authority                                                                                      |     | Issuing Authority                    |
| Document Number<br>[REDACTED]                             |    | Document Number                                                                                        |     | Document Number                      |
| Expiration Date (if any)(mm/dd/yyyy)<br><u>07/28/2019</u> |    | Expiration Date (if any)(mm/dd/yyyy)                                                                   |     | Expiration Date (if any)(mm/dd/yyyy) |
| Document Title                                            |    | <div>Additional Information</div> <div>QR Code Sections 2 &amp; 3<br/>Do Not Write in This Space</div> |     |                                      |
| Issuing Authority                                         |    |                                                                                                        |     |                                      |
| Document Number                                           |    |                                                                                                        |     |                                      |
| Expiration Date (if any)(mm/dd/yyyy)                      |    |                                                                                                        |     |                                      |
| Document Title                                            |    |                                                                                                        |     |                                      |
| Issuing Authority                                         |    |                                                                                                        |     |                                      |
| Document Number                                           |    |                                                                                                        |     |                                      |
| Expiration Date (if any)(mm/dd/yyyy)                      |    |                                                                                                        |     |                                      |

Certification: I attest, under penalty of perjury, that (1) I have examined the document(s) presented by the above-named employee, (2) the above-listed document(s) appear to be genuine and to relate to the employee named, and (3) to the best of my knowledge the employee is authorized to work in the United States.

The employee's first day of employment (mm/dd/yyyy): 7/25/17 (See instructions for exemptions)

|                                                                                                   |                                                                      |                                                                           |                    |
|---------------------------------------------------------------------------------------------------|----------------------------------------------------------------------|---------------------------------------------------------------------------|--------------------|
| Signature of Employer or Authorized Representative<br><u>Hollie Ford</u>                          | Today's Date(mm/dd/yyyy)<br><u>7/25/17</u>                           | Title of Employer or Authorized Representative<br><u>Admin. Assistant</u> |                    |
| Last Name of Employer or Authorized Representative<br><u>Ford</u>                                 | First Name of Employer or Authorized Representative<br><u>Hollie</u> | Employer's Business or Organization Name<br><u>City of Dover DE</u>       |                    |
| Employer's Business or Organization Address (Street Number and Name)<br><u>15 Lockerman Plaza</u> |                                                                      | City or Town<br><u>Dover</u>                                              | State<br><u>DE</u> |
|                                                                                                   |                                                                      | ZIP Code<br><u>19901</u>                                                  |                    |

**Section 3. Reverification and Rehires (To be completed and signed by employer or authorized representative.)**

| A. New Name (if applicable) |                         |                | B. Date of Rehire (if applicable) |
|-----------------------------|-------------------------|----------------|-----------------------------------|
| Last Name (Family Name)     | First Name (Given Name) | Middle Initial | Date (mm/dd/yyyy)                 |

C. If the employee's previous grant of employment authorization has expired, provide the information for the document or receipt that establishes continuing employment authorization in the space provided below.

|                |                 |                                       |
|----------------|-----------------|---------------------------------------|
| Document Title | Document Number | Expiration Date (if any) (mm/dd/yyyy) |
|----------------|-----------------|---------------------------------------|

I attest, under penalty of perjury, that to the best of my knowledge, this employee is authorized to work in the United States, and if the employee presented document(s), the document(s) I have examined appear to be genuine and to relate to the individual.

|                                                    |                           |                                               |
|----------------------------------------------------|---------------------------|-----------------------------------------------|
| Signature of Employer or Authorized Representative | Today's Date (mm/dd/yyyy) | Name of Employer or Authorized Representative |
|----------------------------------------------------|---------------------------|-----------------------------------------------|



# We the People

... the United States,  
... form a more perfect Union,  
... establish Justice, insure domestic Tranquility,  
... provide for the common defence,  
... promote the general Welfare, and secure  
the blessings of Liberty to ourselves and  
our Posterity, do ordain and establish this  
Constitution for the United States of America.



*David Smith Hoggan*

SIGNATURE OF BEARER / SIGNATURE DU TITULAIRE / FIRMA DEL TITULAR

3

# Form W-4 (2019)

**Future developments.** For the latest information about any future developments related to Form W-4, such as legislation enacted after it was published, go to [www.irs.gov/FormW4](http://www.irs.gov/FormW4).

**Purpose.** Complete Form W-4 so that your employer can withhold the correct federal income tax from your pay. Consider completing a new Form W-4 each year and when your personal or financial situation changes.

**Exemption from withholding.** You may claim exemption from withholding for 2019 if **both** of the following apply:

- For 2018 you had a right to a refund of all federal income tax withheld because you had **no** tax liability, **and**
- For 2019 you expect a refund of all federal income tax withheld because you expect to have **no** tax liability.

If you're exempt, complete **only** lines 1, 2, 3, 4, and 7 and sign the form to validate it. Your exemption for 2019 expires February 17, 2020. See Pub. 505, Tax Withholding and Estimated Tax, to learn more about whether you qualify for exemption from withholding.

## General Instructions

If you aren't exempt, follow the rest of these instructions to determine the number of withholding allowances you should claim for withholding for 2019 and any additional amount of tax to have withheld. For regular wages, withholding must be based on allowances you claimed and may not be a flat amount or percentage of wages.

You can also use the calculator at [www.irs.gov/W4App](http://www.irs.gov/W4App) to determine your tax withholding more accurately. Consider

using this calculator if you have a more complicated tax situation, such as if you have a working spouse, more than one job, or a large amount of nonwage income not subject to withholding outside of your job. After your Form W-4 takes effect, you can also use this calculator to see how the amount of tax you're having withheld compares to your projected total tax for 2019. If you use the calculator, you don't need to complete any of the worksheets for Form W-4.

Note that if you have too much tax withheld, you will receive a refund when you file your tax return. If you have too little tax withheld, you will owe tax when you file your tax return, and you might owe a penalty.

**Filers with multiple jobs or working spouses.** If you have more than one job at a time, or if you're married filing jointly and your spouse is also working, read all of the instructions including the instructions for the Two-Earners/Multiple Jobs Worksheet before beginning.

**Nonwage income.** If you have a large amount of nonwage income not subject to withholding, such as interest or dividends, consider making estimated tax payments using Form 1040-ES, Estimated Tax for Individuals. Otherwise, you might owe additional tax. Or, you can use the Deductions, Adjustments, and Additional Income Worksheet on page 3 or the calculator at [www.irs.gov/W4App](http://www.irs.gov/W4App) to make sure you have enough tax withheld from your paycheck. If you have pension or annuity income, see Pub. 505 or use the calculator at [www.irs.gov/W4App](http://www.irs.gov/W4App) to find out if you should adjust your withholding on Form W-4 or W-4P.

**Nonresident alien.** If you're a nonresident alien, see Notice 1392, Supplemental Form W-4 Instructions for Nonresident Aliens, before completing this form.

## Specific Instructions

### Personal Allowances Worksheet

Complete this worksheet on page 3 first to determine the number of withholding allowances to claim.

#### Line C. Head of household please note:

Generally, you may claim head of household filing status on your tax return only if you're unmarried and pay more than 50% of the costs of keeping up a home for yourself and a qualifying individual. See Pub. 501 for more information about filing status.

**Line E. Child tax credit.** When you file your tax return, you may be eligible to claim a child tax credit for each of your eligible children. To qualify, the child must be under age 17 as of December 31, must be your dependent who lives with you for more than half the year, and must have a valid social security number. To learn more about this credit, see Pub. 972, Child Tax Credit. To reduce the tax withheld from your pay by taking this credit into account, follow the instructions on line E of the worksheet. On the worksheet you will be asked about your total income. For this purpose, total income includes all of your wages and other income, including income earned by a spouse if you are filing a joint return.

#### Line F. Credit for other dependents.

When you file your tax return, you may be eligible to claim a credit for other dependents for whom a child tax credit can't be claimed, such as a qualifying child who doesn't meet the age or social security number requirement for the child tax credit, or a qualifying relative. To learn more about this credit, see Pub. 972. To reduce the tax withheld from your pay by taking this credit into account, follow the instructions on line F of the worksheet. On the worksheet, you will be asked about your total income. For this purpose, total

**FEDERAL**

----- Separate here and give Form W-4 to your employer. Keep the worksheet(s) for your records. -----

|                                                                                                                                                                                                                                                                                                                                                                                                                       |  |                                                                                                                                                                                                                                                 |  |                                             |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|---------------------------------------------|
| <b>Form W-4</b><br>Department of the Treasury<br>Internal Revenue Service                                                                                                                                                                                                                                                                                                                                             |  | <b>Employee's Withholding Allowance Certificate</b>                                                                                                                                                                                             |  | OMB No. 1545-0074                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                       |  | ▶ Whether you're entitled to claim a certain number of allowances or exemption from withholding is subject to review by the IRS. Your employer may be required to send a copy of this form to the IRS.                                          |  | <b>2019</b>                                 |
| 1 Your first name and middle initial<br><b>DAVID S.</b>                                                                                                                                                                                                                                                                                                                                                               |  | Last name<br><b>HUGG</b>                                                                                                                                                                                                                        |  | 2 Your social security number<br>[REDACTED] |
| Home address (number and street or rural route)<br>[REDACTED]                                                                                                                                                                                                                                                                                                                                                         |  | 3 <input type="checkbox"/> Single <input checked="" type="checkbox"/> Married <input type="checkbox"/> Married, but withhold at higher Single rate.<br>Note: If married filing separately, check "Married, but withhold at higher Single rate." |  |                                             |
| City or town, state, and ZIP code<br>[REDACTED]                                                                                                                                                                                                                                                                                                                                                                       |  | 4 If your last name differs from that shown on your social security card, check here. You must call 800-772-1213 for a replacement card. <input type="checkbox"/>                                                                               |  |                                             |
| 5 Total number of allowances you're claiming (from the applicable worksheet on the following pages) . . . . .                                                                                                                                                                                                                                                                                                         |  |                                                                                                                                                                                                                                                 |  | 5                                           |
| 6 Additional amount, if any, you want withheld from each paycheck . . . . .                                                                                                                                                                                                                                                                                                                                           |  |                                                                                                                                                                                                                                                 |  | 6 \$ [REDACTED]                             |
| 7 I claim exemption from withholding for 2019, and I certify that I meet both of the following conditions for exemption.<br>• Last year I had a right to a refund of all federal income tax withheld because I had no tax liability, and<br>• This year I expect a refund of all federal income tax withheld because I expect to have no tax liability.<br>If you meet both conditions, write "Exempt" here . . . . . |  |                                                                                                                                                                                                                                                 |  | 7                                           |
| Under penalties of perjury, I declare that I have examined this certificate and, to the best of my knowledge and belief, it is true, correct, and complete.                                                                                                                                                                                                                                                           |  |                                                                                                                                                                                                                                                 |  |                                             |
| Employee's signature<br>(This form is not valid unless you sign it.)<br><i>[Signature]</i>                                                                                                                                                                                                                                                                                                                            |  | Date ▶                                                                                                                                                                                                                                          |  | <b>6/3/19</b>                               |
| 8 Employer's name and address (Employer: Complete boxes 8 and 10 if sending to IRS and complete boxes 8, 9, and 10 if sending to State Directory of New Hires.)                                                                                                                                                                                                                                                       |  | 9 First date of employment                                                                                                                                                                                                                      |  | 10 Employer identification number (EIN)     |



## Form W-4 (2019)

**Future developments.** For the latest information about any future developments related to Form W-4, such as legislation enacted after it was published, go to [www.irs.gov/FormW4](http://www.irs.gov/FormW4).

**Purpose.** Complete Form W-4 so that your employer can withhold the correct federal income tax from your pay. Consider completing a new Form W-4 each year and when your personal or financial situation changes.

**Exemption from withholding.** You may claim exemption from withholding for 2019 if **both** of the following apply.

- For 2018 you had a right to a refund of all federal income tax withheld because you had **no** tax liability, and

- For 2019 you expect a refund of all federal income tax withheld because you expect to have **no** tax liability.

If you're exempt, complete **only** lines 1, 2, 3, 4, and 7 and sign the form to validate it. Your exemption for 2019 expires February 17, 2020. See Pub. 505, Tax Withholding and Estimated Tax, to learn more about whether you qualify for exemption from withholding.

### General Instructions

If you aren't exempt, follow the rest of these instructions to determine the number of withholding allowances you should claim for withholding for 2019 and any additional amount of tax to have withheld. For regular wages, withholding must be based on allowances you claimed and may not be a flat amount or percentage of wages.

You can also use the calculator at [www.irs.gov/W4App](http://www.irs.gov/W4App) to determine your tax withholding more accurately. Consider

using this calculator if you have a more complicated tax situation, such as if you have a working spouse, more than one job, or a large amount of nonwage income not subject to withholding outside of your job. After your Form W-4 takes effect, you can also use this calculator to see how the amount of tax you're having withheld compares to your projected total tax for 2019. If you use the calculator, you don't need to complete any of the worksheets for Form W-4.

Note that if you have too much tax withheld, you will receive a refund when you file your tax return. If you have too little tax withheld, you will owe tax when you file your tax return, and you might owe a penalty.

**Filers with multiple jobs or working spouses.** If you have more than one job at a time, or if you're married filing jointly and your spouse is also working, read all of the instructions including the instructions for the Two-Earners/Multiple Jobs Worksheet before beginning.

**Nonwage income.** If you have a large amount of nonwage income not subject to withholding, such as interest or dividends, consider making estimated tax payments using Form 1040-ES, Estimated Tax for Individuals. Otherwise, you might owe additional tax. Or, you can use the Deductions, Adjustments, and Additional Income Worksheet on page 3 or the calculator at [www.irs.gov/W4App](http://www.irs.gov/W4App) to make sure you have enough tax withheld from your paycheck. If you have pension or annuity income, see Pub. 505 or use the calculator at [www.irs.gov/W4App](http://www.irs.gov/W4App) to find out if you should adjust your withholding on Form W-4 or W-4P.

**Nonresident alien.** If you're a nonresident alien, see Notice 1392, Supplemental Form W-4 Instructions for Nonresident Aliens, before completing this form.

### Specific Instructions

#### Personal Allowances Worksheet

Complete this worksheet on page 3 first to determine the number of withholding allowances to claim.

#### Line C. Head of household please note:

Generally, you may claim head of household filing status on your tax return only if you're unmarried and pay more than 50% of the costs of keeping up a home for yourself and a qualifying individual. See Pub. 501 for more information about filing status.

**Line E. Child tax credit.** When you file your tax return, you may be eligible to claim a child tax credit for each of your eligible children. To qualify, the child must be under age 17 as of December 31, must be your dependent who lives with you for more than half the year, and must have a valid social security number. To learn more about this credit, see Pub. 972, Child Tax Credit. To reduce the tax withheld from your pay by taking this credit into account, follow the instructions on line E of the worksheet. On the worksheet you will be asked about your total income. For this purpose, total income includes all of your wages and other income, including income earned by a spouse if you are filing a joint return.

**Line F. Credit for other dependents.** When you file your tax return, you may be eligible to claim a credit for other dependents for whom a child tax credit can't be claimed, such as a qualifying child who doesn't meet the age or social security number requirement for the child tax credit, or a qualifying relative. To learn more about this credit, see Pub. 972. To reduce the tax withheld from your pay by taking this credit into account, follow the instructions on line F of the worksheet. On the worksheet, you will be asked about your total income. For this purpose, total

**STATE**

Separate here and give Form W-4 to your employer. Keep the worksheet(s) for your records.

|                                                                                                                                                                                                                                                                                                                                                                                                                                                          |  |                                                                                                                                                                                                                                      |  |                                             |  |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|---------------------------------------------|--|
| <b>Form W-4</b><br>Department of the Treasury<br>Internal Revenue Service                                                                                                                                                                                                                                                                                                                                                                                |  | <b>Employee's Withholding Allowance Certificate</b>                                                                                                                                                                                  |  | OMB No. 1545-0074                           |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                          |  | ▶ Whether you're entitled to claim a certain number of allowances or exemption from withholding is subject to review by the IRS. Your employer may be required to send a copy of this form to the IRS.                               |  | <b>2019</b>                                 |  |
| 1 Your first name and middle initial<br><b>DAVID S.</b>                                                                                                                                                                                                                                                                                                                                                                                                  |  | Last name<br><b>HUGG</b>                                                                                                                                                                                                             |  | 2 Your social security number<br>[REDACTED] |  |
| Home address (number and street or rural route)<br>[REDACTED]                                                                                                                                                                                                                                                                                                                                                                                            |  | 3 <input type="checkbox"/> Single <input type="checkbox"/> Married <input type="checkbox"/> Married, but withhold at higher Single rate.<br>Note: If married filing separately, check "Married, but withhold at higher Single rate." |  |                                             |  |
| City or town, state, and ZIP code<br>[REDACTED]                                                                                                                                                                                                                                                                                                                                                                                                          |  | 4 If your last name differs from that shown on your social security card, check here. You must call 800-772-1213 for a replacement card. <input type="checkbox"/>                                                                    |  |                                             |  |
| 5 Total number of allowances you're claiming (from the applicable worksheet on the following pages) . . . . .                                                                                                                                                                                                                                                                                                                                            |  | 5                                                                                                                                                                                                                                    |  |                                             |  |
| 6 Additional amount, if any, you want withheld from each paycheck . . . . .                                                                                                                                                                                                                                                                                                                                                                              |  | 6                                                                                                                                                                                                                                    |  |                                             |  |
| 7 I claim exemption from withholding for 2019, and I certify that I meet <b>both</b> of the following conditions for exemption.<br>• Last year I had a right to a refund of <b>all</b> federal income tax withheld because I had <b>no</b> tax liability, and<br>• This year I expect a refund of <b>all</b> federal income tax withheld because I expect to have <b>no</b> tax liability.<br>If you meet both conditions, write "Exempt" here . . . . . |  | 7                                                                                                                                                                                                                                    |  |                                             |  |
| Under penalties of perjury, I declare that I have examined this certificate and, to the best of my knowledge and belief, it is true, correct, and complete.                                                                                                                                                                                                                                                                                              |  |                                                                                                                                                                                                                                      |  |                                             |  |
| Employee's signature<br>(This form is not valid unless you sign it.) <b>[Signature]</b>                                                                                                                                                                                                                                                                                                                                                                  |  |                                                                                                                                                                                                                                      |  |                                             |  |
| 8 Employer's name and address (Employer: Complete boxes 8 and 9 if sending to IRS and complete boxes 8, 9, and 10 if sending to State Directory of New Hires.)                                                                                                                                                                                                                                                                                           |  |                                                                                                                                                                                                                                      |  | Date <b>6/3/19</b>                          |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                          |  |                                                                                                                                                                                                                                      |  | 9 First date of employment                  |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                          |  |                                                                                                                                                                                                                                      |  | 10 Employer identification number (EIN)     |  |



Finance Department-Payroll Office

I hereby authorize and request the City of Dover, hereinafter called CITY, to make payment of any amounts owing to me for my wages by initiating credit entries to my account indicated below in the financial institution named below, hereinafter called BANK, and I authorize and request BANK to accept any credit entries initiated by CITY to such account and to credit the same to such account without responsibility for the correctness thereof.

Employee ID#

(302) 736-7196 w

Telephone Number

3 THE PLAZA, DOVER

(302) 735-3117

Bank Telephone

- Ensuring that the information is correct.
- Collecting overpayments from the receiver, if I do not change or stop the direct deposit.
- Reviewing my payroll statement to ensure the direct deposit stops, starts or changes.

Employee Signature

Date \_\_\_\_\_



# Form W-4 (2017)

**Purpose.** Complete Form W-4 so that your employer can withhold the correct federal income tax from your pay. Consider completing a new Form W-4 each year and when your personal or financial situation changes.

**Exemption from withholding.** If you are exempt, complete only lines 1, 2, 3, 4, and 7 and sign the form to validate it. Your exemption for 2017 expires February 15, 2018. See Pub. 505, Tax Withholding and Estimated Tax.

**Note:** If another person can claim you as a dependent on his or her tax return, you can't claim exemption from withholding if your total income exceeds \$1,050 and includes more than \$350 of unearned income (for example, interest and dividends).

**Exceptions.** An employee may be able to claim exemption from withholding even if the employee is a dependent, if the employee:

- Is age 65 or older,
- Is blind, or
- Will claim adjustments to income; tax credits; or itemized deductions, on his or her tax return.

The exceptions don't apply to supplemental wages greater than \$1,000,000.

**Basic instructions.** If you aren't exempt, complete the **Personal Allowances Worksheet** below. The worksheets on page 2 further adjust your withholding allowances based on itemized deductions, certain credits, adjustments to income, or two-earners/multiple jobs situations.

Complete all worksheets that apply. However, you may claim fewer (or zero) allowances. For regular wages, withholding must be based on allowances you claimed and may not be a flat amount or percentage of wages.

**Head of household.** Generally, you can claim head of household filing status on your tax return only if you are unmarried and pay more than 50% of the costs of keeping up a home for yourself and your dependent(s) or other qualifying individuals. See Pub. 501, Exemptions, Standard Deduction, and Filing Information, for information.

**Tax credits.** You can take projected tax credits into account in figuring your allowable number of withholding allowances. Credits for child or dependent care expenses and the child tax credit may be claimed using the **Personal Allowances Worksheet** below. See Pub. 505 for information on converting your other credits into withholding allowances.

**Nonwage income.** If you have a large amount of nonwage income, such as interest or dividends, consider making estimated tax payments using Form 1040-ES, Estimated Tax for Individuals. Otherwise, you may owe additional tax. If you have pension or annuity income, see Pub. 505 to find out if you should adjust your withholding on Form W-4 or W-4P.

**Two earners or multiple jobs.** If you have a working spouse or more than one job, figure the total number of allowances you are entitled to claim on all jobs using worksheets from only one Form W-4. Your withholding usually will be most accurate when all allowances are claimed on the Form W-4 for the highest paying job and zero allowances are claimed on the others. See Pub. 505 for details.

**Nonresident alien.** If you are a nonresident alien, see Notice 1392, Supplemental Form W-4 Instructions for Nonresident Aliens, before completing this form.

**Check your withholding.** After your Form W-4 takes effect, use Pub. 505 to see how the amount you are having withheld compares to your projected total tax for 2017. See Pub. 505, especially if your earnings exceed \$130,000 (Single) or \$180,000 (Married).

**Future developments.** Information about any future developments affecting Form W-4 (such as legislation enacted after we release it) will be posted at [www.irs.gov/w4](http://www.irs.gov/w4).

## Personal Allowances Worksheet (Keep for your records.)

|   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |   |   |
|---|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|
| A | Enter "1" for yourself if no one else can claim you as a dependent.                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | A | 1 |
| B | Enter "1" if: <ul style="list-style-type: none"><li>• You're single and have only one job; or</li><li>• You're married, have only one job, and your spouse doesn't work; or</li><li>• Your wages from a second job or your spouse's wages (or the total of both) are \$1,500 or less.</li></ul>                                                                                                                                                                                                                                                   | B |   |
| C | Enter "1" for your spouse. But, you may choose to enter "-0-" if you are married and have either a working spouse or more than one job. (Entering "-0-" may help you avoid having too little tax withheld.)                                                                                                                                                                                                                                                                                                                                       | C | 0 |
| D | Enter number of dependents (other than your spouse or yourself) you will claim on your tax return.                                                                                                                                                                                                                                                                                                                                                                                                                                                | D |   |
| E | Enter "1" if you will file as head of household on your tax return (see conditions under Head of household above)                                                                                                                                                                                                                                                                                                                                                                                                                                 | E |   |
| F | Enter "1" if you have at least \$2,000 of child or dependent care expenses for which you plan to claim a credit (Note: Do not include child support payments. See Pub. 503, Child and Dependent Care Expenses, for details.)                                                                                                                                                                                                                                                                                                                      | F |   |
| G | <b>Child Tax Credit</b> (Including additional child tax credit). See Pub. 972, Child Tax Credit, for more information. <ul style="list-style-type: none"><li>• If your total income will be less than \$70,000 (\$100,000 if married), enter "2" for each eligible child; then less "1" if you have two to four eligible children or less "2" if you have five or more eligible children.</li><li>• If your total income will be between \$70,000 and \$84,000 (\$100,000 and \$119,000 if married), enter "1" for each eligible child.</li></ul> | G |   |
| H | Add lines A through G and enter total here. (Note: This may be different from the number of exemptions you claim on your tax return.)                                                                                                                                                                                                                                                                                                                                                                                                             | H |   |

For accuracy, complete all worksheets that apply.

- If you plan to itemize or claim adjustments to income and want to reduce your withholding, see the **Deductions and Adjustments Worksheet** on page 2.
- If you are single and have more than one job or are married and you and your spouse both work and the combined earnings from all jobs exceed \$50,000 (\$20,000 if married), see the **Two-Earners/Multiple Jobs Worksheet** on page 2.
- If neither of the above situations applies, stop here and enter the number from line H on line 5 of Form W-4 below.

Separate here and give Form W-4 to your employer. Keep the top part for your records.

|                                                                                                                                                                                                                                                                                                                                                                                                                                                             |  |                                                                                                                                                                                                                                                           |  |                                             |    |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|---------------------------------------------|----|
| <b>Form W-4</b><br>Department of the Treasury<br>Internal Revenue Service                                                                                                                                                                                                                                                                                                                                                                                   |  | <b>Employee's Withholding Allowance Certificate</b>                                                                                                                                                                                                       |  | OMB No. 1545-0074<br><b>2017</b>            |    |
| Whether you are entitled to claim a certain number of allowances or exemption from withholding is subject to review by the IRS. Your employer may be required to send a copy of this form to the IRS.                                                                                                                                                                                                                                                       |  |                                                                                                                                                                                                                                                           |  |                                             |    |
| 1 Your first name and middle initial<br><b>DAVID S.</b>                                                                                                                                                                                                                                                                                                                                                                                                     |  | Last name<br><b>HUGG</b>                                                                                                                                                                                                                                  |  | 2 Your social security number<br>[REDACTED] |    |
| Home address (number and street or rural route)<br>[REDACTED]                                                                                                                                                                                                                                                                                                                                                                                               |  | 3 <input type="checkbox"/> Single <input checked="" type="checkbox"/> Married <input type="checkbox"/> Married, but withheld at higher Single rate.<br>Note: If married, but legally separated, or spouse is a nonresident alien, check the "Single" box. |  |                                             |    |
| City or town, state, and ZIP code<br>[REDACTED]                                                                                                                                                                                                                                                                                                                                                                                                             |  | 4 If your last name differs from that shown on your social security card, check here. You must call 1-800-772-1213 for a replacement card. <input type="checkbox"/>                                                                                       |  |                                             |    |
| 5 Total number of allowances you are claiming (from line H above or from the applicable worksheet on page 2)                                                                                                                                                                                                                                                                                                                                                |  |                                                                                                                                                                                                                                                           |  | 5                                           | 1  |
| 6 Additional amount, if any, you want withheld from each paycheck                                                                                                                                                                                                                                                                                                                                                                                           |  |                                                                                                                                                                                                                                                           |  | 6                                           | \$ |
| 7 I claim exemption from withholding for 2017, and I certify that I meet both of the following conditions for exemption. <ul style="list-style-type: none"><li>• Last year I had a right to a refund of all federal income tax withheld because I had no tax liability, and</li><li>• This year I expect a refund of all federal income tax withheld because I expect to have no tax liability.</li></ul> If you meet both conditions, write "Exempt" here. |  |                                                                                                                                                                                                                                                           |  |                                             |    |
| Under penalties of perjury, I declare that I have examined this certificate and, to the best of my knowledge and belief, it is true, correct, and complete.                                                                                                                                                                                                                                                                                                 |  |                                                                                                                                                                                                                                                           |  |                                             |    |
| Employee's signature<br>(This form is not valid unless you sign it.)<br><i>[Signature]</i>                                                                                                                                                                                                                                                                                                                                                                  |  |                                                                                                                                                                                                                                                           |  | Date<br><b>7/25/17</b>                      |    |
| 8 Employer's name and address (Employer: Complete lines 8 and 10 only if sending to the IRS.)                                                                                                                                                                                                                                                                                                                                                               |  |                                                                                                                                                                                                                                                           |  | 9 Office code (optional)                    |    |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                             |  |                                                                                                                                                                                                                                                           |  | 10 Employer identification number (EIN)     |    |

# The City of Dover

Finance Department-Payroll Office

## EMPLOYEE AUTHORIZATION FOR AUTOMATIC PAYROLL DEPOSITS

I hereby authorize and request the City of Dover, hereinafter called CITY, to make payment of any amounts owing to me for my wages by initiating credit entries to my account indicated below in the financial institution named below, hereinafter called BANK, and I authorize and request BANK to accept any credit entries initiated by CITY to such account and to credit the same to such account without responsibility for the correctness thereof.

Please print clearly!

Employee ID#

DAVID S. HUGG <sup>TU</sup>

Name

Telephone Number

(1) DEL-ONE FEDERAL CU, DOVER, DE

Bank Name

Bank Address

Bank Telephone

- Ensuring that the information is correct.
- Collecting overpayments from the receiver, if I do not change or stop the direct deposit.
- Reviewing my payroll statement to ensure the direct deposit stops, starts or changes.

I also understand that any problems once the allotment is delivered to the receiver are beyond the control of the City of Dover and that the City of Dover Payroll office is only responsible for ensuring proper delivery to the Bank and account number I have listed above.

Employee Signature

Date

7/28/17





## EEOC INFORMATION FORM

NAME: DAVID S. HUGG III

SOCIAL SECURITY # [REDACTED]



MALE



FEMALE

DEPARTMENT: PLANNING & INSPECTION

POSITION: CITY PLANNER/DIRECTOR

### HOW WOULD YOU DESCRIBE YOURSELF?

(Choose one or more from the following)



AMERICAN INDIAN OR ALASKAN NATIVE

*All persons having origins in any of the original peoples of North America, and who maintain cultural identification through tribal affiliation or community recognition.*



ASIAN or PACIFIC ISLANDER

*All persons having origins in any of the original peoples of the Far East, Southeast Asia, the Indian Subcontinent, or the Pacific Islands. This area includes, for example, China, India, Japan, Korea, the Philippine Islands, and Samoa.*



BLACK OR AFRICAN AMERICAN (not of Hispanic Origin)

*A person having origins in any of the Black racial groups of Africa includes Caribbean Islanders and other of African origin.*



HISPANIC

*All persons of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race.*



WHITE (not of Hispanic Origin)

*All persons having origins in any of the original peoples of Europe, North Africa, or the Middle East.*



Human Resources Department  
**Veteran Status Form**

Have you served in the US Armed Forces ☐ YES ☒ NO

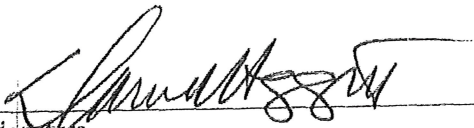
If yes, are you currently ☐ Active ☐ Retired

Please list Branch, Service Years, Final Rank & Reserve Status below:

|                 |         |
|-----------------|---------|
| Branch:         |         |
| Service Years:  | From To |
| Final Rank:     |         |
| Reserve Status: |         |

List deployments:

|  |
|--|
|  |
|--|

  
Signature

7/25/17  
Date

For Human Resources Use Only:

Received by: \_\_\_\_\_

Date: \_\_\_\_\_

City of



Dover

**STATE ISSUED Sexual Harassment Notice  
Acknowledgment Form**

By signing this form, I acknowledge that I have received and read the State of Delaware's Sexual Harassment Notice from the Human Resources Department.

DAVID S. ALLEN JR.

Employee Name

*[Handwritten Signature]*

Employee Signature

PEI

Department

12/17/18

Date

*Please return the signed form to the Human Resources Department.*



## PERSONNEL POLICY (EMPLOYEE HANDBOOK) UPDATES

### ACKNOWLEDGMENT FORM

By signing this form, I acknowledge that I have received the following City of Dover, Personnel Policy (Employee Handbook) Updates from the Human Resources Department.

#### Article VII. Ethical Conduct

*REVISED: Section 8. Social Networking: Personal Online/Internet Content Policy*

DAVID S. HUGGINS  
Employee Name

[Signature]  
Employee Signature

PLANNING, INSPECTIONS & COMMUNITY  
Department DEVELOPMENT

9/21/18  
Date

*Please return the signed form to the Human Resources Department.*

IN WITNESS, WHEREOF, the parties hereto have executed this Agreement  
each signature.

PROFESSIONAL  
Hugg Consulting LLC

City of Dover

By: [Signature]  
Title: Principal  
Date: 3/31/17

By: [Signature]  
Title: Acting City Clerk  
Attest: [Signature]  
Date: March 31, 2017



The PROFESSIONAL is an independent contractor and as such will be responsible for paying its own Federal income tax and self-employment tax and any other taxes applicable to the compensation paid under this Agreement. The PROFESSIONAL is not a covered employee of the CITY and not entitled to any compensation for over-time or and other benefits provided to a covered employee.

#### **Section 9. Assignment**

Neither party shall have the power to assign any of the duties or rights or any claim arising out of or related to this Agreement, whether arising in tort, contract or otherwise, without the written consent of the other party.

#### **Section 10. No Third-Party Beneficiaries**

This Agreement gives no rights or benefits to anyone other than the PROFESSIONAL and the CITY.

#### **Section 11. Jurisdiction**

The laws of the State of Delaware shall govern the validity of this agreement, its interpretation and performance, and any claims related to it. In the event of any litigation arising under or construing this Agreement, venue shall lie only in Kent County, Delaware.

#### **Section 12. Term and Termination**

All services to be rendered by the PROFESSIONAL shall be completed on or before September 30, 2017. The term of this Agreement shall be for an initial term of six months (26 weeks) with the option to be extended for up to an additional six months, at the mutual consent of the parties. All or part of this Agreement may be terminated by the CITY for its convenience on fifteen days (15) written notice to the PROFESSIONAL. In such event, the PROFESSIONAL will be entitled to compensation for services competently performed up to the date of termination.

#### **Section 13. Notice**

Any notices to either party shall be in writing and delivered by first class mail to the designated recipient below:

Donna S. Mitchell  
Acting City Manager  
15 East Loockerman Street  
P.O. Box 475  
Dover, DE 19903-0475

David S. Hugg III  
Hugg Consulting LLC  
125 W. South Street  
Smyrna, DE 19977

#### **Section 14. Miscellaneous terms**

- This agreement shall only be amended in writing and signed by both parties
- If any provision shall be deemed to conflict with any rule, regulation or law, then that part shall be severable and the remainder shall remain in full force and effect. The conflicting provision shall be modified to conform as necessary.
- Both parties agree to assist one another in the furtherance of this agreement.

ensure that resources to meet such requirements will be made available monthly, unless both parties agree otherwise. This agreement recognizes that the PROFESSIONAL will have limited availability during the month of April, 2017, due to prior commitments.

#### **Section 2. Indemnification**

The PROFESSIONAL agrees to indemnify the CITY from any claims, damages and costs arising out of claims by third parties for property and bodily injury, including but not limited to, death, caused solely by the negligence or willful misconduct of the PROFESSIONAL.

#### **Section 3. Codes, Laws and Regulations**

The PROFESSIONAL will comply with all applicable codes, laws, regulations, standards and ordinances in force during the term of this Agreement.

#### **Section 4. Permits, Licenses and Fees.**

The PROFESSIONAL will obtain and pay for all permits and licenses required by law that are associated with PROFESSIONAL's performance under this Agreement.

#### **Section 5. Payment**

The CITY will compensate the PROFESSIONAL at the rate of seventy-five dollars (\$75.00) per hour for the services provided, for mileage at the CITY's current rate for travel on behalf of the CITY, and for other reasonable expenses as approved by the Acting City Manager. The PROFESSIONAL will submit monthly billings on or about the last business day of each month to the Controller/Treasurer. The CITY shall pay the PROFESSIONAL in a timely manner, but not more than 5 working days of receipt of the monthly billing.

#### **Section 6. Ownership of materials and documents**

All data, specifications, calculations, estimates, plans, drawings, construction documents, photographs, summaries, reports, memoranda, and other documents, instruments, information and material prepared or accumulated by the PROFESSIONAL in rendering services hereunder shall be the sole property of the CITY. All original documents shall be permanently kept on file at the office of the CITY.

#### **Section 7. Confidentiality**

The PROFESSIONAL understands that it may be privy to private information as a condition of this Agreement. As a contractor of the CITY, it is required to protect against unauthorized access to such information, ensure the security and privacy such information, and disclose any anticipated threats or hazards that may compromise the confidentiality of such information. The PROFESSIONAL shall not release this information to the public, including but not limited to those who have not been authorized or who do not have a legitimate business or need to know.

#### **Section 8. Independent Contractor**

**AN AGREEMENT  
FOR PROVISION OF PROFESSIONAL SERVICES**

THIS AGREEMENT is made as of the 31<sup>st</sup> day of March, in the year 2017, between the City of Dover, a Delaware Municipal Corporation, whose address is 15 East Lockerman Street, P.O. Box 475, Dover, Delaware 19903-0475 (hereinafter referred to as the CITY) and David S. Hugg III, dba as Hugg Consulting LLC, whose address is 125 W. South Street, Smyrna, Delaware 19977 (hereinafter referred to as the PROFESSIONAL).

NOW, THEREFORE, in consideration of the mutual benefits accruing to the parties to this Agreement, and for other good and valuable considerations, the parties agree as follows:

**Section 1. Services**

The PROFESSIONAL will provide up to 780 hours of consulting services over a period of 26 weeks, beginning on April 1, 2017 and ending on or before September 30, 2017. The number of hours or ending date may be modified on the agreement of both parties, increasing the number of hours or extending the ending date. During term of this agreement, the PROFESSIONAL shall perform the following services: consulting services for the Department of Planning & Community Development, to include but not limited to the following:

- Local comprehensive planning and development management
- Coordination and consensus building
- Economic development planning and implementation
- Recruitment, retention, promotion and marketing
- Main street and downtown business assistance
- Policy analysis, assessment and development
- Legislation development, assessment, coordination and representation
- Enterprise program planning and management
- General government operations
- Grants analysis, development, application and management

It is understood that the PROFESSIONAL will be expected to attend regular and special meetings with the City of Dover Council, Planning Commission, Board of Adjustment, Historic District Commission, Economic Development Committee, Downtown Development District, and others as necessary; attendance at such meetings is billable time and will be submitted pursuant to Section 5 below. It is also understood that the PROFESSIONAL will carry out those functions and duties assigned to the Department by City Code or organizational structure, including planning, building and inspections, parks and recreation, and fire prevention.

The PROFESSIONAL may decline to offer services in any of these areas if, after consultation with the Acting City Manager, in its judgment, it does not have the resources or capacity to deliver a timely or appropriate product or the request is outside the expectations of the City as related to the interim appointment.

This agreement provides for a minimum level of services provided monthly which the City may reasonably expect and which it may, in its sole discretion, request. The PROFESSIONAL obligates to

## PERSONNEL ACTION FORM

Action Type

Reason for Action

### Employee Information

Employee No.  Date of Hire:   
First Name  Last Name   
Home Address   
Address (Line 2)   
City  State   
ZIP Code   
Date of Birth  Gender   
Ethnicity  Race

### Current Position Information

Effective Date  Status   
Current Position  Bargaining Unit   
Department  Select One: ☐ Exempt ☒ Non-Exempt  
Hourly Rate  Yearly Salary   
Grade/Step:   
Account #:  EEO Category   
COLA/Longevity

### Proposed Position Information

Effective Date  Status   
Proposed Position  Bargaining Unit   
Department  Select One: ☐ Exempt ☒ Non-Exempt  
Hourly Rate  Yearly Salary:   
Grade/Step:   
Account #:  EEO Category   
COLA/Longevity

Date Prepared by HR

COMMENTS:

As approved by City Council on February 10, 2022. See Attached

DEPT HEAD:

HUMAN RESOURCES  
REP:

CITY MANAGER :

Approval Date:

Please complete and return to the Human Resources Department



effective  
2/11/2022

\$ 72.12/hr  
\$150,009.60/  
Council

## **SPECIAL CITY COUNCIL MEETING**

A Special City Council Meeting was held on February 10, 2022 at 5:28 p.m. with Council President Sudler presiding. Members present were Mr. Anderson, Mr. Boggerty, Mr. Neil, Mrs. Arndt, Mr. Rocha, and Mr. Taylor. Mayor Christiansen was also present. Mr. Hare and Dr. Pillsbury were absent.

Council staff members present were Mrs. Melson-Williams, Mr. Hugg and Ms. Bennett

### **ADOPTION OF AGENDA**

Mr. Rocha moved for adoption of the agenda, seconded by Mr. Neil and unanimously carried.

Mrs. Arndt moved to recess into Executive Session pursuant to 29 Del. C. § 10004(b)(6) - Discussion of the content of documents, excluded from the definition of "public record" in § 10002 of this title where such discussion may disclose the contents of such documents ( §10002(1)(1) - any personnel, medical or pupil file, the disclosure of which would constitute an invasion of personal privacy, under this legislation or under any State or federal law as it relates to personal privacy) and pursuant to 29 Del. C. § 10004 (b)(9) - Personnel matters in which the names, competency and abilities of individual employees are discussed, unless the employee requests that such a meeting be open. The motion was seconded by Mr. Taylor and unanimously carried.

The Special Council Meeting recessed into Executive Session at 5:29 p.m.

The Executive Session adjourned at 6:54 p.m.

### **ACTION RESULTING FROM THE EXECUTIVE SESSION**

During the Executive Session, members of Council discussed personnel matters related to the Interim City Manager and Interim City Planner positions.

#### **Appointment of City Manager**

During the Executive Session, members of Council discussed hiring Mr. Dave S. Hugg III as permanent City Manager starting at \$150,000 per year.

Mr. Neil moved to appoint Mr. Hugg as the City Manager effective immediately with a salary of \$150,000. The motion was seconded by Mr. Boggerty and unanimously carried.

Mr. Rocha made a motion to dissolve the City Manager Search Committee. The motion was seconded by Mr. Boggerty and unanimously carried.

#### **Appointment of Planning and Community Development Director**

During the Executive Session, members of Council discussed the position of Planning and Community Development Director with the Interim Director Dawn Melson-Williams.

Mr. Neil moved to keep Mrs. Dawn Melson-Williams as Interim Director of Planning and Community Development until the position has been filled. The motion was seconded by Mrs. Arndt and carried unanimously.



**Mr. Anderson moved to temporarily upgrade Mrs. Dawn Melson-Williams salary by ten percent until the position has been filled. The motion was seconded by Mr. Rocha and carried unanimously.**

**Mr. Neil moved for adjournment, seconded by Mrs. Arndt and unanimously carried.**

**The Special Council Meeting adjourned at 7:03 p.m.**

**ANDRIA L. BENNETT  
CITY CLERK-SELECT**

**All ordinances, resolutions, motions, and orders adopted by City Council during their Special Meeting of February 10, 2022 are hereby approved.**

**ROBIN R. CHRISTIANSEN  
MAYOR**

**/AB**

SAAGENDAS-MINUTES-PACKETS\Council-Minutes\2022\02-10-2022 SPECIAL COUNCIL MEETING - ES ACTION (PUBLIC) - Personnel Matters - RE.wpd

# PERSONNEL ACTION FORM

Action Type Temporary Upgrade

Reason for Action

## Employee Information

Employee No. 37961 Date of Hire: 07/24/2017  
First Name David Last Name Hugg  
Home Address   
Address (Line 2)   
City  State   
ZIP Code   
Date of Birth 12/12/1942 Gender Male  
Ethnicity Not Hispanic or Latino Race White

## Current Position Information

Effective Date 07/01/2021 Status Regular Full-Time  
Current Position Planning Director Bargaining Unit NON-BARGAINING  
Department Planning Select One: ☐ Exempt ☒ Non-Exempt  
Hourly Rate \$64.93 Yearly Salary \$135,054.40  
Grade/Step: 125  
Account #:  EEO Category Administrative Support  
COLA/Longevity

## Proposed Position Information

Effective Date 11/29/2021 Status Regular Full-Time  
Proposed Position Interim City Manager Bargaining Unit NON-BARGAINING  
Department City Manager's Office Select One: ☐ Exempt ☒ Non-Exempt  
Hourly Rate \$68.18 Yearly Salary: \$141,814.40  
Grade/Step: 136  
Account #:  EEO Category   
COLA/Longevity

12/03/2021

Date Prepared by HR

COMMENTS:

Temporary Upgrade due to acting as Interim City Manager for the last 30 days

DEPT HEAD:

HUMAN RESOURCES  
REP:

CITY MANAGER :

Approval Date:

Please complete and return to the Human Resources Department



**Ford, Hollie**

---

**From:** Hawkins, Kim  
**Sent:** Thursday, November 30, 2017 9:05 AM  
**To:** Ford, Hollie  
**Subject:** FW: Address Change

Can you please process.

Thanks

**From:** Hugg, Dave  
**Sent:** Thursday, November 30, 2017 8:58 AM  
**To:** Hawkins, Kim <KHawkins@doover.de.us>  
**Subject:** Address Change

Please change my permanent mailing address as indicated below:

FROM:

TO:

Thank



VENDOR# 9999999

JAMES R FRENCH

CITY OF DOVER

P.O. BOX 475  
DOVER, DE 19903-0475

CHECK # 0255939

DATE  
11/27/2017

P O

DESCRIPTION  
TRAVEL EXPENSE-INTERVIEWINVOICE  
REIMBURSEMENTAMOUNT  
288.64

DETACH AND KEEP THIS STATEMENT

TOTAL \$\*\*\*\*\*288.64

62-10/311

E.I. NO. 51-6000092  
DISBURSEMENT ACCOUNT

11/29/2017

CHECK  
NUMBER  
0255939WSFS Bank  
Wilmington, Delaware

City of



Dover

P.O. BOX 475 DOVER, DELAWARE 19903-0475

TWO HUNDRED EIGHTY EIGHT AND 64/100 DOLLARS \*\*\*\*\*

PAY TO 9999999

JAMES R FRENCH  
3472 BOSTON TOWNSHIP LINE ROAD  
RICHMOND IN 47374VOID AFTER 90 DAYS  
AMOUNT

\$\*\*\*\*\*288.64

  
CITY TREASURER





# MEMORANDUM

**RTD:** Sharon Daniel, Accounts Payable  
**FROM:** Hollie Ford, Human Resources Department  
**DATE:** November 27, 2017  
**RE:** Reimbursement of Travel Expenses - Electric Director Candidate

Attached please find receipts of travel expenses incurred by Electric Director candidate, James R. French.

Hotel (\$125.95); rental car (\$43.09) and flight (\$119.60) expenses equal \$288.64. Please charge this expense to Human Resources account number 110-3100-518.30-25.

The check is payable to:  
James R. French  
3472 Boston Township Line Road  
Richmond IN 47374

May I request that the check be returned to my attention. Kim has spoken to and received approval from Donna to issue a reimbursement check, so that we can have the check in hand before Mr. French arrives for his interview this coming Friday.

Please let me know if you have any questions or if you need any additional information.

Thank you.

*Hollie*

CITY OF DOVER  
**APPROVED**  
*Kim Hawkins* 11/27/17  
Signature Date  
Human Resources Department



Hawkins, Kim

---

From: James French <james.french8275@gmail.com>  
Sent: Monday, November 27, 2017 9:13 AM  
To: Hawkins, Kim  
Subject: Fwd: Travelocity travel confirmation - Nov 30 - (Itinerary # 7310047531376)

----- Forwarded message -----

From: Travelocity.com <[email@e.travelocity.com](mailto:email@e.travelocity.com)>  
Date: Thu, Nov 16, 2017 at 5:11 PM  
Subject: Travelocity travel confirmation - Nov 30 - (Itinerary # 7310047531376)  
To: [james.french8275@gmail.com](mailto:james.french8275@gmail.com)



Thanks!

Your reservation is booked and confirmed. There is no need to call us to reconfirm this reservation.

#### Flight to Philadelphia

Nov 30, 2017 - Dec 1, 2017

---

Because you booked a flight, you qualify for up to 54% off Philadelphia hotels.  
Expires Sun, November 26

[See hotels](#)

---

See live updates to your itinerary, anywhere and anytime.

**See your itinerary**

Or get the free app:



---

Before you go

- **E-ticket:** This email can be used as an E-ticket.
- Remember to bring your itinerary and government-issued photo and security.

☐ **Fare restrictions apply to this trip.**

Please review the rules and restrictions for each fare in the *A* section below.

- [United Basic Economy](#)

---

Flight overview



 **Departure** Thu, Nov 30

United 3621 operated by /REPUBLIC AIRLINES DBA UNITED EXPRESS

**Indianapolis (IND)**  
9:36am

→ **Chicago (ORD)**  
9:48am  
Terminal: 2

Fare type: Basic Economy  
Cabin: Economy / Coach (N)  
Included

- Bonus Miles

Fee applies

- Checked Bags

Not included

- Cancellation
- Seat Choice
- Changes
- Priority Boarding
- Carry On Bag
- Premium Seat

1h 12m duration

---

 1h 6m stop Chicago (ORD)

---

United 248

**Chicago (ORD)**  
10:54am  
Terminal: 1

→ **Philadelphia (PHL)**  
1:54pm  
Terminal: D

Fare type: Basic Economy  
Cabin: Economy / Coach (N)  
Included

- Bonus Miles

Fee applies

- Checked Bags

### Not included

- Cancellation
- Seat Choice
- Changes
- Priority Boarding
- Carry On Bag
- Premium Seat

2h duration

---

### Total Duration

4h 18m

---

✈ **Return** Fri, Dec 1

United 6319 operated by /MESA AIRLINES DBA UNITED EXPRESS

**Philadelphia (PHL)**

8:00pm

Terminal: D



**Washingt**

9:02pm

Fare type: Basic Economy

Cabin: Economy / Coach (N)

Included

---

⌚ 1h 3m stop Washington (IAD)

---

United 3855 operated by /AIR WISCONSIN DBA UNITED EXPRESS

**Washington (IAD)**  
10:05pm

→ **Indianapolis (IND)**  
11:56pm

**Fare type:** Basic Economy  
**Cabin:** Economy / Coach (N)  
**Included**

- Bonus Miles

**Fee applies**

- Checked Bags

**Not included**

- Cancellation
- Seat Choice
- Changes
- Priority Boarding
- Carry On Bag
- Premium Seat

1h 51m duration

---

**Total Duration**

3h 56m

---

**Traveler(s)**

**James R French**  
No frequent flyer details provided

Frequent flyer and special assistance requests should be confirmed directly with the airline.

---

## Price summary

Traveler 1 Adult \$119.60 Flight \$68.84 Taxes & Fees \$50.76

**Total \$119.60**

All prices are quoted in USD

---

## Additional information

### United Basic Economy Fare Rules

Restrictions include:

- No seat selection — seat is assigned prior to boarding <sup>1</sup>
- Carry-on bags are limited to one personal item that fits under the seat in front of you. Full size carry-on bags are not permitted <sup>2</sup>
- The applicable checked bag fee plus a gate handling service charge will apply to any carry-on bags that must be checked at the gate
- Voluntary ticket changes or refunds are not permitted except as stated in the United 24-hour flexible booking policy <sup>3</sup>
- MileagePlus program members will earn redeemable award miles; however they will not earn Premier qualifying credit (miles, segments, or dollars), lifetime miles, or contribution to four segment minimum
- Customers will not be eligible for Economy Plus® seating, paid upgrades or complimentary upgrades <sup>4</sup>
- Customers will board in the last boarding group <sup>2</sup>

1. Passengers acknowledge at the point of a multi-seat purchase that seating together is not guaranteed. Customers with disabilities, unaccompanied minors, customers with cabin-seat baggage and customers with other special service requests should call United Reservations for seat assignment.

2. Does not apply if the customer is a MileagePlus® Premier® member, primary cardmember of a qualifying MileagePlus credit card, or Star Alliance™ Gold member.

3. Restriction applies to all customers, including Premier members.

4. Restriction applies to all customers, including Premier members and those with Economy Plus subscriptions.



**Hawkins, Kim**

---

**From:** James French <james.french8275@gmail.com>  
**Sent:** Monday, November 27, 2017 9:12 AM  
**To:** Hawkins, Kim  
**Subject:** Fwd: Travelocity travel confirmation - Nov 30 -

----- Forwarded message -----

**From:** Travelocity.com <[email@e.travelocity.com](mailto:email@e.travelocity.com)>  
**Date:** Thu, Nov 16, 2017 at 5:30 PM  
**Subject:** Travelocity travel confirmation - Nov 30 - (Itinerary # 731005074  
**To:** [james.french8275@gmail.com](mailto:james.french8275@gmail.com)



**Thanks!**

Your reservation is booked and confirmed. No need  
this reservation.

**Car rental in Philadelphia**

Nov 30, 2017 - Dec 1, 2017



**dollar.**

Fullsize - 2 or 4-Door Car

Philadelphia (Philadelphia Intl.)

[Map and directions](#)

**Reservation dates**

Nov 30, 2017 - Dec 1, 2017

**Itinerary #**

7310050745243

**Confirmation**

H48730455A5

---

**Pick-up and Drop-off**

**Pick-up**

Nov 30, 2:00pm

Philadelphia (Philadelphia Intl.)

**When you arrive**

After hours arrivals/returns: airports open 24 hrs except for inclement weather. reservations are accepted any time and vehicles may be returned at any time 24hrs a day. Vehicle hold policy: reservations will be honored for 2 hours after the original scheduled pick up time (6 hrs for corporate locations)

Pick-up information: rental car shuttle pick up is at zone 2 outside the double doors in the baggage claim area.

**Drop-off**

Dec 1, 6:00pm

Philadelphia (Philadelphia Intl.)

---

**Your rental car**

**Car type**

Fullsize 2 or 4-Door Car

Nissan Altima or similar

Read our [Fuel Policy](#).

**Car amenities**

Air conditioning

Automatic transmission

Reserved for  
JAMES FRENCH

---

## Price Summary

Paid: \$43.09

Unless otherwise specified, rates are quoted in USD. The total price includes all mandatory taxes and fees.

**Mileage:** Unlimited mileage

---

## Late fees

The following fees may be charged at the time of rental for additional services.

Extra day: \$28.99

Extra hour: \$3.23

---

## Damage protection

You have not purchased any insurance or damage protection plan.

---

## Rules and restrictions

The following rules and restrictions are provided by the car rental company.

The driver must present a valid **driver's license** and credit card in their name upon pick-up. The credit card is required as a deposit when renting any vehicle. The deposit amount is held by the car rental company. Please ensure sufficient funds are available on the card.

International rentals may have different driver license requirements. An international driving license is required if the drivers' license is non-roman alphabet.

**Additional charges or restrictions** may apply for drivers under 25 or over 70

Hawkins, Kim

From: James French <james.french8275@gmail.com>  
Sent: Monday, November 27, 2017 9:10 AM  
To: Hawkins, Kim  
Subject: Fwd: Your Nov 30, 2017 Confirmation #54896785

I will be forwarding all the confirmation I have this morning. See you soon.

Jim

----- Forwarded message -----

From: Home2 Suites by Hilton Confirmed <[home2suitesbyhilton@res.hilton.com](mailto:home2suitesbyhilton@res.hilton.com)>  
Date: Mon, Nov 20, 2017 at 8:22 PM  
Subject: Your Nov 30, 2017 Confirmation #54896785  
To: "james.french8275@gmail.com" <[james.french8275@gmail.com](mailto:james.french8275@gmail.com)>

HI JAMES R. FRENCH | POINTS : 195,678 | TIER : GOLD



*James R.  
French,  
see you on Nov 30, 2017*







FIND US  
*Maps & Directions*



FOR YOUR  
*Convenience*



*James R.*

*French,*

we'll see you on Nov 30, 2017



EXPLORE  
*Neighborhood*



***Your Room Information:***

1 KING STUDIO SUITE NOSMOK

Rooms: 1

Guests: 1 Adult

Check In: Nov 30 3:00 PM

Check Out: Dec 01 12:00 PM

***Free Cancellation: If your plans change, let us know by Nov 28 to avoid being charged for the first night.\****

***Your Plan Information:***

HONORS DISCOUNT

Rate per night : 116.62 USD

Total for Stay per Room

Rate: 116.62 USD

Taxes: 9.33 USD

Total: 125.95 USD

Total for Stay : 125.95 USD

***As a Hilton Honors member you'll enjoy:***

Complimentary  
INTERNET  
ACCESS

Complimentary  
INTERNET  
ACCESS

**STOP CLICKING AROUND**

**LET YOURSELF IN  
WITH DIGITAL KEY**

**GET THE APP**

\*Not available at all hotels.





**Rate Rules and Cancellation Policy:**

- Your reservation is guaranteed for late arrival.
- If your plans change please let us know – it's free to cancel or update your reservation by 11:59 PM local hotel time on Nov 28, 2017.

**Comments & Requests:**

GPM U:391660746

**Additional Information:**

**Tax:**

- 8.00% per room per night

**Self parking: 0.00/night**

Please do not reply to this email, as mail sent to this address cannot be answered.  
You received this email because you indicated interest in receiving information from Hilton Honors

\*Standard Wi-Fi is free for Hilton Honors members. Premium, if available, has a fee (except for Diamond members). Wi-Fi access is not free in meeting spaces or at properties with a resort charge.

\*\* Service of alcoholic beverages is subject to state and local laws. Must be of legal drinking age. Hilton Requests Upon Arrival™ items are subject to availability.

† Visit [Hilton.com/guarantee](http://Hilton.com/guarantee) to learn more about our Best Price Guarantee

Using a debit/credit card to check in? A hold may be placed on your card account for the full anticipated amount to be owed to the hotel, including estimated incidentals, through date of check-out. Holds may not be released for 72 hours from date of check-out or longer at the discretion of your card issuer. [Click here](#) if you need to modify or cancel your reservation.

Any change to your arrival or departure date or room type is subject to hotel availability and may result in a possible rate change or additional fee. Changes also may not be possible at a later date. Please [click here](#) to see all rules and restrictions.

This message and any attachments may contain confidential information. If it has been sent to you in error or if you have questions regarding your reservation, please contact Hilton Reservations and Customer Care at 1-800-4HONORS (446-6677), or [click here](#).

Hilton Honors™ membership, earning of Points & Miles™ when booking direct and redemption of Points are subject to [Hilton Honors Terms and Conditions](#). Excludes Hampton by Hilton Hotels in Mainland China. [Create or Update a Profile](#).

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Hilton Reservations and Customer Care | [2050 Chenault Drive | Carrollton, Texas 75006, USA](#)

[Email not looking great? View online](#)

--  
James French  
3472 Boston Township Line Rd  
Richmond, IN 47374

765-967-0169

**AN AGREEMENT  
FOR PROVISION OF PROFESSIONAL SERVICES**

THIS AGREEMENT is made as of the 31<sup>st</sup> day of March in the year 2017, between the City of Dover, a Delaware Municipal Corporation, whose address is 15 East Loockerman Street. P.O. Box 475, Dover, Delaware 19903-0475 (hereinafter referred to as the CITY) and David S. Hugg III, dba as Hugg Consulting LLC, whose address is 125 W. South Street, Smyrna, Delaware 19977 (hereinafter referred to as the PROFESSIONAL).

NOW, THEREFORE, in consideration of the mutual benefits accruing to the parties to this Agreement, and for other good and valuable considerations, the parties agree as follows:

**Section 1. Services**

The PROFESSIONAL will provide up to 780 hours of consulting services over a period of 26 weeks, beginning on April 1, 2017 and ending on or before September 30, 2017. The number of hours or ending date may be modified on the agreement of both parties, increasing the number of hours or extending the ending date. During term of this agreement, the PROFESSIONAL shall perform the following services: consulting services for the Department of Planning & Community Development, to include but not limited to the following:

- Local comprehensive planning and development management
- Coordination and consensus building
- Economic development planning and implementation
- Recruitment, retention, promotion and marketing
- Main street and downtown business assistance
- Policy analysis, assessment and development
- Legislation development, assessment, coordination and representation
- Enterprise program planning and management
- General government operations
- Grants analysis, development, application and management

It is understood that the PROFESSIONAL will be expected to attend regular and special meetings with the City of Dover Council, Planning Commission, Board of Adjustment, Historic District Commission, Economic Development Committee, Downtown Development District, and others as necessary; attendance at such meetings is billable time and will be submitted pursuant to Section 5 below. It is also understood that the PROFESSIONAL will carry out those functions and duties assigned to the Department by City Code or organizational structure, including planning, building and inspections, parks and recreation, and fire prevention.

The PROFESSIONAL may decline to offer services in any of these areas if, after consultation with the Acting City Manager, in its judgment, it does not have the resources or capacity to deliver a timely or appropriate product or the request is outside the expectations of the City as related to the Interim appointment.

This agreement provides for a minimum level of services provided monthly which the City may reasonably expect and which it may, in its sole discretion, request. The PROFESSIONAL obligates to

ensure that resources to meet such requirements will be made available monthly, unless both parties agree otherwise. This agreement recognizes that the PROFESSIONAL will have limited availability during the month of April, 2017, due to prior commitments.

## **Section 2. Indemnification**

The PROFESSIONAL agrees to indemnify the CITY from any claims, damages and costs arising out of claims by third parties for property and bodily injury, including but not limited to, death, caused solely by the negligence or willful misconduct of the PROFESSIONAL.

## **Section 3. Codes, Laws and Regulations**

The PROFESSIONAL will comply with all applicable codes, laws, regulations, standards and ordinances in force during the term of this Agreement.

## **Section 4. Permits, Licenses and Fees.**

The PROFESSIONAL will obtain and pay for all permits and licenses required by law that are associated with PROFESSIONAL's performance under this Agreement.

## **Section 5. Payment**

The CITY will compensate the PROFESSIONAL at the rate of seventy-five dollars (\$75.00) per hour for the services provided, for mileage at the CITY's current rate for travel on behalf of the CITY, and for other reasonable expenses as approved by the Acting City Manager. The PROFESSIONAL will submit monthly billings on or about the last business day of each month to the Controller/Treasurer. The CITY shall pay the PROFESSIONAL in a timely manner, but not more than 5 working days of receipt of the monthly billing.

## **Section 6. Ownership of materials and documents**

All data, specifications, calculations, estimates, plans, drawings, construction documents, photographs, summaries, reports, memoranda, and other documents, instruments, information and material prepared or accumulated by the PROFESSIONAL in rendering services hereunder shall be the sole property of the CITY. All original documents shall be permanently kept on file at the office of the CITY.

## **Section 7. Confidentiality**

The PROFESSIONAL understands that it may be privy to private information as a condition of this Agreement. As a contractor of the CITY, it is required to protect against unauthorized access to such information, ensure the security and privacy such information, and disclose any anticipated threats or hazards that may compromise the confidentiality of such information. The PROFESSIONAL shall not release this information to the public, including but not limited to those who have not been authorized or who do not have a legitimate business or need to know.

## **Section 8. Independent Contractor**

The PROFESSIONAL is an independent contractor and as such will be responsible for paying its own Federal income tax and self-employment tax and any other taxes applicable to the compensation paid under this Agreement. The PROFESSIONAL is not a covered employee of the CITY and not entitled to any compensation for over-time or and other benefits provided to a covered employee.

#### **Section 9. Assignment**

Neither party shall have the power to assign any of the duties or rights or any claim arising out of or related to this Agreement, whether arising in tort, contract or otherwise, without the written consent of the other party.

#### **Section 10. No Third-Party Beneficiaries**

This Agreement gives no rights or benefits to anyone other than the PROFESSIONAL and the CITY.

#### **Section 11. Jurisdiction**

The laws of the State of Delaware shall govern the validity of this agreement, its interpretation and performance, and any claims related to it. In the event of any litigation arising under or construing this Agreement, venue shall lie only in Kent County, Delaware.

#### **Section 12. Term and Termination**

All services to be rendered by the PROFESSIONAL shall be completed on or before September 30, 2017. The term of this Agreement shall be for an initial term of six months (26 weeks) with the option to be extended for up to an additional six months, at the mutual consent of the parties. All or part of this Agreement may be terminated by the CITY for its convenience on fifteen days (15) written notice to the PROFESSIONAL. In such event, the PROFESSIONAL will be entitled to compensation for services competently performed up to the date of termination.

#### **Section 13. Notice**

Any notices to either party shall be in writing and delivered by first class mail to the designated recipient below:

Donna S. Mitchell  
Acting City Manager  
15 East Loockerman Street  
P.O. Box 475  
Dover, DE 19903-0475

David S. Hugg III  
Hugg Consulting LLC  
125 W. South Street  
Smyrna, DE 19977

#### **Section 14. Miscellaneous terms**

- This agreement shall only be amended in writing and signed by both parties
- If any provision shall be deemed to conflict with any rule, regulation or law, then that part shall be severable and the remainder shall remain in full force and effect. The conflicting provision shall be modified to conform as necessary.
- Both parties agree to assist one another in the furtherance of this agreement.

IN WITNESS, WHEREOF, the parties hereto have executed this Agreement on the respective dates under each signature.

PROFESSIONAL  
Hugg Consulting LLC

City of Dover

By: [Signature]  
Title: Principal  
Date: 3/31/17

By: [Signature]  
Title: Acting City Manager  
Attest: Yvonne Martine  
Date: March 31, 2017



City of Dover, PO Box 475, Dover DE 19903-0475

Advice Amount \$4,491.30

City of Dover, PO Box 475, Dover DE 19905-0475

| Emp No                       | Employee Name |          |         | SSN       | Dept.       | Advice Date | Period Ending          | Type       | Advice No.   |
|------------------------------|---------------|----------|---------|-----------|-------------|-------------|------------------------|------------|--------------|
| 37961                        | DAVID HUGG    |          |         |           | 10000060    | 12/27/2024  | 12/21/2024             | BIWEEKLY   | 21354        |
| Earnings                     | Rate          | Days/Hrs | Current | YTD       | Deductions  | Current     | YTD                    | Emplr      | Empr YTD     |
| REG EX                       | 79.5704       | 40.00    | 3182.82 | 127565.16 | SOC SEC     | 354.67      | 10056.49               | 394.67     | 10056.49     |
| REG EX                       | 79.5704       | 22.00    | 1750.55 |           | MEDICARE    | 92.30       | 2351.88                | 92.30      | 2351.88      |
| VACATI                       | 79.5704       | 16.00    | 1273.13 | 15681.50  | FEDERAL TAX | 972.83      | 24566.29               |            |              |
| SICK                         | 79.5704       | 2.00     | 159.14  | 10238.57  | STATE TAX   | 114.54      | 10559.86               |            |              |
| HOL                          |               |          |         | 7467.37   | GF OPEB     |             |                        | 63.66      | 1622.08      |
| BEWELL                       |               |          |         | 1248.64   | AD&D        |             | 57.24                  |            | 57.24        |
|                              |               |          |         |           | UNUM LTD    |             | 343.80                 |            | 343.80       |
|                              |               |          |         |           | LTD         |             |                        |            | 517.20       |
|                              |               |          |         |           | STD DIS MAX |             | 120.00                 |            | 120.00       |
|                              |               |          |         |           | WC 9530     |             |                        | 20.62      | 525.46       |
| DEPOSITS:                    |               |          |         |           |             |             |                        |            |              |
| DIR DEP NET                  |               |          |         |           | 4491.30     | 114145.68   |                        |            |              |
| DEL-ONE FEDERAL CREDIT UNION |               |          |         |           |             |             |                        |            |              |
| Leave                        | Beginning     | Earned   | Used    | Balance   | YTD Earned  | YTD Used    | Withholding Allowances |            |              |
| VACATION                     | 77.5000       | 14.0000  | 16.000  | 75.500    | 144.00      | 174.00      | Filing Status          | Exemptions | Extra Amount |
| SICK                         | 139.0000      | 8.0000   | 2.000   | 145.000   | 96.00       | 122.00      | Federal                | M          | 0            |
| COMP TIME                    |               |          |         |           |             |             | State                  | M          | 0            |
|                              |               |          |         |           |             |             | Advice Totals          |            |              |
|                              |               |          |         |           |             |             | Type                   | Current    | YTD          |
|                              |               |          |         |           |             |             | Taxable Pay            | 6,365.64   | 162,201.24   |
|                              |               |          |         |           |             |             | Gross Pay              | 6,365.64   | 162,201.24   |
|                              |               |          |         |           |             |             | Deductions             | 1,874.34   | 48,055.56    |
|                              |               |          |         |           |             |             | Net Pay                | 4,491.30   | 114,145.68   |



City of Dover  
PO Box 475  
Dover, DE 19903-0475

Advice Date 12/27/2024  
Advice Number 21354

DAVID S HUGG

**DIRECT DEPOSIT**  
**NON-NEGOTIABLE**

## ACKNOWLEDGMENT STATEMENT

### City of Dover - Acceptable Use Policy

#### City Employee

This is to certify that I have read and agree to abide by the guidelines set forth within the City of Dover Acceptable Use Policy. As an employee of the City of Dover, I fully intend to comply with this policy realizing that I am personally liable for intentional misuse or abuse of the City's communications and computer systems. If I have any questions about the policy, I understand that I need to ask my supervisor or IT for clarification.

*\*If I refuse to sign this acknowledgement form, my supervisor will be asked to sign this form indicating that I have been given time to read and have questions answered about this policy. The supervisor will read this statement to me prior to signing the document and advise me that by not signing this document my rights to use the City's Communications and Computer Systems may be denied and may affect my ability to meet my job requirements.*

Printed Name: DAVID S. HUGG IV

Signature: 

Department: PLANNING & INSPECTIONS

Date: 6/16/2021

Supervisor Signature (\*as required)

Comments:



## Your Elections Have Been Recorded

Confirmation # A-2088919-26-1103101714

### Flexible Spending Accounts

| Category                          | Participate | Per Pay Period Contribution | Annual Contribution |
|-----------------------------------|-------------|-----------------------------|---------------------|
| Health Care Reimbursement Account | Yes         |                             |                     |
| Dependent Care Assistance Account | No          |                             |                     |

### Reimbursements for Claims

You have elected to receive reimbursements by Direct Deposit

Bank: [REDACTED]

Acct: [REDACTED] (Checking)

You have elected to receive a debit card.

You have selected texting for notification.

Cell Phone Number: [REDACTED]

You have selected email for notification.

Email Address: dshugg3@gmail.com

That's it! Your elections have been recorded. The confirmation number at the top is your indication that your enrollment elections have been received by ASIFlex. It is unnecessary to call to ask if we received it. We only issue confirmation numbers like the one at the top of your screen for the enrollment elections that we successfully receive.

### PLEASE PRINT THIS PAGE FOR YOUR RECORDS!

For the protection of your privacy, we've made it impossible to retrieve your enrollment elections once you leave this screen. Print this screen so that you have a record of your enrollment elections!

PRINT THIS PAGE

EXIT

2025 Application Software - 2025-05-20 10:35:00 - 7811-7-2010 (C) - 2025-05-20 10:35:00

Dave Hugg



# Historical Adjustment Form

PAYROLL PERIOD ENDING \_\_\_\_\_

| NAME                                                            |               | EMPLOYEE # | DEPARTMENT   |          |  |
|-----------------------------------------------------------------|---------------|------------|--------------|----------|--|
| David Hugg                                                      |               | 37961      | City Manager |          |  |
| ADJUSTMENTGROSS/PAYACCURAL                                      |               |            |              |          |  |
| DATE                                                            | TRANSFER CODE | START TIME | STOP TIME    | PAY CODE |  |
|                                                                 |               |            |              |          |  |
|                                                                 |               |            |              |          |  |
|                                                                 |               |            |              |          |  |
|                                                                 |               |            |              |          |  |
| Explanation: 1/24/25 underpaid \$44.77/see attached Form        |               |            |              |          |  |
| ADJUSTMENT TO DEDUCTIONS/BENEFITS (FOR Payroll Office USE ONLY) |               |            |              |          |  |
| DATE                                                            | DED. CODE     | HOURS      | AMOUNT       | BEN CODE |  |
|                                                                 |               |            |              |          |  |
|                                                                 |               |            |              |          |  |
|                                                                 |               |            |              |          |  |
| Explanation:                                                    |               |            |              |          |  |

David Hugg  
Employee  
John A. Taylor  
Department Supervisor  
Vicki Whaley  
Human Resources  
\_\_\_\_\_  
Payroll Specialist

2/26/25  
Date  
21 February 2025  
Date  
2/21/2025  
Date  
\_\_\_\_\_  
Date



City of Dover, PO Box 475, Dover DE 19903-0475

Advice Amount \$4,441.69

| Emp No    | Employee Name |           |         | SSN     | Dept.                        | Advice Date | Period Ending          | Type       | Advice No.   |
|-----------|---------------|-----------|---------|---------|------------------------------|-------------|------------------------|------------|--------------|
| 37961     | DAVID HUGG    |           |         |         | 10000060                     | 01/10/2025  | 01/04/2025             | BIWEEKLY   | 21770        |
| Earnings  | Rate          | Days/Hrs. | Current | YTD     | Deductions                   | Current     | YTD                    | Emplr      | Empr YTD     |
| REG EX    | 79.5704       | 28.00     | 2227.97 | 4137.66 | SOC SEC                      | 392.50      | 392.50                 | 392.50     | 392.50       |
| REG EX    | 79.5704       | 24.00     | 1909.69 |         | MEDICARE                     | 91.79       | 91.79                  | 91.79      | 91.79        |
| VACAT     | 79.5704       | 4.00      | 318.23  | 318.23  | MED SPEND                    | 35.00       | 35.00                  |            |              |
| HOL       | 79.5704       | 16.00     | 1273.12 | 1273.12 | FEDERAL TAX                  | 947.66      | 947.66                 |            |              |
| BEWELL    | 79.5704       | 3.00      | 636.56  | 636.56  | STATE TAX                    | 412.22      | 412.22                 |            |              |
|           |               |           |         |         | GF OPEB                      |             |                        | 63.66      | 63.66        |
|           |               |           |         |         | AD&D                         | 4.97        | 4.97                   | 4.97       | 4.97         |
|           |               |           |         |         | UNUM LID                     | 29.79       | 29.79                  | 29.79      | 29.79        |
|           |               |           |         |         | LTD                          |             |                        | 44.82      | 44.82        |
|           |               |           |         |         | STD DIS MAX                  | 10.00       | 10.00                  | 10.00      | 10.00        |
|           |               |           |         |         | WC 9530                      |             |                        | 20.62      | 20.62        |
|           |               |           |         |         | DEPOSITS                     |             |                        |            |              |
|           |               |           |         |         | DIR DEP NET                  | 4441.69     | 4441.69                |            |              |
|           |               |           |         |         | DEL-ONE FEDERAL CREDIT UNION |             |                        |            |              |
| Leave     | Beginning     | Earned    | Used    | Balance | YTD Earned                   | YTD Used    | Withholding Allowances |            |              |
| VACATION  | 75.5000       |           | 4.000   | 71.500  | 144.00                       | 178.00      | Filing Status          | Exemptions | Extra Amount |
| SICK      | 145.0000      |           |         | 145.000 | 96.00                        | 122.00      | Federal                | M          | 0            |
| COMP TIME |               |           |         |         |                              |             | State                  | M          | 0            |
|           |               |           |         |         |                              |             |                        |            | 200.00       |
|           |               |           |         |         |                              |             |                        |            | 50.00        |
|           |               |           |         |         |                              |             | Advice Totals          |            |              |
|           |               |           |         |         |                              |             | Type                   | Current    | YTD          |
|           |               |           |         |         |                              |             | Taxable Pay            | 6,330.62   | 6,330.62     |
|           |               |           |         |         |                              |             | Gross Pay              | 6,365.62   | 6,365.62     |
|           |               |           |         |         |                              |             | Deductions             | 1,923.93   | 1,923.93     |
|           |               |           |         |         |                              |             | Net Pay                | 4,441.69   | 4,441.69     |



City of Dover  
PO Box 475  
Dover, DE 19903-0475

Advice Date Advice Number

01/10/2025 21770

DAVID S HUGG

**DIRECT DEPOSIT**  
**NON-NEGOTIABLE**

City of Dover, PO Box 475, Dover DE 19903-0475

|               |               |           |          |           |                              | Advice Amount |                        | \$4,486.46 |              |
|---------------|---------------|-----------|----------|-----------|------------------------------|---------------|------------------------|------------|--------------|
| Emp No        | Employee Name |           | SSN      | Dept      | Advice Date                  | Period Ending | Type                   | Advice No. |              |
| 37961         | DAVID HUGG    |           |          | 10000060  | 01/24/2025                   | 01/18/2025    | BIWEEKLY               | 22178      |              |
| Earnings      | Rate          | Days/Hrs. | Current  | YTD       | Deductions                   | Current       | YTD                    | Emplr      | Empr YTD     |
| REG EX        | 79.5704       | 16.00     | 1273.13  | 7002.20   | SOC SEC                      | 392.50        | 785.00                 | 392.50     | 785.00       |
| REG EX        | 79.5704       | 20.00     | 1591.41  |           | MEDICARE                     | 91.79         | 183.58                 | 91.79      | 183.58       |
| VACAT         |               |           |          | 318.28    | MED SPEND                    | 35.00         | 70.00                  |            |              |
| SICK          | 79.5704       | 28.00     | 2227.97  | 2227.97   | FEDERAL TAX                  | 947.66        | 1895.32                |            |              |
| HOL           |               |           |          | 1273.12   | STATE TAX                    | 412.23        | 824.45                 |            |              |
| BEWELL        | 79.5704       | 16.00     | 1273.13  | 1909.69   | GF OPEB                      |               |                        | 63.66      | 127.32       |
|               |               |           |          |           | AD&D                         |               | 4.97                   |            | 4.97         |
|               |               |           |          |           | UNUM LID                     |               | 29.79                  |            | 29.79        |
|               |               |           |          |           | LTD                          |               |                        |            | 44.82        |
|               |               |           |          |           | STD DIS MAX                  |               | 10.00                  |            | 10.00        |
|               |               |           |          |           | WC 9500                      |               |                        | 20.62      | 41.24        |
| DEPOSITS:     |               |           |          |           |                              |               |                        |            |              |
|               |               |           |          |           | DIR DEP NET                  | 4486.46       | 3928.15                |            |              |
|               |               |           |          |           | DEL-ONE FEDERAL CREDIT UNION |               |                        |            |              |
| Leave         | Beginning     | Earned    | Used     | Balance   | YTD Earned                   | YTD Used      | Withholding Allowances |            |              |
| VACATION      | 71.5000       | 14.0000   |          | 85.5000   | 14.00                        |               | Filing Status          | Exemptions | Extra Amount |
| SICK          | 145.0000      | 8.0000    | 28.000   | 125.0000  | 8.00                         | 28.00         | Federal                | M          | 0            |
| COMP TIME     |               |           |          |           |                              |               | State                  | M          | 0            |
|               |               |           |          |           |                              |               |                        |            | 200.00       |
|               |               |           |          |           |                              |               |                        |            | 50.00        |
| Advice Totals |               |           |          |           |                              |               |                        |            |              |
| Type          |               |           | Current  | YTD       |                              |               |                        |            |              |
| Taxable Pay   |               |           | 6,330.64 | 12,661.26 |                              |               |                        |            |              |
| Gross Pay     |               |           | 6,365.64 | 12,731.26 |                              |               |                        |            |              |
| Deductions    |               |           | 1,879.18 | 3,803.11  |                              |               |                        |            |              |
| Net Pay       |               |           | 4,486.46 | 3,928.15  |                              |               |                        |            |              |



City of Dover  
PO Box 475  
Dover, DE 19903-0475

Advice Date 01/24/2025  
Advice Number 22178

DAVID S. HUGG

**DIRECT DEPOSIT**  
**NON-NEGOTIABLE**





# Historical Adjustment Form

PAYROLL PERIOD ENDING \_\_\_\_\_

| NAME                                                            |               | EMPLOYEE # | DEPARTMENT   |          |  |
|-----------------------------------------------------------------|---------------|------------|--------------|----------|--|
| David Hugg                                                      |               | 37961      | City Manager |          |  |
| ADJUSTMENTGROSS/PAYACCURAL                                      |               |            |              |          |  |
| DATE                                                            | TRANSFER CODE | START TIME | STOP TIME    | PAY CODE |  |
|                                                                 |               |            |              |          |  |
|                                                                 |               |            |              |          |  |
|                                                                 |               |            |              |          |  |
|                                                                 |               |            |              |          |  |
| Explanation: 1/24/25 underpaid \$ 44.77/see attached form       |               |            |              |          |  |
| ADJUSTMENT TO DEDUCTIONS/BENEFITS (FOR Payroll Office USE ONLY) |               |            |              |          |  |
| DATE                                                            | DED. CODE     | HOURS      | AMOUNT       | BEN CODE |  |
|                                                                 |               |            |              |          |  |
|                                                                 |               |            |              |          |  |
|                                                                 |               |            |              |          |  |
| Explanation:                                                    |               |            |              |          |  |

David Hugg  
Employee  
John A. Whaley  
Department Supervisor  
John A. Whaley  
Human Resources  
\_\_\_\_\_  
Payroll Specialist

2/21/25  
Date  
21 February 2025  
Date  
2/21/2025  
Date  
\_\_\_\_\_  
Date

City of Dover, PO Box 475, Dover DE 19903-0475

|                              |               |          |         |           |             | Advice Amount |                                       |
|------------------------------|---------------|----------|---------|-----------|-------------|---------------|---------------------------------------|
|                              |               |          |         |           |             | \$4,491.30    |                                       |
| Emp No                       | Employee Name |          | SSN     | Dept      | Advice Date | Period Ending | Advice No.                            |
| 37961                        | DAVID HUGG    |          |         | 10000060  | 12/27/2024  | 12/21/2024    | 21354                                 |
| Earnings                     | Rate          | Days/Hrs | Current | YTD       | Deductions  | Current       | YTD                                   |
| REG EX                       | 79.5704       | 40.00    | 3182.82 | 127565.16 | SOC SEC     | 394.67        | 10056.49                              |
| REG EX                       | 79.5704       | 22.00    | 1750.55 |           | MEDICARE    | 92.30         | 2351.88                               |
| VACAT                        | 79.5704       | 16.00    | 1273.13 | 15681.50  | FEDERAL TAX | 972.83        | 24566.29                              |
| SICK                         | 79.5704       | 2.00     | 159.14  | 10238.57  | STATE TAX   | 414.54        | 10559.86                              |
| HOL                          |               |          |         | 7467.37   | GF OPEB     |               | 63.66                                 |
| BEWELL                       |               |          |         | 1248.64   | AD&D        |               | 57.24                                 |
|                              |               |          |         |           | UNUM LID    |               | 343.80                                |
|                              |               |          |         |           | LTD         |               | 517.20                                |
|                              |               |          |         |           | STD DIS MAX | 120.00        | 120.00                                |
|                              |               |          |         |           | WC 9530     |               | 20.62                                 |
|                              |               |          |         |           |             |               | 525.46                                |
| DEPOSITS:                    |               |          |         |           |             |               |                                       |
| DIR DEP NET                  |               |          |         |           | 4491.30     | 114145.68     |                                       |
| DEL-ONE FEDERAL CREDIT UNION |               |          |         |           |             |               |                                       |
| Leave                        | Beginning     | Earned   | Used    | Balance   | YTD Earned  | YTD Used      | Withholding Allowances                |
| VACATION                     | 77.5000       | 14.0000  | 16.000  | 75.500    | 144.00      | 174.00        | Filing Status Exemptions Extra Amount |
| SICK                         | 139.0000      | 8.0000   | 2.000   | 145.000   | 96.00       | 122.00        | Federal M 0 200.00                    |
| COMP TIME                    |               |          |         |           |             |               | State M 0 50.00                       |
|                              |               |          |         |           |             |               | Advice Totals                         |
|                              |               |          |         |           |             |               | Type Current YTD                      |
|                              |               |          |         |           |             |               | Taxable Pay 6,365.64 162,201.24       |
|                              |               |          |         |           |             |               | Gross Pay 6,365.64 162,201.24         |
|                              |               |          |         |           |             |               | Deductions 1,874.34 48,055.56         |
|                              |               |          |         |           |             |               | Net Pay 4,491.30 114,145.68           |



City of Dover  
PO Box 475  
Dover, DE 19903-0475

Advice Date 12/27/2024  
Advice Number 21354

DAVID S HUGG

**DIRECT DEPOSIT  
NON-NEGOTIABLE**

City of Dover, PO Box 475, Dover DE 19903-0475

Advice Amount \$4,441.69

| Emp No    | Employee Name |           | SSN     | Dept     | Advice Date                  | Period Ending | Type                   | Advice No. |              |
|-----------|---------------|-----------|---------|----------|------------------------------|---------------|------------------------|------------|--------------|
| 37961     | DAVID HUGG    |           |         | 10000060 | 01/10/2025                   | 01/04/2025    | BIWEEKLY               | 21770      |              |
| Earnings  | Rate          | Days/Hrs. | Current | YTD      | Deductions                   | Current       | YTD                    | Emplr      | Empr YTD     |
| REG EX    | 79.5704       | 28.00     | 2227.97 | 4137.66  | SOC SEC                      | 392.50        | 392.50                 | 392.50     | 392.50       |
| REG EX    | 79.5704       | 24.00     | 1909.69 |          | MEDICARE                     | 91.79         | 91.79                  | 91.79      | 91.79        |
| VACATI    | 79.5704       | 4.00      | 318.23  | 318.23   | MED SPEND                    | 35.00         | 35.00                  |            |              |
| HOL       | 79.5704       | 16.00     | 1273.12 | 1273.12  | FEDERAL TAX                  | 947.66        | 947.66                 |            |              |
| BEWELL    | 79.5704       | 3.00      | 636.56  | 636.56   | STATE TAX                    | 412.22        | 412.22                 |            |              |
|           |               |           |         |          | GF OPEB                      |               |                        | 63.66      | 63.66        |
|           |               |           |         |          | AD&D                         | 4.97          | 4.97                   | 4.97       | 4.97         |
|           |               |           |         |          | UNUM L/D                     | 29.79         | 29.79                  | 29.79      | 29.79        |
|           |               |           |         |          | LTD                          |               |                        | 44.82      | 44.82        |
|           |               |           |         |          | STD DIS MAX                  | 10.00         | 10.00                  | 10.00      | 10.00        |
|           |               |           |         |          | WVC 9530                     |               |                        | 20.62      | 20.62        |
|           |               |           |         |          | DEPOSITS                     |               |                        |            |              |
|           |               |           |         |          | DIR DEP NET                  | 4441.69       | 4441.69                |            |              |
|           |               |           |         |          | DEL-ONE FEDERAL CREDIT UNION |               |                        |            |              |
| Leave     | Beginning     | Earned    | Used    | Balance  | YTD Earned                   | YTD Used      | Withholding Allowances |            |              |
| VACATION  | 75.5000       |           | 4.000   | 71.500   | 144.00                       | 178.00        | Filing Status          | Exemptions | Extra Amount |
| SICK      | 145.0000      |           |         | 145.000  | 96.00                        | 122.00        | Federal                | M          | 0            |
| COMP TIME |               |           |         |          |                              |               | State                  | M          | 0            |
|           |               |           |         |          |                              |               | Advice Totals          |            |              |
|           |               |           |         |          |                              |               | Type                   | Current    | YTD          |
|           |               |           |         |          |                              |               | Taxable Pay            | 6,330.62   | 6,330.62     |
|           |               |           |         |          |                              |               | Gross Pay              | 6,365.62   | 6,365.62     |
|           |               |           |         |          |                              |               | Deductions             | 1,923.93   | 1,923.93     |
|           |               |           |         |          |                              |               | Net Pay                | 4,441.69   | 4,441.69     |



City of Dover  
PO Box 475  
Dover, DE 19903-0475

Advice Date 01/10/2025  
Advice Number 21770

DAVID S HUGG

**DIRECT DEPOSIT  
NON-NEGOTIABLE**

City of Dover, PO Box 475, Dover DE 19903-0475

City of Dover, PO Box 475, Dover DE 19903-0475

|                              |               |           |         |         |             |             | Advice Amount          |            | \$4,486.46   |        |
|------------------------------|---------------|-----------|---------|---------|-------------|-------------|------------------------|------------|--------------|--------|
| Emp No                       | Employee Name |           |         | SSN     | Dept.       | Advice Date | Period Ending          | Type       | Advice No.   |        |
| 37961                        | DAVID HUGG    |           |         |         | 10000060    | 01/24/2025  | 01/18/2025             | BIWEEKLY   | 22178        |        |
| Earnings                     | Rate          | Days/Hrs. | Current | YTD     | Deductions  | Current     | YTD                    | Emplr      | Empr YTD     |        |
| REG EX                       | 79.5704       | 16.00     | 1273.13 | 7002.20 | SOC SEC     | 392.50      | 785.00                 | 392.50     | 785.00       |        |
| REG EX                       | 79.5704       | 20.00     | 1591.41 |         | MEDICARE    | 91.79       | 183.58                 | 91.79      | 183.58       |        |
| VACATI                       |               |           |         | 318.28  | MED SPEND   | 35.00       | 70.00                  |            |              |        |
| SICK                         | 79.5704       | 28.00     | 2227.97 | 2227.97 | FEDERAL TAX | 947.66      | 1895.32                |            |              |        |
| HOL                          |               |           |         | 1273.12 | STATE TAX   | 412.23      | 824.45                 |            |              |        |
| BEWELL                       | 79.5704       | 16.00     | 1273.13 | 1909.69 | GF OPEB     |             |                        | 63.66      | 127.32       |        |
|                              |               |           |         |         | AD&D        |             | 4.97                   |            | 4.97         |        |
|                              |               |           |         |         | UNUM LID    |             | 29.79                  |            | 29.79        |        |
|                              |               |           |         |         | LTD         |             |                        |            | 44.82        |        |
|                              |               |           |         |         | STD DIS MAX |             | 10.00                  |            | 10.00        |        |
|                              |               |           |         |         | WC 9530     |             |                        | 20.62      | 41.24        |        |
| DEPOSITS:                    |               |           |         |         |             |             |                        |            |              |        |
|                              |               |           |         |         | DIR DEP NET | 4486.46     | 8928.15                |            |              |        |
| DEL-ONE FEDERAL CREDIT UNION |               |           |         |         |             |             |                        |            |              |        |
| Leave                        | Beginning     | Earned    | Used    | Balance | YTD Earned  | YTD Used    | Withholding Allowances |            |              |        |
| VACATION                     | 71.5000       | 14.0000   |         | 85.500  | 14.00       |             | Filing Status          | Exemptions | Extra Amount |        |
| SICK                         | 145.0000      | 8.0000    | 28.000  | 125.000 | 8.00        | 28.00       | Federal                | M          | 0            | 200.00 |
| COMP TIME                    |               |           |         |         |             |             | State                  | M          | 0            | 50.00  |
|                              |               |           |         |         |             |             | Advice Totals          |            |              |        |
|                              |               |           |         |         |             |             | Type                   | Current    | YTD          |        |
|                              |               |           |         |         |             |             | Taxable Pay            | 9,330.64   | 12,661.26    |        |
|                              |               |           |         |         |             |             | Gross Pay              | 6,365.64   | 12,731.25    |        |
|                              |               |           |         |         |             |             | Deductions             | 1,879.18   | 3,803.11     |        |
|                              |               |           |         |         |             |             | Net Pay                | 4,486.46   | 8,928.15     |        |



City of Dover  
PO Box 475  
Dover, DE 19903-0475

Advice Date 01/24/2025  
Advice Number 22178

DAVID S HUGG

**DIRECT DEPOSIT  
NON-NEGOTIABLE**





# Flexible Spending Account Agreement Form

Print clearly and return this completed Agreement to Human Resources/Benefits Dept.

|                                                   |                                                                                                                                       |                                                          |                               |
|---------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------|-------------------------------|
| <b>Employer Name</b><br>CITY OF NOVER, DE         |                                                                                                                                       |                                                          |                               |
| <b>Name (Last, First, MI)</b><br>HUGG DAVID S. TH |                                                                                                                                       | <b>Social Security Number or ID Number</b><br>[REDACTED] |                               |
| <b>Street Address</b><br>[REDACTED]               | <b>City</b><br>[REDACTED]                                                                                                             | <b>State</b><br>[REDACTED]                               | <b>ZIP Code</b><br>[REDACTED] |
| <b>Effective Date of Election</b><br>1/1/2025     | <b>Type of Election</b><br><input checked="" type="checkbox"/> Open Enrollment Election<br><input type="checkbox"/> New Hire Election | <b>Date of Birth-MM/DD/YY</b><br>12/14/82                |                               |

|                                                                                                                                                        |                                        |                                            |
|--------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------|--------------------------------------------|
| <b>Health Care Flexible Spending Account (FSA) Election – Medical, dental, vision, hearing care expenses</b>                                           |                                        |                                            |
| Qualified expenses include medical, dental, vision, and hearing expenses for you & your tax dependents that are not reimbursed under any other source. |                                        |                                            |
| <b>Plan Year Salary Reduction Amount</b><br>Check your plan for the maximum<br>[REDACTED]                                                              | <b>Per Pay Period</b><br>\$ [REDACTED] | <b>Plan Year Election</b><br>\$ [REDACTED] |

|                                                                                                                                                                                                                                                                                                  |                                 |                                            |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------|--------------------------------------------|
| <b>Dependent Care Flexible Spending Account (DCFSA) Election - Child/elder daycare expenses</b>                                                                                                                                                                                                  |                                 |                                            |
| Qualified expenses are those incurred primarily for the protection and well-being of a child or elder dependent while you work. <b>DO NOT include medical expenses for your dependents in the DCFSA election. Include these expenses in your election for the Health Care FSA program below.</b> |                                 |                                            |
| <b>Plan Year Salary Reduction Amount</b><br>Maximum \$5,000, or \$2,500 if married and filing separate income tax returns<br>N/A                                                                                                                                                                 | <b>Per Pay Period</b><br>\$ N/A | <b>Plan Year Election</b><br>\$ [REDACTED] |

Claim reimbursement is sent directly to a bank account of your choice, and you will be notified by email/text alert each time reimbursement is issued.

Note: If you have previously signed up for this option and do not wish to change the information ASIFlex has on file from a previous year, there is no need to complete the following section.

☒ Please use account information below to set up direct deposit to my bank account and send email/text alerts of my account activity. Attach a voided check or copy of a check to this form. Note: Standard text message charges may apply from your wireless provider.

Name of Financial Institution/Bank ONE FCU Bank Routing Number (9-digit) [REDACTED]  
Account number [REDACTED] Type of Account: ☒ Checking ☐ Savings  
Email: dhugg93@gmail.com Cell Phone: [REDACTED] File Carrier: [REDACTED]

☐ Mail a check to my home address. ASIFlex and your employer are not responsible for lost or delayed mail.

### I understand:

- I have elected to have pretax deductions from my pay based on the number of pay periods as set up by my employer during the plan year, and that this election will continue until this Agreement is amended or terminated as allowed under the Plan.
- Pretax deductions reduce my compensation for tax purposes which reduces my Social Security benefits.
- I cannot change or terminate my election unless I experience a qualified change in status as allowed under the Plan.
- My employer may change my election if necessary in order to satisfy certain provisions of the Internal Revenue Code.
- My election and this Agreement will cease upon termination of employment.
- Complete claims with correct supporting documentation must be submitted timely as described in the Plan in order to be considered for reimbursement.
- Expenses for which I claim a tax deduction under my income tax return cannot also be reimbursed under this Plan.
- Unused funds are forfeited at the end of the Plan Year as defined in the Plan.
- The Dependent Care FSA and Health Care FSA benefits, and my rights and obligations under this plan, as specified in my employer's Plan materials.
- This Agreement cancels any prior election agreement I have made under the Plan and cannot be changed except as stated in my employer's Plan.

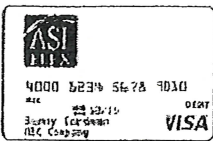
Employee Signature [Signature]

Date 11/18/24

Questions? Visit ASIFlex at [www.asiflex.com](http://www.asiflex.com), Email [asl@asiflex.com](mailto:asl@asiflex.com), Call 1-800-659-3035

Rev. 082017





## ASIFlex Card Order Form

Complete all fields and print clearly.

|                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                         |               |                                     |                             |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------|---------------|-------------------------------------|-----------------------------|
| <b>Indicate the Type of Card Order*</b>                                                                                                                                                                                                                                                                                                                    | <input checked="" type="checkbox"/> First-time new card order (1 set - 2 cards)                                         |               |                                     |                             |
|                                                                                                                                                                                                                                                                                                                                                            | <input type="checkbox"/> Additional card set(s) for dependents (2 cards per set)-number of additional sets needed _____ |               |                                     |                             |
|                                                                                                                                                                                                                                                                                                                                                            | <input type="checkbox"/> Replacement of lost/stolen card(s)                                                             |               |                                     |                             |
|                                                                                                                                                                                                                                                                                                                                                            | <input type="checkbox"/> Card is worn out; need a new card                                                              |               |                                     |                             |
| <small>Note: New cards are issued with a 5-year expiration date. If you exhaust all funds in one year, do not destroy your card. Keep the card for use in future years as new plan year elections will be automatically loaded to the card. The fee for replacement or additional card sets is \$5 and will be deducted from your account balance.</small> |                                                                                                                         |               |                                     |                             |
| <b>My Employer*</b>                                                                                                                                                                                                                                                                                                                                        | CITY OF DOVER, DE                                                                                                       |               |                                     |                             |
| <b>My Name*</b>                                                                                                                                                                                                                                                                                                                                            | DAVID S. HUGG, III                                                                                                      |               |                                     |                             |
| <b>Social Security Number*</b>                                                                                                                                                                                                                                                                                                                             | [REDACTED]                                                                                                              |               | <b>Date of Birth*</b><br>MM/DD/YYYY | 12/12/42                    |
| <b>Mailing Address*</b>                                                                                                                                                                                                                                                                                                                                    | [REDACTED]                                                                                                              |               |                                     |                             |
| <b>City*</b>                                                                                                                                                                                                                                                                                                                                               | [REDACTED]                                                                                                              | <b>State*</b> | [REDACTED]                          | <b>Zip Code*</b> [REDACTED] |
| <b>Email Address*</b>                                                                                                                                                                                                                                                                                                                                      | dshugg@gmail.com                                                                                                        |               |                                     |                             |
| <b>Cellular Telephone Number</b>                                                                                                                                                                                                                                                                                                                           | [REDACTED]                                                                                                              |               | <b>Cell Carrier</b>                 | VERIZON                     |

Note: Standard text message charges may apply from your wireless provider.

\*Required Fields. Form will not be processed without this information.

**I understand:**

- The card is optional and I can choose at each point-of-sale if I want to use the card, or file a traditional claim.
- I may be required to provide supporting documentation to substantiate certain card transactions. ASIFlex will notify me if documentation is required.
- I must read my messages posted to my secure message center at [www.asiflex.com](http://www.asiflex.com) to understand the documentation that may be required.
- I must submit correct and appropriate documentation upon request.
- It is my responsibility to request appropriate documentation from health care providers in order to substantiate card transactions.
- If I do not supply the requested documentation in the timeframe requested, my card will be temporarily deactivated as required by IRS regulations.
- I will receive two debit cards, both in my name. The cards will be mailed to my home address approximately two to three weeks from the date my application is processed.
- I must activate my card(s) by calling the toll-free number as provided, and I can select a PIN if I wish.
- I can sign for credit transactions or I can supply my PIN for debit transactions.
- Each employer plan is different. There may be an annual fee for the card so I must review my employer plan materials. Fees for additional or replacement card sets are \$5 and will be deducted from my flexible spending account balance.
- Additional information regarding card usage can be found online at [www.asiflex.com/debitcards](http://www.asiflex.com/debitcards).

I hereby state that the above information is accurate, to the best of my knowledge. Additionally, I certify that the card will only be used to pay for eligible health care expenses as defined in the plan and IRC §213(d). I will not seek reimbursement from any other source for the expenses paid for with the card. I also acknowledge that if I do not provide requested documentation in a timely fashion, my card will be deactivated, in accordance with IRS regulations.

Participant Signature: \_\_\_\_\_

Date: 11/19/24

FAX OR MAIL TO:  
ASIFlex  
1-877-879-9038  
PO Box 6044 | Columbia | MO 65205-6044

Rev. 20150119

# Employee's Withholding Certificate

OMB No. 1545-0074

**2022**

- Complete Form W-4 so that your employer can withhold the correct federal income tax from your pay.  
► Give Form W-4 to your employer.  
► Your withholding is subject to review by the IRS.

**Step 1:**  
**Enter**  
**Personal**  
**Information**

|                                                                                                                                                                                                                                                                                                                                       |                          |                                                                                                                                                                                                       |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (a) First name and middle initial<br><b>DAVID S.</b>                                                                                                                                                                                                                                                                                  | Last name<br><b>HUGG</b> | (b) Social security number<br>[REDACTED]                                                                                                                                                              |
| Address<br>[REDACTED]                                                                                                                                                                                                                                                                                                                 |                          | ► Does your name match the name on your social security card? If not, to ensure you get credit for your earnings, contact SSA at 800-772-1213 or go to <a href="http://www.ssa.gov">www.ssa.gov</a> . |
| City or town, state, and ZIP code<br>[REDACTED]                                                                                                                                                                                                                                                                                       |                          |                                                                                                                                                                                                       |
| (c) <input type="checkbox"/> Single or Married filing separately<br><input checked="" type="checkbox"/> Married filing jointly or Qualifying widow(er)<br><input type="checkbox"/> Head of household (Check only if you're unmarried and pay more than half the costs of keeping up a home for yourself and a qualifying individual.) |                          |                                                                                                                                                                                                       |

Complete Steps 2-4 ONLY if they apply to you; otherwise, skip to Step 5. See page 2 for more information on each step, who can claim exemption from withholding, when to use the estimator at [www.irs.gov/W4App](http://www.irs.gov/W4App), and privacy.

**Step 2:**  
**Multiple Jobs**  
**or Spouse**  
**Works**

Complete this step if you (1) hold more than one job at a time, or (2) are married filing jointly and your spouse also works. The correct amount of withholding depends on income earned from all of these jobs.

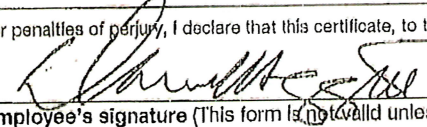
Do only one of the following.

- (a) Use the estimator at [www.irs.gov/W4App](http://www.irs.gov/W4App) for most accurate withholding for this step (and Steps 3-4); or  
 (b) Use the Multiple Jobs Worksheet on page 3 and enter the result in Step 4(c) below for roughly accurate withholding; or  
 (c) If there are only two jobs total, you may check this box. Do the same on Form W-4 for the other job. This option is accurate for jobs with similar pay; otherwise, more tax than necessary may be withheld. . . . ► ☐

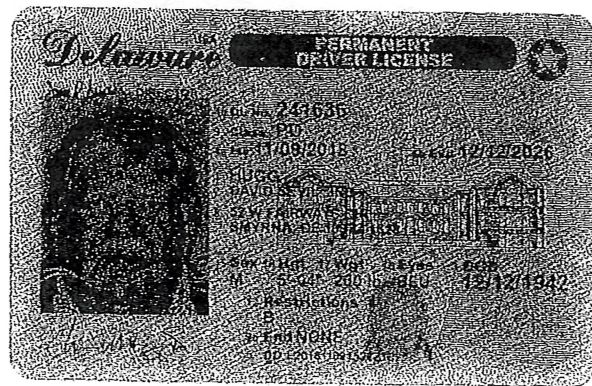
**TIP:** To be accurate, submit a 2022 Form W-4 for all other jobs. If you (or your spouse) have self-employment income, including as an independent contractor, use the estimator.

Complete Steps 3-4(b) on Form W-4 for only ONE of these jobs. Leave those steps blank for the other jobs. (Your withholding will be most accurate if you complete Steps 3-4(b) on the Form W-4 for the highest paying job.)

|                                                                           |                                                                                                                                                                                                                                                   |      |               |
|---------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|---------------|
| <b>Step 3:</b><br><b>Claim</b><br><b>Dependents</b>                       | If your total income will be \$200,000 or less (\$400,000 or less if married filing jointly):                                                                                                                                                     |      |               |
|                                                                           | Multiply the number of qualifying children under age 17 by \$2,000 ► \$ 0                                                                                                                                                                         |      |               |
|                                                                           | Multiply the number of other dependents by \$500 . . . . . ► \$ 0                                                                                                                                                                                 |      |               |
|                                                                           | Add the amounts above and enter the total here . . . . .                                                                                                                                                                                          | 3    | \$ 0          |
| <b>Step 4</b><br><b>(optional):</b><br><b>Other</b><br><b>Adjustments</b> | (a) <b>Other income (not from jobs).</b> If you want tax withheld for other income you expect this year that won't have withholding, enter the amount of other income here. This may include interest, dividends, and retirement income . . . . . | 4(a) | \$ 0          |
|                                                                           | (b) <b>Deductions.</b> If you expect to claim deductions other than the standard deduction and want to reduce your withholding, use the Deductions Worksheet on page 3 and enter the result here . . . . .                                        | 4(b) | \$ 0          |
|                                                                           | (c) <b>Extra withholding.</b> Enter any additional tax you want withheld each pay period . . . . .                                                                                                                                                | 4(c) | \$ 200.00     |
|                                                                           |                                                                                                                                                                                                                                                   |      | (Two HUNDRED) |

|                                              |                                                                                                                                                          |                          |                                      |
|----------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------------------|
| <b>Step 5:</b><br><b>Sign</b><br><b>Here</b> | Under penalties of perjury, I declare that this certificate, to the best of my knowledge and belief, is true, correct, and complete.                     |                          |                                      |
|                                              | Employee's signature (This form is not valid unless you sign it.)<br> |                          | Date<br>8/12/22                      |
| <b>Employers</b><br><b>Only</b>              | Employer's name and address                                                                                                                              | First date of employment | Employer identification number (EIN) |
|                                              |                                                                                                                                                          |                          |                                      |

Scanned





## ACKNOWLEDGMENT STATEMENT

### City of Dover - Acceptable Use Policy

#### City Employee

This is to certify that I have read and agree to abide by the guidelines set forth within the City of Dover Acceptable Use Policy. As an employee of the City of Dover, I fully intend to comply with this policy realizing that I am personally liable for intentional misuse or abuse of the City's communications and computer systems. If I have any questions about the policy, I understand that I need to ask my supervisor or IT for clarification.

*\*If I refuse to sign this acknowledgement form, my supervisor will be asked to sign this form indicating that I have been given time to read and have questions answered about this policy. The supervisor will read this statement to me prior to signing the document and advise me that by not signing this document my rights to use the City's Communications and Computer Systems may be denied and may affect my ability to meet my job requirements.*

Printed Name: DAVID S. HUGG III

Signature: [Handwritten Signature]

Department: PLANNING & INSPECTION

Date: 8/11/2020

Supervisor Signature (\*as required)

N/A

Comments:

\_\_\_\_\_



# Flexible Spending Account Agreement Form

Print clearly and return this completed Agreement to Human Resources/Benefits Dept.

Employer Name  
**CITY OF DOVER DELAWARE**

Name (Last, First, MI)  
**HUGG DAVID S. III**

Social Security Number or ID Number  
[Redacted]

Street Address  
[Redacted]

City  
[Redacted]

State  
[Redacted]

ZIP Code  
[Redacted]

Effective Date of Election  
**5/17/2023**

Type of Election  
☒ Rollover Election  
☐ New Hire Election

Date of Birth MM/DD/YY  
**12/2/1942**

Health Care Flexible Spending Account (FSA) Election -- Medical, dental, vision, hearing care expenses  
Qualified expenses include medical, dental, vision, and hearing expenses for you & your tax dependents that are not reimbursed under any other source.

Plan Year Salary Reduction Amount  
Check your plan for the maximum limit

Per Pay Period  
[Redacted]

Plan Year Election \$  
[Redacted]

Dependent Care Flexible Spending Account (DCFSA) Election - Child/elder day care expenses  
Qualified expenses include day care for your child or elder dependent care for you or your spouse.

Plan Year Salary Reduction Amount  
Maximum \$5,000 or \$2,500 if married and filing separate income tax returns

Per Pay Period  
\$ [Redacted]

Plan Year Election \$  
[Redacted]

Claim reimbursement is sent directly to a bank account of your choice, and you will be notified by email/text alert each time reimbursement is issued.

Note: If you have previously signed up for this option and do not wish to change the information ASIFlex has on file from a previous year, there is no need to complete the following section.

Please use account information below to set up direct deposit to my bank account and send email/text alerts of my account activity. Attach a voided check or copy of a check to this form. Note: Standard text message charges may apply from your wireless provider.

Name of Financial Institution/Bank **DEL. FEDERAL CREDIT UNION** Bank Routing Number (9 digits) [Redacted]  
Account number [Redacted]  
Email **dshugg3@gmail.com** Cell Phone [Redacted] Mobile Carrier **AT&T**  
Type of Account ☒ Checking ☐ Savings  
☐ Mail a check to my home address. ASIFlex and your employer are not responsible for lost or delayed mail.

## I understand:

- I have elected to have pretax deductions from my pay based on the number of pay periods as set up by my employer during the plan year, and that this election will continue until this Agreement is amended or terminated as allowed under the Plan.
- Pretax deductions reduce my compensation for tax purposes which reduces my Social Security benefits.
- I cannot change or terminate my election unless I experience a qualified change in status as allowed under the Plan.
- My employer may change my election if necessary in order to satisfy certain provisions of the Internal Revenue Code.
- My election and this Agreement will cease upon termination of employment.
- Complete claims with correct supporting documentation must be submitted timely as described in the Plan in order to be considered for reimbursement.
- Expenses for which I claim a tax deduction under my income tax return cannot also be reimbursed under this Plan.
- Unused funds are forfeited at the end of the Plan Year or defined in the Plan.
- The Dependent Care FSA and Health Care FSA benefits, and my rights and obligations under this plan, as specified in my employer's Plan materials.
- This Agreement cancels any prior election agreement I have made under the Plan and cannot be changed except as stated in my employer's Plan.

Employee Signature **[Signature]**

Date **5/17/23**

Questions? Visit ASIFlex at [www.asiflex.com](http://www.asiflex.com), Email [hr@asiflex.com](mailto:hr@asiflex.com), Call 1-800-855-3033

Rev: 08201



| <b>Form W-4</b><br>Department of the Treasury<br>Internal Revenue Service                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                       | <b>Employee's Withholding Certificate</b><br>▶ Complete Form W-4 so that your employer can withhold the correct federal income tax from your pay.<br>▶ Give Form W-4 to your employer.<br>▶ Your withholding is subject to review by the IRS. |                                                                                                                                                                                                       | OMB No. 1545-0074<br><div style="font-size: 24pt; font-weight: bold;">2022</div> |                             |                          |                                      |  |  |  |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------|-----------------------------|--------------------------|--------------------------------------|--|--|--|
| <b>Step 1:</b><br>Enter<br>Personal<br>Information                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | (a) First name and middle initial: <b>DAVID S.</b> Last name: <b>HUGG</b>                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                               | (b) Social security number: [REDACTED]                                                                                                                                                                |                                                                                  |                             |                          |                                      |  |  |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Address: [REDACTED]                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                               | ▶ Does your name match the name on your social security card? If not, to ensure you get credit for your earnings, contact SSA at 800-772-1213 or go to <a href="http://www.ssa.gov">www.ssa.gov</a> . |                                                                                  |                             |                          |                                      |  |  |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | City or town, state, and ZIP code: [REDACTED]                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                               |                                                                                                                                                                                                       |                                                                                  |                             |                          |                                      |  |  |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | (c) <input type="checkbox"/> Single or Married filing separately<br><input checked="" type="checkbox"/> Married filing jointly or Qualifying widow(er)<br><input type="checkbox"/> Head of household (Check only if you're unmarried and pay more than half the costs of keeping up a home for yourself and a qualifying individual.) |                                                                                                                                                                                                                                               |                                                                                                                                                                                                       |                                                                                  |                             |                          |                                      |  |  |  |
| <b>Complete Steps 2-4 ONLY if they apply to you; otherwise, skip to Step 5.</b> See page 2 for more information on each step, who can claim exemption from withholding, when to use the estimator at <a href="http://www.irs.gov/W4App">www.irs.gov/W4App</a> , and privacy.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                               |                                                                                                                                                                                                       |                                                                                  |                             |                          |                                      |  |  |  |
| <b>Step 2:</b> Complete this step if you (1) hold more than one job at a time, or (2) are married filing jointly and your spouse also works. The correct amount of withholding depends on income earned from all of these jobs.<br><b>Multiple Jobs or Spouse Works</b> Do only one of the following.<br>(a) Use the estimator at <a href="http://www.irs.gov/W4App">www.irs.gov/W4App</a> for most accurate withholding for this step (and Steps 3-4); or<br>(b) Use the Multiple Jobs Worksheet on page 3 and enter the result in Step 4(c) below for roughly accurate withholding; or<br>(c) If there are only two jobs total, you may check this box. Do the same on Form W-4 for the other job. This option is accurate for jobs with similar pay; otherwise, more tax than necessary may be withheld. <input type="checkbox"/><br><b>TIP:</b> To be accurate, submit a 2022 Form W-4 for all other jobs. If you (or your spouse) have self-employment income, including as an independent contractor, use the estimator. |                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                               |                                                                                                                                                                                                       |                                                                                  |                             |                          |                                      |  |  |  |
| <b>Complete Steps 3-4(b) on Form W-4 for only ONE of these jobs.</b> Leave those steps blank for the other jobs. (Your withholding will be most accurate if you complete Steps 3-4(b) on the Form W-4 for the highest paying job.)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                               |                                                                                                                                                                                                       |                                                                                  |                             |                          |                                      |  |  |  |
| <b>Step 3:</b> If your total income will be \$200,000 or less (\$400,000 or less if married filing jointly):<br><b>Claim Dependents</b> Multiply the number of qualifying children under age 17 by \$2,000 ▶ \$ <u>0</u><br>Multiply the number of other dependents by \$500 . . . ▶ \$ <u>0</u><br>Add the amounts above and enter the total here . . . 3 \$ <u>0</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                               |                                                                                                                                                                                                       |                                                                                  |                             |                          |                                      |  |  |  |
| <b>Step 4 (optional):</b> <b>Other Adjustments</b><br>(a) <b>Other income (not from jobs).</b> If you want tax withheld for other income you expect this year that won't have withholding, enter the amount of other income here. This may include interest, dividends, and retirement income . . . 4(a) \$ <u>0</u><br>(b) <b>Deductions.</b> If you expect to claim deductions other than the standard deduction and want to reduce your withholding, use the Deductions Worksheet on page 3 and enter the result here . . . 4(b) \$ <u>0</u><br>(c) <b>Extra withholding.</b> Enter any additional tax you want withheld each pay period . . . 4(c) \$ <u>200.00</u><br><div style="text-align: right;">(Two Hundred)</div>                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                               |                                                                                                                                                                                                       |                                                                                  |                             |                          |                                      |  |  |  |
| <b>Step 5:</b> Under penalties of perjury, I declare that this certificate, to the best of my knowledge and belief, is true, correct, and complete.<br><b>Sign Here</b> Date: <u>8/12/22</u><br>Employee's signature (This form is not valid unless you sign it.)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                               |                                                                                                                                                                                                       |                                                                                  |                             |                          |                                      |  |  |  |
| <b>Employers Only</b><br><table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Employer's name and address</td> <td style="width: 20%;">First date of employment</td> <td style="width: 20%;">Employer identification number (EIN)</td> </tr> <tr> <td style="height: 40px;"> </td> <td> </td> <td> </td> </tr> </table>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                               |                                                                                                                                                                                                       |                                                                                  | Employer's name and address | First date of employment | Employer identification number (EIN) |  |  |  |
| Employer's name and address                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | First date of employment                                                                                                                                                                                                                                                                                                              | Employer identification number (EIN)                                                                                                                                                                                                          |                                                                                                                                                                                                       |                                                                                  |                             |                          |                                      |  |  |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                               |                                                                                                                                                                                                       |                                                                                  |                             |                          |                                      |  |  |  |

For Privacy Act and Paperwork Reduction Act Notice, see page 3.

Cat. No. 10220Q

Form W-4 (2022)

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City of Dover Personnel Policy  
(Employee Handbook)

July 2004

The City of Dover Personnel Policy is not a contract of employment. The Personnel Policy is intended to provide guidance and direction in regards to the employee/employer relationship within the City of Dover.

My signature below indicates that a representative of the City of Dover has explained that the City of Dover Personnel Policy is not a contract of employment. The Personnel Policy is intended only to provide guidance and direction in regards to the employee/employer relationship within the City of Dover. A copy of this signed notice will be placed in the employee's personnel file indicating that I agree that this Personnel Policy in no way indicates a contract of employment.

Employee's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

City Representative Signature: \_\_\_\_\_

Date: \_\_\_\_\_

City Representative Title: \_\_\_\_\_

*Original signed copy is located in employee's personnel file.*

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The City of Dover Personnel Policy is not a contract of employment. The Personnel Policy is intended to provide guidance and direction in regards to the employee/employer relationship within the City of Dover.

#### ARTICLE I

##### IMPLEMENTATION OF THIS POLICY

###### SECTION 1. CONFLICTING POLICIES REPEALED

All policies, ordinances or resolutions that conflict with the provisions of this policy are hereby repealed.

###### SECTION 2. SEPARABILITY

If any provision of this policy or any rule, regulation or order thereunder of the application of such provision to any person or circumstances is held invalid, the remainder of this policy and the application of such remaining provisions of this policy of such rules, regulations or order to persons or circumstances other than those held invalid will not be affected thereby.

###### SECTION 3. VIOLATIONS OF POLICY PROVISIONS

An employee violating any of the provisions of this policy shall be subject to suspension and/or dismissal, in addition to any civil or criminal penalty, which may be imposed for the violation of the same.

#### **SECTION 4. EFFECTIVE DATE**

This policy shall become effective **July 12, 2004** upon the approval of City Council.

### ARTICLE II

#### **ORGANIZATION OF PERSONNEL SYSTEM**

##### **SECTION 1. PURPOSE**

Policies are defined as the basic rules which guide administrative action to accomplish the organization's objective. Well conceived policies, consistently and fairly administered, have greatly contributed to the success of many organizations.

This Personnel Policies Employee Handbook contains those policies adopted by and for the City of Dover. Its intended use is to inform all covered employees of their rights, benefits and responsibilities and to assist the City administrative group, department heads and supervisory personnel in seeing that the goals and objectives of the City are met.

Changes with this handbook (i.e. additions, deletions or revisions) will be dated and communicated to all affected employees.

##### **SECTION 2. COVERAGE**

This handbook shall apply to all employees of the City of Dover. When an aspect of either this policy or a manual of Department Rules conflicts with the terms and conditions of an employee labor agreement approved by City Council then the employee labor agreement takes precedence.

##### **SECTION 3. DEFINITION OF TERMS**

Part-time Employee: An employee, either regular or temporary, who is appointed to a position and is regularly scheduled to work fewer than 37.5 hours weekly.

Full-time Employee: An employee, either regular or temporary, who is regularly scheduled to work 75 or 80 hours biweekly for employees regularly scheduled to shift work or 37.5/7.5 hours or more per workweek/workday for non-shift workers.



Regular Employee: A person appointed/selected to serve in a position for an undetermined duration subject to probationary requirements.

Temporary Employee: A person appointed/selected to serve in a position for 180 calendar days or less.

On-Call Employee: A person who is to be available to work when a full-time regular employee is unavailable (for example, Relief Fire Dispatchers).

Completed Year: A period of twelve calendar months in which the employee is on active pay status or is on Worker's Compensation leave.

Completed Month: Any month in which an employee for one half (1/2) of the workdays either works, is on approved leave with pay, is on Worker's Compensation leave or any combination of these.

Active Pay Status: Any employee who is eligible to receive a biweekly paycheck, except those on terminal leave.

#### **SECTION 4. MERIT PRINCIPLE**

All appointments, promotions and other personnel transactions shall be made on the basis of knowledge, skills and abilities, as stated in the job description for the position.

The above section is subject to employee labor agreements, if applicable.

#### **ARTICLE III**

#### **The Pay Plan**

##### **Section 1. ADOPTION**

The position classification plan and salary ranges that were developed by the Public Administrative Service (PAS) is hereby adopted as the position classification plan for the City and can be obtained from the Human Resources Department. Bargaining positions are indicated in employee labor agreements.

##### **SECTION 2. MAINTENANCE OF THE PAY PLAN**

The pay plan is intended to provide equitable compensation for all positions when considered in relation to each other; to general rates of pay for similar employment in the private sector and in the other public jurisdictions in the area; to changes in the cost

of living; to financial conditions of the City and other factors. To this end the City Council shall from time to time consider studies of all factors affecting the level of salary ranges and consider such changes in salary ranges as warranted.

The above section is subject to employee labor agreements, when applicable.

### SECTION 3. USE OF SALARY RANGES

For non-bargaining positions, salary ranges are intended to furnish administrative flexibility in recognizing individual performance among employees holding positions in the same class by rewarding employees for meritorious service. The following general provisions will govern the granting of the pay increments:

(a) The minimum rate established for the class is the normal hiring rate, except in those cases where unusual circumstances appear to warrant appointment at a higher rate. Appointments above the minimum rate may be made with the approval of the City Manager when deemed necessary in the best interest of the City. Above the minimum appointments will be based on such factors as the qualifications of the applicant being higher than the desirable education and training for the class, a shortage of qualified applicants available at the minimum step and the need to offer qualified applicants above the minimum steps to secure his/her employment.

(b) All factors affecting an employee's performance shall be considered in determining whether or not the employee shall receive an increase or be retained at the current rate. The performance evaluation shall cover a full year of active service. This provision is for bargaining and non-bargaining positions.

(c) The date for the performance evaluation described in subparagraph (b) above shall be the annual anniversary of an employee's employment date or date of change of position. This procedure applies to all bargaining employees. Another date for a new employee may be designated when deemed necessary in the best interest of the City, and shall be based on such factors as the qualifications of the new employee being higher or lower than the desirable education and training for the class, a shortage of qualified applicants for the job and the need to offer qualified applicants another review date other than their employment date to secure their employment.

#### **SECTION 4. PAYMENT AT A LISTED RATE**

All non-bargaining employees covered by the PAS salary plan shall be paid at a listed rate within the salary ranges established for their respective job classes except for employees in a trainee status or whose present salaries are above the established maximum rate following transition to a new pay plan or a reclassification.

Non-exempt hourly employees who work a forty (40) hour week and an eight (8) hour day or a thirty seven and a half (37.5) hour work week and a seven and a half (7.5) hour day shall be paid at a hourly rate within the salary ranges established for their respective job classes.

Non exempt salaried employees who work a forty (40) hour week and an eight (8) hour day or a thirty seven and a half (37.5) hour work week and a seven and a half (7.5) hour day shall be paid at the listed weekly rate within the salary ranges established for their respective job classes.

Exempt salaried employees who work a forty (40) hour week or a thirty seven and a half (37.5) hour work shall be paid at the listed weekly rate in the salary ranges established for their respective job classes.

The above section is subject to employee labor agreements, when applicable.

#### **SECTION 5. SALARY OF A TRAINEE**

An applicant hired or an employee promoted to a position in a higher class, who does not meet all the established requirements of the position, may be appointed at a rate in the pay plan below the minimum established for the position. An employee will remain on the trainee step until the department supervisor certifies that the trainee is qualified to assume the full responsibilities of the position, subject to employee labor agreement.

#### **SECTION 6. PAY RATES IN PROMOTION, DEMOTION, TRANSFER, RECLASSIFICATION AND UPGRADING**

When an employee is promoted, demoted, upgraded, transferred or reclassified, the rate of pay for the new position will be established in accordance with the following rules:

- (a) An employee who is promoted shall receive a minimum 5% increase or an increase to the minimum step of the new pay range, whichever is higher.

(b) An employee who is demoted to a position for which he/she is qualified shall receive a salary or hourly rate in the lower pay range.

(c) An employee transferring from a position in one class to a position in another class assigned the same pay range shall continue to be paid at the same rate.

(d) An employee whose position is reclassified to a class having a higher salary range shall receive a minimum 5% increase or an increase to the minimum step of the new pay range, whichever is higher. If the employee's position is reclassified to a lower pay range and the result is that the employee will receive a rate of pay above the maximum established for the new class, that employee will be ineligible for merit pay adjustments until such time that the employee either receives a promotion or benefits from a general class-wide pay increase thereby bringing the employee's rate of pay to or below the maximum rate established for the class.

(e) An employee who is temporarily upgraded and becomes eligible for a pay increase must wait thirty (30) calendar days from the time of his/her upgrade before the increase goes into effect. The increase will take effect on the 31<sup>st</sup> calendar day. The employee shall receive a minimum one step pay increase or an increase to the minimum step of the range of the position that he/she is filling, whichever is higher, until the employee is downgraded. The City Manager reserves the discretion to give pay increases without the above guidelines being satisfied.

#### SECTION 7. PAY RATES IN SALARY RANGE REVISIONS

When a change in pay range is approved for a class of positions, employees whose positions are allocated to that class may have their salary or hourly rate raised or left unchanged.

(a) Depending upon the financial condition of the City, when a class of positions is assigned to a higher pay range, each employee in that class shall receive at least a pay increase to the minimum starting of the new pay range. If the employee's current rate of pay is within the new range, the employee will retain his or her current salary.

(b) When a class of positions is assigned to a lower pay range, the salaries of employees in that class will remain unchanged. If this assignment to a lower class results in an employee being paid at a rate above the

maximum step established for the new class, that employee will be ineligible for merit pay adjustments until such time that the employee either receives a promotion or benefits from a general class-wide pay increase thereby bringing the employee's rate of pay to or below the maximum rate established for the class.

#### **SECTION 8. PAY FOR PART-TIME WORK**

The Pay Plan established by this policy is for full-time service. An employee appointed for less than full-time service shall be paid a prorated amount determined by converting the established salary to an hourly rate.

The above section is subject to employee labor agreements, when applicable.

#### **SECTION 9. OVERTIME**

Overtime work shall be that work performed by a non-exempt hourly or salaried full-time employee who either exceeds eight (8) hours per workday or forty (40) hours per workweek or which is accomplished on an unscheduled workday provided however that no fulltime employee shall be paid twice at an overtime rate for the same hours (pyramiding). Non-exempt hourly or salaried employees who work a seven and a half (7.5) hour workday or thirty-seven and a half (37.5) hour workweek will not receive overtime compensation until hours exceed eight (8) hours per day or forty (40) hours per week.

Overtime work shall be the work performed by a part-time employee which exceeds an eight (8) hour workday or forty (40) hour workweek provided that no part-time employee shall be paid twice at an overtime rate for the same hours (pyramiding).

For the purpose of computing overtime pay, time spent on vacation, holidays, earned sick leave, military leave, jury duty and bereavement leave shall be considered hours worked. Terms subject to employee labor agreements. Lost time due to other types of leave such as personal business, unexpected absence and lateness shall not be considered as hours worked. No employee shall be authorized to work overtime (except when necessary in the interest of the City) on the same day that an employee has spent time on leave, with or without pay.

In order for an employee to be eligible for overtime the following provisions apply:

- (a) the work is of a regularly scheduled nature and is approved by the Department Head or the authorized representative of the Department Head,



(b) the work is of a unusual, unscheduled or emergency nature and is directed by the Department Head or the authorized representative of the Department Head,

(c) Compensatory time off shall be taken within ninety (90) days from the time it is earned.

In determining whether an employee will receive compensatory time or monetary payment for overtime it is the discretion of the Department Head unless the employee labor agreement for the position the employee occupies indicates otherwise. The employee and Department Head must reach a mutual agreement prior to the overtime occurring.

For non-bargaining employees the following guidelines apply:

When a non-bargaining, nonexempt employee is required to work overtime he or she will be compensated with time off at the rate of one and one half times the overtime hours worked or paid for such time on the basis of one and one half times their regular hourly rate for the overtime hours worked provided that:

(a) the employee and Department Head or authorized representative of the Department Head must reach a mutual agreement concerning receiving pay or Comp-time prior to the performance of overtime work.

(b) the work is of a regularly scheduled nature and is approved by the Department Head or authorized representative of the Department Head prior to the work being performed.

(c) the work is of an unusual, unscheduled or emergency nature and is directed by the Department or an authorized representative of the Department Head.

(d) compensatory time off should be scheduled and taken within ninety (90) days from the time it is earned. The Department Head must approve the compensatory time schedule. If earned compensatory time is not taken within ninety (90) days, the City will have the option of paying overtime to the affected employees.

(e) the Department Head or person designated by the Department Head will keep records of compensatory time earned for all non-bargaining, nonexempt employees in his or her Department.

When a non-bargaining, exempt employee is required to work overtime he or she will be compensated with time off at the rate of one times (1 overtime hour = 1 comp-time hour) the overtime hours

worked provided that:

(a) the work is of an unusual, unscheduled or emergency nature and must be completed at a specific time in order to meet a deadline or specific request from an outside agency or authority.

(b) compensatory time off should be taken within ninety (90) days from the time it is earned. Council Appointees and City Manager Department heads may work a flexible work schedule to accomplish receiving the earned comp-time. If the compensatory time is not taken in ninety (90) days, non-bargaining exempt employees will forfeit the time.

(c) the Department Head or person designated by the Department Head will keep records of compensatory time earned for all non-bargaining, exempt employees in their Department.

#### **SECTION 10. SHIFT DIFFERENTIAL PAY**

The above section is subject to employee labor agreement.

#### **SECTION 11. ON CALL PAY**

The City shall provide compensation to non-exempt hourly and salaried employees scheduled for "on-call" service after hours, weekends and holidays on a full seven (7) day cycle.

The method of reimbursement for the service shall be:

(a) The City shall pay an additional seven (7) hours straight time over and above the normal forty (40) hours worked for an employee assigned "on call" for the week, even if he/she is not called to work. This "on call" pay is computed and should be shown on the biweekly time sheet as one (1) straight time hour per day.

(b) The paid "call-out" time shall be no less than two hours for each separate "call-out." If an employee is on a "call-out" and another trouble call is reported to him/her, this shall be treated as the same "call-out." Only when the employee has returned home and is again "called-out" shall a new "call-out" be reported. The time spent on a "call-out" begins when the employee reports to the work place or gets to the City vehicle, if it was not taken home. The "call-out" time must be recorded on the biweekly time sheet in the on-call overtime column.

(c) Any trading of "on call" duty between employees must be approved in writing by the Supervisor of the employee

who was originally assigned for duty. The assigned "on call" employee shall be the only employee that reports "call-out" time under this policy. Obviously, other personnel may be "called-out" during times of emergencies and their overtime pay shall be determined under Sections 9 and 12 of this Article. Trading of on-call duty is permitted, however subject to department policies.

(d) The employee subject to "on-call" shall be responsible to assure that the phone number listed under their name, with the Dispatch Center, is correct and current. Any employee scheduled and assigned to "on-call" duty who is found to be unavailable when called at the phone number listed with the Dispatch Center of their department will be subject to disciplinary action by the Department Head; including loss of one week "on-call" pay.

(e) Written approval must be obtained in order to trade on-call shifts. Approval must be received prior to the trade. The person who is actually on-call is the employee who is to be reported to payroll.

The above section is subject to employee labor agreements, when applicable.

#### SECTION 12. CALL BACK PAY

Any City employee eligible to receive overtime compensation under this policy who is not "on-call" will be guaranteed a minimum payment of two hours of wages for being called back to work outside of normal working hours; provided that the employee who is called back goes home again before the next regular work time.

The above section is subject to employee labor agreement, when applicable.

#### SECTION 13. LONGEVITY PAY

Longevity pay shall apply to all regular employees working twenty or more hours per week hired prior to July 1, 1980. Such pay shall be based on the following schedule:

| <u>Number of Years</u><br><u>Continuous Service</u> | <u>Amount of Weekly Increase</u> |
|-----------------------------------------------------|----------------------------------|
| 9                                                   | +.10/hr or \$4.00/wk             |
| 12                                                  | +.10/hr or \$4.00/wk             |
| 15                                                  | +.10/hr or \$4.00/wk             |
| 20                                                  | +.10/hr or \$4.00/wk             |
| 25                                                  | +.10/hr or \$4.00/wk             |

Upon completion of 9, 12, 15, 20 and 25 continuous years of service, an employee shall receive the appropriate adjustment in base pay.

#### **SECTION 14. VACATION SELL BACK**

A regular employee may, during the month of December, sell back to the City unused vacation in accordance with the following schedules:

##### REGULAR FULL-TIME EMPLOYEES

| Number of Vacation Days<br>Earned Per Year | Number of Days Eligible<br>to Sell Back |
|--------------------------------------------|-----------------------------------------|
| 12                                         | 5                                       |
| 18                                         | 5                                       |
| 21                                         | 10                                      |
| 24                                         | 10                                      |

##### REGULAR PART-TIME EMPLOYEES

| Number of Vacation Days<br>Earned Per Year | Number of Days Eligible<br>to Sell Back |
|--------------------------------------------|-----------------------------------------|
| 6                                          | 2.5                                     |
| 9                                          | 2.5                                     |
| 10.5                                       | 5                                       |
| 12                                         | 5                                       |

The payment in lieu of vacation shall be made only in December each year and shall be deducted from the current calendar year's unused vacation leave. The employee will be paid based on his/her base salary plus cost-of-living increases and longevity increases at the date of the issuance of the sell back check.

This pay shall be at the City's option. The employee must request in writing to the employee's Department Head, prior to the submission of his/her Department's annual preliminary operating budget to the appropriate City official to reserve the option of pay in lieu of vacation in the budget. The normal City "application for leave" form (COD004) must be completed at least two weeks in advance of receiving pay in December.

Pay in lieu of vacation shall not be considered pay for pension purposes. No employee pension contributions will be deducted, the City will not make pension contributions based on the pay and the pay shall not be used to compute pension benefits.

The above section is subject to employee labor agreements, when applicable.

## **SECTION 15. PAYROLL DEDUCTIONS**

Federal and State Income Taxes, Social Security Tax, Medicare Tax, Dental, Life and Health Insurance Premiums, Credit Union Contributions, United Way contributions, Public Employees Benefit Services Corporation Contributions (PEBSCO), International City Management Association Contributions (ICMA), U.S. Savings Bonds, pension contributions, Flexible Spending, Union Dues and any other deduction that is court ordered will be deducted at each pay period as authorized by law or by the employee.

## **SECTION 16. PAY DAY**

Payday falls on Friday for all employees. Should a regular payday fall on a holiday, paychecks shall be issued on the work day that precedes the holiday. Direct Deposit of paychecks is a condition of employment effective July 12, 2004.

## **SECTION 17. PAY PERIOD**

All employees shall be paid biweekly. The pay period shall be from 12:01 a.m. Sunday to 12:00 p.m. Saturday.

## **SECTION 18. TRADING OF REGULARLY SCHEDULED HOURS**

Effective April 9, 2003 employees will not be permitted to trade regularly scheduled hours unless stated otherwise in the labor agreement that represents the employee.

# **ARTICLE IV**

## **EQUAL EMPLOYMENT OPPORTUNITY AND AFFIRMATIVE ACTION**

The City of Dover is committed to providing equal employment opportunities to all citizens and maintaining a high quality workforce that draws upon the talents of our diverse citizenry to effectively operate our City government. Through sound recruitment, promotion, and retention practices Dover will continue to strive for a workforce that reflects the diversity of the City's population.

## **SECTION 1. EQUAL EMPLOYMENT OPPORTUNITY AND AFFIRMATIVE ACTION POLICY**

It is the policy of the City to promote and foster equal employment opportunities, nondiscrimination, and a work atmosphere that fosters mutual respect and understanding among persons of different races, sexes, and faiths. The City of Dover shall provide equal opportunity to all qualified individuals in recruitment, hiring and promotion practices and shall assure that



no one shall suffer discrimination or harassment by a City employee on the grounds of race, color, religion, sex, sexual orientation, physical handicap, age or national origin. Applicants with physical handicaps shall be given equal consideration with other applicants for positions when the City is able to make reasonable accommodations to help them perform the essential functions of their duties.

## **SECTION 2. GENERAL IMPLEMENTATION**

All personnel responsible for recruitment and employment shall periodically review the implementation of this policy and relevant practices to assure that equal employment opportunity based on reasonable performance related job requirements are being actively observed. This will ensure that no employee or applicant for employment shall suffer discrimination based on age, sex, race, color, religion, national origin, sexual orientation or physical handicap. Notices with regard to equal employment matters shall be posted in conspicuous places on City Government premises where notices are ordinarily posted.

## **SECTION 3. COMMUNICATION**

### **A. Internal**

This policy shall be thoroughly disseminated and discussed at new employee orientation and management training programs.

This shall be the City's policy, and efforts to achieve the City's objectives in this area shall be published in an informational brochure and given to employees annually.

The intent of this policy and program and the individual responsibility for effective implementation of same shall be explained to staff, management and supervisory personnel.

Equal employment opportunity and affirmative action posters shall be prominently displayed in places readily accessible to both employees and applicants.

All employment advertising shall display the tag lines: "An Equal Opportunity Employer" or its equivalent.

### **B. External**

All sources of applicants for employment shall be notified annually in writing of the City's policy. These sources shall be requested to actively recruit and refer

minority, female and handicapped applicants for positions listed.

The City of Dover shall notify minority, female and handicapped organizations, community agencies, community leaders, secondary schools and colleges of the City's policies of non-discrimination and equal employment opportunity, and the Affirmative Action policy.

**Section 4. RESPONSIBILITIES FOR IMPLEMENTATION**

**A. Human Resources Director**

- 1) The Human Resources Director of the City of Dover shall serve as the Equal Employment Opportunity Officer and be responsible for implementation of this plan. The department head of each City department shall be responsible for their department and shall be accountable for implementing the City's policy.
- 2) The Human Resources Director shall be responsible for auditing and continually reviewing the City's hiring practices and employee behavior with respect to the Policy. The City Manager shall be notified of any complaints initiated against the City and any requests from private organizations and people wishing to discuss our employment practices.
- 3) The Human Resources Director shall have a complaint procedure to permit and encourage employees to discuss with the Human Resources Director any problem resulting from alleged bias, discrimination, lack of employment opportunity or any similar matter.

**B. Human Relations Commission**

The City of Dover has a Human Relations Commission whose purpose is to make recommendations to the City Council on ordinances which would support inclusiveness and civility, and to engage in education and advocacy for bettering human relations. The Human Relations Commission should be consulted from time to time on progress of this policy, and shall be given opportunities to educate the work force on bettering human relations.

## **SECTION 5. IDENTIFICATION OF PROBLEM AREAS**

A continuing analysis will be made by City Council and the City Manager to determine the composition of the work force, the applicants for employment, and the results of employment activities. The selection process including position descriptions, application forms, interviews, test procedures (if applicable), test validity, referral procedures, final selection process, as well as transfer and promotion practices shall be constantly monitored to assure equal opportunity.

## **SECTION 6. RECRUITMENT**

The City of Dover will continue to make special efforts to convince minority, female and handicapped individuals in the community that the City offers equal opportunity and a congenial employment environment. In this connection, effective communication will be maintained with the State Human Relations Commission and the State Employment Office to encourage minority individuals to seek employment with the City of Dover.

The City maintains continual personal contact with those having the most access to minority groups and handicapped individuals. These sources include school principals, community leaders, college career advancement offices, religious leaders and heads of minority groups. Referral to the City of Dover for employment is encouraged.

Moreover, to broaden the recruitment base with respect to placing minority, female and handicapped employees in professional categories, the City of Dover will communicate its needs to public and private employment offices emphasizing opportunities that are available. The City will continue to maintain relationships with all organizations which have as an objective the improvement of the employment opportunities for minority, female and handicapped persons.

In all employment advertising, the City of Dover will identify itself as an Equal Opportunity Employer, abiding by all the provisions of Title VII, Civil Rights Act.

A system of quotas shall not be utilized in the recruitment and selection of employees.

Minority, female and handicapped applicants for management and supervisory positions shall be energetically recruited in keeping with all the provisions and intent of this policy.

## **SECTION 7. ADVANCEMENT**

Minority, female or handicapped employees who have previous experience or who have demonstrated abilities and qualifications comparable to other applicants shall be considered for promotional opportunities--particularly where training or educational refund is to be afforded. They shall be encouraged to undertake training opportunities. The City has no formal training programs other than "on the job" training.

#### **SECTION 8. INVOLVEMENT IN COMMUNITY ACTIVITIES**

The City shall be actively involved in community activities that are minority, female and handicapped oriented. Both elected and non-elected City Officials will donate their free time to minority organizations by giving talks/greetings or attending affairs sponsored by such groups.

### **ARTICLE V**

#### **RECRUITMENT AND SELECTION**

##### **SECTION 1. RECRUITMENT SOURCES**

Recruitment sources including but not limited to newspapers, on-line recruiting services, employment agencies, job training and referral agencies and schools shall be advised periodically of the City's EEO policy. The City shall include among its recruitment sources the organizations and news media which are used by and are available to minority group applicants. Opportunities for employment with the City, including salary ranges, when appropriate, and employment qualifications for positions to be filled shall be publicized. Information on job openings and hiring practices shall be provided to recruitment sources. Individuals shall be recruited from a geographic area as wide as is necessary to ensure that well-qualified applicants are obtained for City service.

##### **SECTION 2. JOB ADVERTISEMENTS**

Employment advertisements shall contain assurances of equal employment opportunity and shall comply with federal and state statutes regarding discrimination in employment matters based on race, age, sex, color, sexual orientation, religion, national origin, and physical handicap.

##### **SECTION 3. APPLICATION FOR EMPLOYMENT**

With the exception of uniformed police officers, employment applications will only be accepted to fill positions which the City is actively seeking to fill, unless it is determined by the Human Resources Director that it is necessary to broaden representation of minority, female, or handicap employees in which case

applications shall be accepted at any time. Applicants are told upon inquiry that applications will be kept under active consideration for six (6) months after the date of application, after which they will be placed in a reserve file (see Section 4 below).

Applications for uniformed police officers are accepted continuously and can be obtained at the Police Department.

Employment practices shall be applied consistently for all applicants and shall be put in writing in sufficient detail to facilitate administration by all employees assigned to work in that area. All citizens must be permitted to file. If qualified applicants are being referred to department supervisors, then all those persons with comparable qualifications shall be referred.

All applicants who are interviewed for a position with the City and not selected shall be told why they were not selected for the position.

The City of Dover will not use any testing procedures to screen applicants other than recognized validated tests.

#### **SECTION 4. APPLICATION RESERVE FILE**

Applications shall be kept in an active file for a period of not less than six (6) months. After six months, applications shall be kept in a reserve file for a period of thirty-six (36) months.

To the extent that it is practical, reference to these files shall be made periodically in connection with the City's employment requirements to ensure that equal consideration is given to all applicants.

#### **SECTION 5. QUALIFICATION STANDARDS**

- A. Employees shall meet the employment standards established by the position classification plan and such other reasonable minimum standards of character, aptitude and ability to meet the public need and physical condition as may be established by the City.
- B. The City's policy includes the responsibility for insuring that the hiring qualifications for both entry level and promotional level jobs are fair and will continue to be fairly administered. Qualifications shall be reviewed periodically to assure that requirements conform to the actual job performance requirements. Qualifications and standards shall not be compromised. However, requirements particularly with regard to education, knowledge and experience, for each job shall be reasonable rather than excessive so as not to



unwittingly discourage or eliminate minority, female or handicapped individuals whose backgrounds may be minimal in these areas from applying.

- C. In keeping with both these responsibilities, the City may hire applicants who do not meet all minimum qualifications for particular jobs, provided that the deficiencies are such that they can be eliminated through orientation and on-the-job training.

#### SECTION 6. TESTING

Tests administered by the City or by the Delaware Department of Labor for the City will conform to applicable legal regulations.

#### SECTION 7. APPOINTMENTS

It is the policy of the City to employ according to knowledge, skills and abilities as stated in the job description for the position subject to employee labor agreements, if applicable. To that end, the City shall use all available means to attract qualified candidates for employment and to make such investigations and examinations as are deemed appropriate to assess fairly the aptitude, education, experience, knowledge, skills, character, and other qualities required for positions in the service of the City. Uniformed police officers will be required to meet the standards set by the Counsel on Police Training (C.O.P.T).

It is the City's policy to promote career opportunities for its employees when possible. Therefore, when a current employee applying for a vacant position is the best qualified candidate of all the applicants, that applicant shall be appointed to that position. All internal candidates shall be interviewed for positions for which they apply if they have the outlined qualifications.

When positions are to be filled, the City shall publicize opportunities for employment including the salary ranges, when appropriate, and employment qualifications for positions to be filled. At a minimum, job opportunities shall be publicized in a local newspaper and notice of vacancies shall be posted at designated conspicuous sites within City departments. The Human Resources Director shall also make available to the department heads for consideration current applications on file in the Human Resources Department.

The above section is subject to employee labor agreement, when applicable.

#### SECTION 8. PROBATIONARY PERIOD OF EMPLOYMENT

An employee appointed to a regular position other than a sworn police officer shall serve a probationary period of six (6) months. An employee appointed to a regular sworn police officer position shall serve a probationary period of twenty-four (24) months. An employee may be dismissed during the probationary period at any time the department head determines that the employee is not satisfactorily performing the assigned duties. A probationary employee that is terminated or voluntarily leaves during the probationary period will be credited with vacation days earned.

An employee serving a probationary period following initial employment in a full-time or part-time position shall receive all benefits provided in accordance with this policy with the following exceptions or as otherwise provided:

- A. Employees may accumulate vacation and sick leave but shall not be permitted to take his or her leave during the first six (6) months of the probationary period unless the denial of such leave would create an unusual hardship.
- B. Employees serving a probationary period following a promotion shall continue to receive all benefits provided in accordance with this policy and under other supplementary rules and regulations and will be permitted to take vacation and/or sick leave prior to the end of the probationary period.

Before completion of the probationary period, the department head or department head representative shall indicate in writing to the Human Resources Director:

- A. that the employee's supervisor has discussed the new employee's progress (accomplishments, strengths and areas of improvements) with the new employee,
- B. whether the new employee is performing satisfactory work,
- C. whether the probationary period should be extended provided that no employee shall remain on probation for more than one (1) year, other than a sworn police officer and
- D. whether the employee should be retained in the present position or should be released, transferred or demoted.

A proper City of Dover performance evaluation form must be used.

The above section is subject to employee labor agreement, when applicable.

#### ARTICLE VI

#### **TYPES OF APPOINTMENTS**

## **SECTION 1. PROMOTION**

(a) Candidates for promotion shall be chosen on the basis of existing or anticipated job openings, their qualifications and their work records without regard to age, sex, race, color, creed, religion, national origin, sexual orientation or physical handicap. Performance appraisals and work records for all personnel shall be carefully examined when there are position opening. Employees who are currently serving a probationary period of employment shall be eligible for promotions or lateral transfers.

(b) When a vacancy occurs, the Department Head or designated supervisor in whose department the vacancy occurs shall review all applications, including those from current city employees.

The above section is subject to employee labor agreements, when applicable.

## **SECTION 2. DEMOTION**

Any employee whose work in his/her present position is unsatisfactory or whose personal conduct is unsatisfactory may be demoted, provided the employee shows promise of becoming a satisfactory employee in another position. Such a demotion shall be preceded by warning procedures outlined in Article XV, Section 8. Any employee who wishes to accept a position with less complex duties and responsibilities may be demoted for reasons other than unsatisfactory performance of duties or failure in personal conduct.

If the demotion is for failure in performance of duties or failure in personal conduct, the employee shall be provided with a written notice citing the recommended effective date and reasons for demotion.

Representative causes for demotion because of failure in work performance and failure in personal conduct are listed in Article XV, Sections 8 and 9.

## **SECTION 3. TRANSFER**

Any employee who has successfully completed a probationary period may be transferred to the same or similar class in a different department. In which case, the employee would be required to complete another probationary period. Any employee desiring to be transferred should make the request to the receiving department and inform the Human Resources Director.

As vacancies occur in other departments and if an employee wishes to be considered for transfer, the employee must complete the same paperwork as required by all interested applicants.

#### **SECTION 4. TEMPORARY UPGRADING**

To assure the orderly performance and continuity of municipal service, the City may find it necessary to temporarily upgrade employees on an acting basis to position of a higher rank. Temporary upgrading may be required in order to fill or compensate for temporary vacancies which may exist for any of the following reasons:

(a) A position is vacant and is scheduled to be filled by a regular full-time employee and a period of time is required so as to proceed with and complete the normal appointment procedure.

(b) A position is temporarily vacant, although regularly filled, because the regular employee is on vacation, sick leave, light duty, Worker's Compensation or some other approved leave of absence.

After having been upgraded under this policy for thirty (30) consecutive or more calendar days, an employee shall become eligible for a temporary upgrade pay increase on the thirty-first (31) calendar day. Pay increase shall be a minimum of 5% or the minimum starting salary of the position, whichever is greater.

The above section is subject to employee labor agreements, when applicable.

#### **SECTION 5. EMPLOYEE EVALUATION**

It shall be the policy of the City of Dover to evaluate all employees prior to their review dates and to recommend increases based on a satisfactory evaluation to be effective on the review date. An employee shall not receive an increase if this evaluation proves to be unsatisfactory.

The following guidelines shall be followed in this review:

1. Every regular employee shall be reviewed for a full year of service.
2. The Supervisor shall arrange to meet with the employee to discuss the employee's evaluation no later than two weeks prior to the employee's scheduled review date. For non-bargaining employees, a supervisor shall arrange to meet with the employee no earlier than May 1 and no later

than May 25 of each year.

3. The supervisor shall review the employees overall status, areas needing improvements as well as major strong points to the employee. The appropriate City of Dover Employee Evaluation form must be used.
4. It is recommended that the employee should be given a copy of the performance evaluation at least two (2) days prior to discussing the evaluation with the supervisor.
5. The supervisor shall request the employee's signature on the overall evaluation and, if, the employee meets the criteria of the Pay for Performance plan, a merit pay increase should be recommended to the appropriate Department Head. If such merit increase is granted, the increase shall be submitted on Pay for Performance Salary Calculation Worksheet, prior to the due date, to the Human Resources Department.

The above section is subject to employee labor agreement, when applicable.

#### ARTICLE VII

#### **ETHICAL CONDUCT**

##### **SECTION 1. GIFTS AND FAVORS**

(a) No employee of the City shall accept any gift, whether in the form of service, loan, thing or promise from any person who, to the employee's knowledge, is interested directly or indirectly in any manner in business dealings with the City.

(b) No employee shall grant, in the discharge of duties, any improper favor, service or thing of value.

##### **SECTION 2. POLITICAL ACTIVITIES OF EMPLOYEES**

(a) No employee of the City shall, directly or indirectly, contribute any money or anything of value to any candidate for nomination or election to any City office, to any City office candidate campaign or take active part in any City political campaign. The only exception to this prohibition is voting.

(b) A person holding a City position shall not, while performing official duties or using City equipment at the person's disposal by reason of his/her position, solicit in any manner contributions for any purpose. Also a person can



not engage in any activity during working hours that impairs the efficiency of the position or presence during the working hours.

(c) A person holding a City position shall not, by the authority of the position, secure or attempt to secure in any manner for any other person an appointment, or advantage in appointment, to a City position or an increase in pay, or other advantage of employment, in any such position for the purpose of influencing the vote of that person, or for any other consideration.

(d) A person who supervises a City employee shall not directly or indirectly solicit the person supervised to contribute money, any thing of value or service, for any purpose not connected to said person's employment.

(e) Any person holding a City position who shall become a candidate for any elective office of the City of Dover, shall within sixty (60) days prior to the primary or general election voluntarily or automatically receive a leave of absence. This leave will be without pay and continue until the person is eliminated as a candidate. During this time the person shall perform no duties connected with the office or position so held.

(f) An employee shall terminate his/her employment with the City if appointed or elected to an elective office of the City prior to installation in the position or office.

Any violation of this section shall subject such employee to dismissal or other disciplinary action.

### **SECTION 3. OUTSIDE EMPLOYMENT**

The work of the City will take precedence over other occupational interests of employees. All outside employment for salaries, wages, commission and self employment must be reported in writing to the employee's supervisor, who in turn will report to the City Manager or an appropriate City Official for review. The City Manager or the appropriate City Official will review such employment for possible conflicts of interest and/or impact upon the efficiency of the employee. Such request will be placed in the employee's personnel file located in the Human Resources Department. Conflicting outside employment or outside employment which inhibits an employee's efficiency will be grounds for disciplinary action, up to and including dismissal.

### **SECTION 4. INCOMPATIBLE ACTIVITIES**

An employee shall not engage in any activity or enterprise

which is incompatible with his/her duties as a City employee. The following activities shall be considered incompatible with City employment:

(a) Any activity or enterprise which involves the use, for private gain, of the City's time, facilities, equipment, supplies, badge, uniform, prestige or influence of a City office or equipment.

(b) Any activity or enterprise which involves the receipt or acceptance by the employee of any money or other consideration from anyone other than the City for performance of an act which the employee would be required to render in the regular course of City employment or as part of his/her duties as a City employee.

(c) Any activity or enterprise which involves the performance of an act in other than his/her capacity as a City employee which may be later subject, directly or indirectly, to the control, inspection, review, audit or enforcement by such employee or the employing agency.

(d) Any activity or enterprise which involves the employee's time such that it impairs attendance or efficiency in the performance of duties as a City employee.

#### **SECTION 5.    LIMITATION OF EMPLOYMENT OF RELATIVES**

(a) Members of an immediate family shall not be employed at the same time if such employment would result in an employee directly or indirectly supervising a member of his/her immediate family.

(b) This policy shall not be retroactive as of April 5, 1984 and no action will be taken concerning those members of the same family employed in conflict with (a) above prior to April 5, 1984.

(c) Immediate family is defined for the purpose of this section as spouse, mother, father, guardian, children, sister, brother, grandparents, grandchildren plus the various combinations of half, step, in-law and adopted relationships that can be derived from those named.

#### **SECTION 6.    DISCRIMINATION AND HARASSMENT**

No employee shall discriminate, harass, or use derogatory language toward any person on the grounds of race, color, religion, sex, sexual orientation, physical handicap, age or national origin.

#### ARTICLE VIII

## **CONDITIONS OF EMPLOYMENT**

### **SECTION 1. UNEXPLAINED ABSENCE**

Any absence of three (3) or more consecutive days without a call-in by any City employee may be deemed and held to be, a resignation by such member and accepted by such as the City.

### **SECTION 2. USE OF CITY SUPPLIES, EQUIPMENT AND VEHICLES**

City equipment, materials, tools and supplies shall not be available for personal use nor be removed from City property except in the conduct of official City business.

An employee shall care for vehicles owned by the City in the same responsible way that an employee would care for his or her personal vehicle. Lack of care can result in disciplinary procedures. Such vehicles are to be used exclusively for official City business, except when by special approval. Use of vehicles for commuting to and from work shall usually be limited to an employee who is subject to an emergency call back to work.

No individual shall operate or ride in a City vehicle except as is required for the conduct of City business.

### **SECTION 3. REPRESENTATION AND INDEMNIFICATION**

**REPRESENTATION:** City employees, in any criminal or civil action against them arising from their official duties or from acts which were within the scope of employment and were not performed with wanton negligence or willful and malicious intent and do not arise out of official misconduct, bribery, robbery, receiving unlawful gratuities or other abuse of office or employment shall be entitled to have the City Solicitor appointed to represent their interest in the matter. The City Solicitor shall represent the person charged at all stages, trial and appellate, until final determination of the matter.

**INDEMNIFICATION:** In addition to the right of representation provided in the preceding paragraph of this Section, City employees who, but for the application of any provisions of the Constitutions or Laws of the United States or the State of Delaware to the contrary, would be entitled to immunity in accordance with 10 Del. C. S4010 et seq. shall be indemnified by the City of Dover against any expenses including attorneys fees and disbursements, judgements, fines and costs, actually and reasonably incurred by said person in defending against the action, suit or proceeding giving rise thereto provided, however, if the person seeking indemnification chooses to retain his/her own attorney rather than using the City Solicitor, he/she shall be responsible to bear all

costs incurred thereby.

The right to indemnification shall automatically apply upon the final determination of any court or administrative tribunal of competent jurisdiction that no claim or cause of action existed, or, but for the application of the Constitutions or Laws of either the United States or the State of Delaware, that no such claim or cause of action would have existed, or upon a verdict or ruling in favor of the person. If a court or administrative tribunal shall determine that no right to indemnification exists because the absence of any of the elements of immunity said determination shall be final and binding at such time as any and all rights or appeals from the decision giving rise to such determination shall have been exhausted. If for whatever reason, including a settlement agreed upon by the parties, the court or administrative tribunal having jurisdiction shall fail or refuse to make the determination required by this Subsection, then the indemnification shall only be granted as to the person upon the affirmative recommendation of a majority of members elected by Council.

#### **SECTION 4. SURRENDER OF PROPERTY**

An employee who is suspended, discharged, retiring or resigning shall be required to return to the City all items of equipment or uniforms owned by the City. Such items must be returned before issuance of the employee's final paycheck.

#### **SECTION 5. TRAVEL EXPENSES**

While traveling to an approved conference, training and business related travel of an employee shall be reimbursed for expenses based on the City of Dover's travel policy. Such policy can be obtained from the Finance Director.

#### **SECTION 6. VEHICLE ACCIDENT**

If any employee is involved in an accident involving a City vehicle or property which results in negligent damage, the employee may be required to reimburse the cost of repair or replacement of the City in full or part. All accidents shall be reported immediately to an employee's supervisor, the Police department for investigation as well as the Human Resources Department. The employee will be required to submit to a drug screening. The City of Dover will bear the cost of the screening. The Human Resources Department shall maintain an accident log by driver.

#### **SECTION 7. PRE-EMPLOYMENT REQUIREMENTS**

Each person to whom employment with the City is offered may be required to successfully pass a pre-employment physical, complete a background check and drug test at a City designated medical

facility at the City cost before an appointment to such employment becomes effective. For person offered employment with the City of Dover as a uniformed Police Officer, he or she will be required to pass a pre-employment physical.

## **SECTION 8. SUBSTANCE ABUSE POLICY**

### PURPOSE

It is expected that all employees will maintain an appropriate level of fitness for duty. All persons covered by this policy should be aware that violations of the policy may result in discipline, up to and including termination, or not being hired. The guidelines and procedures for this policy are defined in the following programs. All employees are covered under this policy except for police officers, which are covered by a separate agreement contained in the Police Code of Conduct.

### POLICY

#### **A. PRE-EMPLOYMENT SUBSTANCE SCREENING:**

1. A substance screening for excessive alcohol use, misuse of prescription drugs or illicit drugs will be required as a condition of employment for all new hires.
2. A positive confirming second test, on the original screening sample, will be the basis for disqualification of the applicant.
3. If either of the tests are negative, the applicant satisfies the substance level requirements.
4. An applicant whose test shows a positive result will have 24 hours after receiving notification of the positive result to provide a bona fide verification of a current valid prescription which may have caused the positive result. The prescription must be in the applicant's name.

#### **B. EMPLOYEES ARE PROHIBITED FROM THE FOLLOWING:**

1. Reporting to work under the influence of alcohol or drugs.
2. Have the odor of alcohol or drugs on their breath or have drugs or alcohol in their possession, while on duty.
3. Sell or provide drugs or alcohol to any other employee or to any other person while such employee is on duty.

4. Have their ability to work impaired as a result of alcohol or drugs.

Such actions will constitute violation of the established personnel policy and are causes for disciplinary action.

C. The appropriate law enforcement agency will be notified of any sale, and/or distribution, possession of any illegal substance by an employee while on duty or during lunch and other breaks or at any time while the employee is on a City work site or City working time.

D. Confirmation of drug or alcohol use or abuse will result in disciplinary action in accordance with the failure in the Personal Conduct Section of this manual.

E. Two disciplinary actions relating to drug or alcohol use may be cause for termination.

F. While use of medically prescribed or some other legal medications and drugs is not a violation of this policy, when such drug use adversely affects job performance, the employee will be required to use sick leave or take leave of absence.

G. Failing to notify an employee's supervisor before beginning work, when taking medications or drugs which may interfere with the safe and effective performance of duties by a City employee, may result in disciplinary action up to and including termination. Such actions will constitute violation of the City of Dover personnel policy Article XV, Section 8, of Failure in Performance of Duties.

H. Discipline for being under the influence of alcohol or non-prescribed controlled substances during non-job related activities would be based on the employee's work history, previous disciplinary actions and previous identification of substance use problems.

I. When an employee's driver's license is suspended due to alcohol or drug use and driving is required by the employee's job description, the said employee is subject to disciplinary action based on the Article XV, Section 9 regarding Failure in Personal Conduct.

J. SUBSTANCE SCREENING FOR CURRENT EMPLOYEES

1. Alcohol and/ or drug tests of existing employees will be conducted randomly and when there is reasonable suspicion that alcohol or substance abuse is involved in the work place.



2. "Reasonable Suspicion" shall be based on objective and definitive facts sufficient to lead a reasonable prudent supervisor to suspect that an employee is under the influence of drugs or alcohol so that the employee's ability to perform the functions of the job is impaired or so that the employee's ability to safely perform his/her job is reduced.

3. Another supervisor or higher ranking supervisor must confirm all charges of reasonable suspicion.

4. The circumstances in which drug and/or alcohol testing may be required due to a reasonable suspicion of alcohol or drug use or abuse may include, but not limited to, the following:

a. Observed alcohol or drug possession or use during work hours (ie. drug paraphernalia, remains of marijuana cigarettes, plastic sandwich bags with non-food residue inside).

b. Apparent physical state of intoxication or drug induced impairment of motor functions (ie. red and watery eyes, dilated pupils, drowsiness or sleeping, slurred speech, hand tremors, inability to walk a straight line and alcohol on breath).

c. Incoherent or irrational mental state (i.e. irrational physical altercation, irrational verbal altercation, memory gaps).

d. Marked changes in personal behavior or attitude not attributable to other factors (i.e. sudden unexplained changes in mood and personality, changes in disposition, changes in appearance, including inattention to personal hygiene, frequently borrowing money).

e. Deteriorating work performance or attendance problems not attributable to other factors (i.e. excessive tardiness, an above average injury rate, regularly claiming sick benefits or worker's compensation).

f. Employee involvement in an accident during work hours in which a review of the circumstances of the accident or other relevant facts lead to a reasonable suspicion to believe that employee may be under the influence of alcohol or drugs.

g. Incriminating information from a reliable

source or other employee actions or conduct that leads to a suspicion that the employee is under the influence of alcohol or drugs, suffers from substance abuse or is in violation of existing City rules concerning the use of such substances (i.e. reports by family members of friends about employees alcohol or drug abuse, unexplained secret meetings with other employees or others).

5. An employee whose test shows a positive result will have 24 hours after receiving notification of the positive result to provide a bona fide verification of a current valid prescription which may have caused the positive result. The prescription must be in the employee's name.

K. Drug and alcohol use during off-hours will also violate this policy when such use impairs job performance, at which time, an employee is subject to disciplinary action and the rules regarding reasonable suspicion.

L. When there is reasonable suspicion of alcohol and/or drug use by an employee involved in serious or repetitive accidents causing death, personal injury to self or others, and/or property damage, alcohol and drug tests shall be administered to employees immediately following such work related accidents. Confirmation of such drug or alcohol use through documented reasonable suspicion and a positive drug/alcohol screen test shall be cause for termination.

M. When reasonable suspicion has been adequately established, an immediate disciplinary suspension may be issued.

N. When reasonable suspicion has been adequately established, refusal to submit immediately to an alcohol and/or drug analysis when requested by management will constitute insubordination which is in violation of Article XV, Section 9, pertaining to failure in personal conduct and is cause for disciplinary action.

O. It is the policy of the City to provide a just procedure for the presentation, consideration and disposition of employee grievances. Such will be done in accordance with the established personnel policy (Article XVI).

#### TESTING PROCEDURES

A. To insure accuracy, employee's specimens must be given as soon as possible after charges of drugs or alcohol use or abuse has been made. These charges must follow the guidelines for establishing reasonable suspicion.

B. In establishing reasonable suspicion, the supervisor of an employee suspected of being impaired by alcohol or drugs shall document his/her observations and confirm those observations with another supervisor or higher ranking supervisor. Following such time, the supervisor may require the suspected, impaired employee to report to a designated physician, clinic or hospital on the City's time and at the City's expense for a fitness for duty examination, which will include, but not be limited to, urine analysis testing.

C. Any employee who refuses to submit to said testing would be found in violation of this policy. In such a case the two Supervisor's determination of impairment will be binding and the employee will be removed from the work site and subject to disciplinary action.

D. Alcohol and drug tests on employees shall be administrated immediately following work related accidents that involve personal injury to self or others, property damage or when there is reasonable suspicion that alcohol and/or drug abuse by the employee is involved.

E. Testing will be done for at least and possibly more of the following substances:

|                          |                          |
|--------------------------|--------------------------|
| Amphetamines (Uppers)    | Opiates (Opium)          |
| Barbiturates (Downers)   | Phencyclidine (PCP)      |
| Benzodiazepines (Valium) | Methaqualone (Quaaludes) |
| Cocaine                  | Alcohol                  |
| Marijuana                |                          |

F. The analysis shall be conducted in accordance with legally established clinical procedures of privacy which include a defined chain of custody and mandatory consent.

G. The urinalysis or screening method used is the EMIT method. Gas chromatography is used as a confirming second test if the screening is positive. If either of the tests is negative the employee is passed. The City reserves the right to use alternate testing methods.

#### EMPLOYEE ASSISTANCE

A. The City of Dover recognizes alcohol and/or drug dependency as a treatable condition. Any employee whose job performance, health or behavior, has deteriorated as a result of alcohol or drug use may use the employee referral program and health insurance coverage as appropriate. Employees should contact designated department personnel or the Human Resources Department for additional information.

B. Volunteer efforts to seek and use such help will not

jeopardize an employee's employment status. Such efforts will not appear on his/her personnel records if the employee volunteers prior to documented reasonable suspicion. However, said employees must follow suspension guidelines before returning to work.

C. Employees receiving treatment for drug or alcohol abuse may use sick leave, vacation leave or may be granted a limited leave without pay, or an extended leave without pay in accordance with established personnel policies.

D. Involvement of an employee in an alcohol and drug program does not suspend disciplinary measures to which an employee may be subject to as a result of conduct or behavior which violates work rules or regulations or is contrary to City policy.

#### SUSPENSION GUIDELINES

A. Employees placed on suspension from employment due to confirmed abuse of alcohol or drugs shall be required to complete the following documentation before reinstatement to any position with the City of Dover:

1. Submit at least fifteen (15) attendance slips showing proof of daily participation in Alcoholics Anonymous, Narcotics Anonymous or another approved rehabilitation organization.

2. Submit the name and telephone number of your organization sponsor to the City's Human Resources Department.

3. Submit the results of at least three (3) drug screening tests beginning on the first day of affiliation with a rehabilitation organization.

B. Upon submission of the three (3) items listed above an appointment will be required at a designated counseling center to determine the condition of applicable disease. Attendance may also be required at meetings with City personnel to explain the diagnosis. The City Manager or appropriate City official will then consider the safety and security of your employment and a decision will be made as to whether a suspension shall be lifted and reinstatement made in some capacity.

C. Any employee who has a positive substance screening must be given a return-to-duty substance screening before resuming duties. The City may require additional unannounced screening up to sixty (60) months after duties have been resumed. All costs of such return-to-duty screening and treatment shall be the responsibility of the employee.

### CONFIDENTIALITY

A. The City shall require unannounced retesting of employees who have agreed to such testing as part of a disciplinary action or rehabilitation program.

B. Laboratory reports or test results shall appear in an employee's confidential medical file. The reports or test results may be disclosed to a designated person in City management on a strictly need to know basis and to the tested employee upon request.

### SEVERABILITY

The provisions of this policy are severable and if any court of competent jurisdiction shall hold any of its provisions unconstitutional or otherwise invalid; the decision of such court shall not affect or impair any remaining provisions.

A separate policy exists for Uniformed Police Officers. The Police Code of Conduct is located with the Police Chief.

### **SECTION 9. DISCLOSURE OF CONFIDENTIAL INFORMATION**

No employee shall disclose confidential information concerning the property, government or affairs of the City. Nor shall the employee use such information to advance the financial or other private interest of himself/herself or others.

### **SECTION 10. SAFETY SHOES**

All employees shall wear safety shoes when it is determined that the employee may be exposed to the hazards of processes or environment that are capable of causing injury or impairment to the feet. The failure to wear safety shoes when exposed to such conditions will be cause for disciplinary action. Each Department Head shall designate which employees in his/her department shall be required to wear safety shoes and those employees to which safety shoes are recommended but not required. For both groups of employees the City has agreed to pay the amount agreed upon in the employee labor agreements.

The City shall provide a yearly allowance to each employee required or recommended to wear safety shoes. An employee may receive an additional allowance if his or her safety shoes have been damaged or destroyed or are not fit to wear due to work directly related to City employment.

The above section is subject to employee labor agreement, when applicable.

## SECTION 11. REST PERIODS

The City makes no attempt to define or regulate a policy for rest periods that can be uniformly applied for employees in all departments or divisions. Because there are numerous variations, work schedules and conditions, a department head and/or supervisor may establish an appropriate rest period policy that will best serve the City's interest. It must be recognized that there may be circumstances which make designated rest periods impossible and therefore the department head will address the question accordingly.

If it is feasible a department head will provide two fifteen minute rest periods per day within the building or at the job site. Rest periods are not cumulative or mandatory. Urgent City business always takes precedence over a rest period.

The above section is subject to employee labor agreements, when applicable.

## SECTION 12. MEAL PERIODS

The meal period for each employee is determined by individual departmental policy. It is the responsibility of each department head to inform employees of the time and length of meal periods.

## ARTICLE IX

### HOLIDAY LEAVE

#### SECTION 1. HOLIDAYS

The following days and such other days as City Council may designate are holidays with pay for full-time regular employees.

|                        |                        |
|------------------------|------------------------|
| New Years Day          | Labor Day              |
| Martin Luther King Day | Veterans Day           |
| President's Day        | Thanksgiving Day       |
| Good Friday            | Day after Thanksgiving |
| Memorial Day           | Christmas Day          |
| Independence Day       |                        |

When a holiday falls on a Saturday, a paid holiday is granted on Friday. When a paid holiday falls on a Sunday, a paid holiday is granted on Monday.

Recognized City Holidays are subject to employee labor



agreements.

Part-time regular employees working twenty (20) hours or more per week shall receive a half-day, four (4) hours, with pay for each holiday designated above. If an employee in this classification works less than twenty (20) hours they are not eligible.

To receive holiday pay an employee must have received pay for his or her entire regularly scheduled work day before and after the holiday. Employees who are receiving worker's compensation from the City's workers compensation carrier are not entitled to holiday pay. Employees shall receive holiday leave credits at a rate of seven and a one-half (7.5) per leave day or eight (8) per leave day earned.

Temporary employees are not eligible for any type of holiday pay. If they are required to work on a holiday they will be paid at their regular hourly rate.

## **SECTION 2. EFFECT OF WORK ON HOLIDAYS OR UNSCHEDULED WORKDAYS OR OTHER TYPES OF LEAVES**

Regular holidays or special holidays declared by City Council, which occur during any leave period, except extended leave without pay or unpaid military leave, shall not be considered as leave. Unscheduled work days, which occur during any leave period, shall not be considered as leave. While on vacation leave, employees on regular rotating shifts may be required to take pay for any vacation day that is replaced by a holiday at their regular pay rate. The affected Department Head may require these employees to take pay since continuous shifts must be maintained.

## **SECTION 3. HOLIDAYS - WHEN WORK IS REQUIRED**

Non-exempt employees required to perform work on regularly scheduled holidays or special holidays declared by City Council may be granted compensatory time off at time and one-half or be paid at time and one-half (1.5) times their hourly rate for the hours actually worked in addition to any holiday pay to which they may be entitled. Policy is subject to the Fair Labor Standards Act and Article III Section 9, Overtime Pay.

The above section is subject to employee labor agreement, when applicable.

### **ARTICLE X**

#### **VACATION LEAVE**

## **SECTION 1. VACATION LEAVE**

Vacation leave shall be used for rest and relaxation, for medical appointments of illness when sick leave is exhausted and for absences due to adverse weather conditions.

While on vacation leave or sick leave an employee shall continue to earn vacation time and sick leave credit. An employee who converts vacation and sick leave to terminal leave shall not continue to earn vacation and/or sick leave while on terminal leave.

## **SECTION 2. VACATION LEAVE - THE MANNER OF ACCUMULATION**

Full-time regular employees shall accumulate vacation leave on the following schedule:

(a) Each full-time regular employee with fewer than eight (8) complete years of continuous service shall earn vacation leave at the rate of one (1) day per completed month or twelve (12) days per completed year of service.

(b) Each full-time regular employee with eight (8) completed years of continuous service but less than fifteen (15) complete years of continuous service shall earn vacation leave at the rate of one and one-half (1.5) days per completed month or eighteen (18) days per completed year of service.

(c) Each full-time regular employee with fifteen (15) complete years of continuous service but less than twenty (20) complete years of continuous service shall earn vacation leave at the rate of one and three-fourths (1.75) days per month or twenty one (21) days per completed year of service.

(d) Each full-time regular employee with twenty (20) or more complete years of continuous service shall earn vacation leave at the rate of two (2) days per month or twenty four (24) days per completed year of service.

Part-time regular employees working twenty (20) hours or more per week shall accumulate vacation leave at one-half (1/2) the rate of full-time employees.

Part-time regular employees working less than twenty (20) hours per week are not eligible for vacation leave.

Temporary employees are not eligible for vacation leave.

Vacation leave accumulated by eligible employees shall be

recorded and taken in half-hour increments.

The above section is subject to employee labor agreement, when applicable.

### **SECTION 3. VACATION LEAVE - THE MAXIMUM ACCUMULATION**

Vacation leave is accumulated from year to year; however total accumulated vacation leave on January first of each year is limited to an amount equal to one year's vacation time. One year of vacation is calculated by multiplying 12 (months) by the employee's accrual rate in December of the prior year. An employee must earn pay for one-half of his or her workdays for that month to be credited with vacation leave. The employee cannot use a month's credit until he or she has earned pay for one-half of his or her workdays for that month.

(a) Each full-time regular employee with fewer than eight (8) complete years of continuous service can not have accumulated more than twelve (12) days of unused vacation leave as of January 1 of each year.

(b) Each full-time regular employee with eight (8) complete years of continuous service but less than fifteen (15) complete years of continuous service can not have accumulated more than eighteen (18) days of unused vacation leave as of January 1 of each year.

(c) Each full-time regular employee with fifteen (15) complete years of continuous service but less than twenty (20) complete years of continuous service can not have accumulated more than twenty one (21) days of unused vacation leave as of January 1 of each year.

(d) Each full-time regular employee with twenty (20) or more complete years of continuous service can not have accumulated more than twenty-four (24) days of unused vacation leave as of January 1 of each year.

Part-time regular employees working twenty (20) or more hours per week with the appropriate complete years of continuous service may accumulate vacation leave at one-half the rate that employees are allowed in a,b,c and d above.

If an employee has accumulated more than the maximum allowable amount of unused vacation leave on January 1, then his/her leave shall be reduced to the proper maximum.

If the City Manager determines that unusual and extenuating circumstances exist which justify allowing an employee to be excused from the requirements of this section for a particular

year, he/she may do so. An employee must make the written request to the City Manager in writing prior to December 1 of the year in question.

The above section is subject to employee labor agreements, when applicable.

**SECTION 4. VACATION LEAVE - FINAL PAY AND REPAYMENT OF VACATION LEAVE**

Upon submission of a resignation, an employee shall be paid for vacation leave accumulated to the date of separation. At the time of the employee's separation the following shall be deducted from the employee's final compensation: any vacation leave owed the City, qualified educational assistance and any funds owed to the City by the employee as a result of criminal activity or negligence.

**SECTION 5. VACATION LEAVE - PAYMENT FOR ACCUMULATED VACATION LEAVE UPON DEATH**

The estate of an employee who dies while employed by the City shall be entitled to payment for all of the accumulated vacation leave credited to the employee's account. From this payment the following shall be deducted from the employee's final compensation: any vacation leave owed the City, the value of any City issued uniform and/or equipment not returned by the employee, qualified educational assistance and any funds owed to the City by the employee as a result of criminal activity or negligence.

**ARTICLE XI**

**SICK LEAVE**

**SECTION 1. SICK LEAVE**

Sick leave with pay is not a right which an employee may demand but a privilege granted by the City for the benefit of an employee when sick.

Sick leave shall be granted to an employee absent from work for any of the following reasons: sickness, bodily injury, required physical or dental examinations/treatment or exposure to a contagious disease when continuing to work might jeopardize the health of others and for the well care of the immediate family residing in the employee's principle place of residence. Additional situations will be considered for the use of sick time.

While on paid sick leave an employee shall continue to earn sick and vacation leave credits.

The City understands the difficulty of defining or regulating a policy for notification of the desire to take sick leave that can be uniformly applied for employees in all departments or divisions.

Because there are numerous variations and work schedules and conditions, a Department Head may establish an appropriate notification policy for his/her department that will best serve the City's interest. If a Department Head does not elect to establish a separate notification policy for his/her department then the following shall apply:

Notification of the desire to take sick leave shall be submitted to the employee's supervisor prior to the leave or not later than one-half hour after the beginning of a scheduled workday. Failure to do so may result in the employee being considered absent without leave. Due to the critical nature of shift work, shift workers must notify the on-duty shift supervisor of a desire to take sick leave no later than one-half hour prior to the beginning of their shift or the employee may be considered absent without leave.

The above of section is subject to employee labor agreements, if applicable.

## **SECTION 2. SICK LEAVE - MANNER OF ACCUMULATION**

Full-time regular employees shall accumulate sick leave at the rate of one (1) day per completed month or twelve (12) days for each completed year of service. An employee must have earned pay for one-half of his or her workdays for that month to be credited with sick leave. The employee cannot use a month's credit until he or she has earned pay for one-half of his or her workdays for that month.

Part-time regular employees working twenty (20) hours of more per week shall accumulate sick leave at one-half the rate for full-time employees. An employee must have earned pay for one-half of his or her workdays for that month to be credited with sick leave. The employee cannot use a month's credit until he or she has earned pay for one-half of his or her workdays for that month.

Part-time regular employees working less than twenty (20) hours per week are not eligible for sick leave.

Temporary employees shall not be eligible for sick leave.

Sick leave accumulated by eligible employees shall be recorded and taken in half-hour increments.

The above section is subject to employee labor agreements, when applicable.

**SECTION 3. SICK LEAVE - MAXIMUM ACCUMULATION**

The maximum number of sick days an employee may accrue is one hundred eighty (180) days. After the maximum numbers of days are accrued, no additional sick leave shall be earned until some of the accrued leave is taken.

Non-bargaining employees are permitted an unlimited accumulation of sick-leave.

The above section is subject to employee labor agreements, when applicable.

**SECTION 4. SICK LEAVE - PHYSICIAN CERTIFICATE**

A physician certificate is required for an employee to return to work who has been out over three (3) consecutive working days unless waived by a Department Head. A physician certificate requirement can be instituted on a one (1) day basis for habitual lost time at the discretion of the employee's supervisor. In all cases a sick leave form must be completed and signed by the returning employee.

**SECTION 5. SICK LEAVE - RETIREMENT CREDIT FOR ACCUMULATED SICK LEAVE**

Employees hired on or before July 1, 2004 and retire under an approved City Retirement Plan shall be paid in full for a maximum of one hundred fifty (150) days of accrued sick leave if the employee is retiring with 25 or more years of service with the City of Dover. The employee retiring with less than 25 years of service with the City of Dover shall be paid in full for a maximum of one hundred thirty (130) days of accrued sick leave. Employees hired after July 1, 2004 will be permitted to be paid in full for a maximum of one hundred (100) days of accrued sick leave. This payment shall be in a lump sum payable upon retirement or the employee may convert his/her accumulated sick leave, not to exceed the maximum indicated, to terminal leave.

The above section is subject to employee labor agreement, when applicable.

**SECTION 6. SICK LEAVE - TERMINATION**

Any employee who is terminated shall lose all accumulated sick leave. The only exception to this policy is Section 5 of this



Article.

ARTICLE XII

**LEAVES WITHOUT PAY**

**SECTION 1. LIMITED LEAVE WITHOUT PAY**

The employee's Department Head may grant employees a leave of absence without pay, not to exceed two (2) weeks, provided the employee has exhausted all accumulated vacation leave. The Human Resources Director must be notified before a decision can be rendered.

The above section is subject to employee labor agreement, when applicable.

**SECTION 2. EXTENDED LEAVE WITHOUT PAY**

A regular employee may be granted a leave of absence without pay for up to six (6) months by the City Manager provided it has been requested in writing and the employee has exhausted all accumulated vacation leave. If an employee is applying for disability insurance under the City of Dover employee's policy, then the employee does not have to exhaust his or her accumulated vacation leave. Generally the leave shall be used for reasons of personal or family disability, continuation of education or special work that will permit the City to benefit by the experience gained or the work performed. An extension of leave for six (6) months may be granted by the City Manager. However no leave of absence may exceed a total of one (1) year. The Human Resources Director must be notified before a decision can be rendered.

The employee shall apply in writing for leave. The employee is obligated to return to duty within or at the end of the time determined appropriate by the City Manager. Upon returning to duty after being on leave without pay, the employee shall be entitled to return to the same position held at the time leave was granted or to one of like classification, seniority or pay including salary range adjustments that may have occurred during the said leave. If the employee decides not to return to work, the supervisor should be notified immediately. Failure to report at the expiration of a leave of absence, unless an extension has been requested and approved in writing, shall be considered a resignation.

If the City learns that an employee on a leave of absence is no longer using the leave for reasons originally stated in the leave request, then the employee may be terminated.

The above section is subject to employee labor agreement, when applicable.

**SECTION 3. EXTENDED LEAVE WITHOUT PAY - RETENTION AND CONTINUATION OF BENEFITS**

An employee shall retain all unused sick leave while on leave without pay. An employee ceases to earn all leave credits on the date leave without pay begins. Completed service credits for the purpose of computing longevity pay, sick and vacation leave shall accrue for a period of forty-five (45) days following the start of leave of absence without pay. The employee may continue to be eligible for benefits under the City's group insurance plans provided the employee shall be responsible for the payment of the total insurance premium to the City prior to the first day of each month while on leave; unless the leave is for an employee illness, disability or maternity case in which the employee is only required to pay the premium amount normally deducted from the employee's pay check.

**ARTICLE XIII**

**OTHER TYPES OF LEAVE**

**SECTION 1. TERMINAL LEAVE**

Upon retiring directly from City service under an approved City Retirement Plan a regular employee is eligible to take terminal leave prior to his/her retirement date under the following conditions:

- (a) For employees hired on or before July 1, 2004, terminal leave shall consist of a total of both an employee's unused sick and vacation leave. A maximum amount sick leave an employee may convert is one hundred fifty (150) days if the employee is retiring with 25 or more years of service with the City of Dover. The employee retiring with less than 25 years of service with the City of Dover shall be permitted to convert a maximum of one hundred thirty (130) days of accrued sick leave to terminal leave.

Employees hired after July 1, 2004, will be permitted to convert a maximum of one hundred (100) days of accrued sick leave to terminal leave.

- (b) Once terminal leave begins the employee ceases to earn vacation or sick leave credits and is no longer eligible for annual salary increases.
- (c) Once terminal leave begins, the employee can not return to active service unless approved by the City

Manager. If a return to active service is approved, then the employee will be required to pay back all expended sick leave credits if the request to return to work was initiated by the employee.

(d) In order to qualify for terminal leave, an employee must request leave in writing a minimum of forty-five (45) days notice prior to the employee's retirement date unless waived by either the Civilian or Police Pension Committee.

(e) Any leave taken within 30 calendar days prior to terminal leave beginning will be considered terminal leave.

## **SECTION 2. MILITARY LEAVE**

### **Military Training Leave**

Full-time, regular employees who are members of the National Guard or Armed Forces Reserve will be allowed ten (10) work days military training leave per calendar year. If the compensation received while on military leave is less than the base salary that would have been earned during this same time period as a City employee, the employee shall receive partial compensation equal to the difference in the compensation earned as a reservist or guardsman and the base salary that would have been earned during this same period as a City employee. The effect will be to maintain the employee's salary at a normal level during this period. If such military duty is requested beyond this ten (10) work day period, the employee shall be eligible to take accumulated vacation leave or be placed in a leave without pay status. While taking military leave with partial pay or without pay, the employee's leave credit and other benefits shall continue to accrue as if the employee physically remained with the City during this period. An employee may use vacation time for the ten (10) days military duty and receive both vacation pay and pay from the military without reimbursement to the City. An employee must notify his/her supervisor a minimum of ten (10) days prior to taking military leave.

The pay received from the military while on military leave shall not be considered as pay for pension purposes. No employee pension contributions will be deducted, the City will not make pension contributions based on the pay and the pay shall not be used to compute pension benefits.

### **Active Duty**

Full-time, regular employees who are guardsmen and reservists have all the job rights specified in the Veterans Readjustment Assistance Act. All employees who enlist or are reactivated in one of the military services will be granted on application a military

leave of absence for a maximum period of five (5) years.

#### Military Mobilization Pay

If the compensation received by a full-time regular employee while on military leave as a result of individual or military unit mobilization is less than the base salary that would have been earned during this same time period as a City employee, the employee shall receive partial compensation equal to the difference in the military compensation earned as a reservist or guardsman and the base salary that would have been earned during the same time period as a City employee. This differential shall be paid for a time period of up to one year from the date the employee reports to active military service duty and shall cease upon termination of the active duty assignment. Military compensation shall include base pay, all special pay, bonuses and allotments, and any other direct compensation received as a result of mobilized military service from the government of the United States or any State government.

#### Reemployment After Military Service

Upon release from military service with an honorary discharge, a retiring veteran must apply for reinstatement as follows:

##### Service Time

##### Return

|                  |                                                                                                                                                                                         |
|------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 30 days or less  | Beginning of the next regularly scheduled work period on the first full day following completion of service and expiration of an 8 hour rest period following safe transportation home. |
| 31 to 180 days   | Application of reinstatement must be submitted not later than 14 days after completion of military duty.                                                                                |
| 180 or more days | Application for reinstatement must be submitted not later than 90 days after completion of military duty.                                                                               |

#### Benefits

When the veteran is returned to active employment all benefits previously earned such as sick leave, longevity pay, unused vacation time and cost of living increases shall be credited to his record. Time spent while on active duty shall be credited towards completed year's service with the City for the purpose of computing retirement time, vacation time, and longevity increases. In regards to pension benefits, sworn police officers are subject to the Delaware County and Municipal Police/Firefighter Pension with the State of Delaware. Please contact the State of Delaware Pension Office for complete details.

An eligible City employee shall receive uninterrupted health

insurance benefits at the same level as before he or she was called to active duty for a period of up to one year from the date the employee actually reports to active military service. The employee shall also be allowed to continue pension contributions based on his or her normal base pay.

#### Part-time Employment

Part-time regular employees working less than twenty (20) hours per week and temporary employees are eligible for military leave but not partial compensation.

USERRA (Uniformed Services Employment and Reemployment Rights) guidelines apply to all military leave.

### **SECTION 3. MATERNITY LEAVE**

Leaves of absence shall be granted to employees affected by pregnancy, childbirth or related conditions; provided such leave shall not exceed six (6) months. At the commencement of a maternity leave of absence, employees have the option of using accrued sick or vacation leave time in order to continue to receive pay. Sick leave is permitted according to Article XI Section 1. Pay will cease when all accrued allowances have been used. The use of accrued time-off shall not extend the length of the leave.

### **SECTION 4. JURY DUTY/CIVIL LEAVE**

A City employee called for jury duty or as a witness in any civil or criminal legal proceeding shall receive leave with pay for such duty during the required absence without charge to accumulated vacation or sick leave. This does not apply to an employee if he/she is a defendant or plaintiff in a legal proceeding. While on jury/civil duty, benefits and leaves shall accrue as though on regular duty.

### **SECTION 5. BEREAVEMENT LEAVE**

Bereavement leave shall be granted to all regular employees and probationary employees who are regularly scheduled to work 20 hours or more per week and who experience a death of a member of the employee's immediate family. Upon request, the employee may be granted up to three (3) working days leave with pay. If the funeral is more than four hundred (400) miles from the City of Dover, the employee shall be granted up to five (5) working days, with pay, not charged to any leave balance, to arrange for and/or attend the funeral service or related matters. An employee may request additional time beyond the time provided. The City Manager or appropriate city official may grant such additional time to be charged against the employee's sick leave.

Immediate family is defined for the purpose of this section as spouse, mother, father, guardian, children, sister, brother, grandparents, grandchildren plus the various combinations of half, step, in-law and adopted relationships that can be derived from those named, in addition to significant other if not married or separated from spouse, and any relative living with the employee.

The City reserves the right to request verification of the relationship and funeral location.

Hours granted as bereavement time shall be counted as hours worked for purposes of computing overtime and shall not be charged as vacation leave if such occurs while the employee is on vacation.

The above section is subject to employee labor agreement, when applicable.

#### **SECTION 6. FAMILY AND MEDICAL LEAVE**

The Family and Medical Leave Act of 1993 (FMLA) requires covered employers to provide up to 12 weeks of unpaid, job protected leave to "eligible" employees for certain family and medical reasons. Employees are eligible if they have worked for a covered employer for at least one year, and for 1,250 hours over the previous 12 months, and if there are at least 50 employees within 75 miles.

##### **(a) Reasons for taking leave:**

Unpaid leave must be granted for any of the following reasons:

- To care for the employee's child after birth, or placement for adoption or foster care;
- To care for the employee's spouse, son or daughter, or parent, who has a serious health condition; or
- For a serious health condition that makes the employee unable to perform the employee's job.

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves one of the following:

- Inpatient care in a hospital, hospice, or residential medical care facility
- A condition requiring absence of more than three consecutive calendar days from work, or other regular daily activities that also involves continuing treatment by a health care provider
- Pregnancy or prenatal care
- A chronic condition (ie. Asthma, diabetes, epilepsy, etc.)
- A permanent or long-term condition requiring medical



- supervision (Alzheimer's, stroke, terminal diseases, etc.)
- Absences to receive and recover from multiple treatments by or on referral by a health care provider for a condition that likely would result in incapacity of more than three consecutive days if left untreated (ie. Chemotherapy, physical therapy, dialysis, etc.)

Leave, as the result of a workers compensation injury, may be counted as FMLA leave.

While the Family Medical Leave Act provides for 12 weeks of unpaid, job protection, the City permits the employee to use his or her accrued leave time in conjunction with FMLA leave in order to avoid a loss in wages. The use of accrued leave does not extend one's FMLA leave. Accrued leave use must adhere to City policy regarding use.

Spouses who works for the City and are both eligible for FMLA, are entitled to a combination of 12 weeks of leave during any 12 month period if the leave is taken for the birth or adoption of the employee's newborn child or to care for a parent with a serious health condition.

(b) Advanced Notice and Medical Certification:

The employee may be required to provide advanced leave notice and medical certification. Taking of leave may be denied if requirements are not met.

The employee ordinarily must provide 30 days advance notice when the leave is "foreseeable." If 30 day notice is not possible due to a medical emergency or the employees' uncertainty as to when the leave will be required to begin, notice must be given as soon as it is practical to do so. The City may require medical certification to support a request for leave because of a serious health condition, and may require second or third opinions (at the employer's expense) and a fitness for duty report to return to work.

(c) Job Benefits and Protection:

For the duration of FMLA leave, the employer must maintain the employee's health coverage under any group health plan. Upon returning from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits and other employment terms. In addition, the use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

(d) Unlawful Acts by Employers

FMLA makes it unlawful for any employer to interfere with, restrain, or deny the exercise of any right provided under FMLA or discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

Once the Human Resources Department is made aware that an employee is on FMLA leave, the City must notify the employee in writing within 2 business days (unless there are extenuating circumstances) that the leave is designated as FMLA leave.

If the City learns that an employee's leave qualifies as FMLA leave after the employee returns to work, the City can retroactively designate the leave within two business days of the employee's return to work.

If an employee did not realize that the leave he or she took qualified as FMLA leave until after his or her return to work, he can notify the employer and request that the leave be designated as FMLA leave within two business days of the employee's return to work.

Absence from work due to FMLA leave may not be considered in promotion decision, performance appraisals, or disciplinary actions.

The information contained in this section is to provide general information about the FMLA. Specific questions or concerns should be directed to the Human Resources Department or to the Department of Labor.

#### **SECTION 7. INCLEMENT WEATHER**

The City of Dover will keep its offices open during regularly scheduled hours unless extreme inclement weather necessitates the curtailment of all but essential services. When City Offices are open, each employee shall report to work and remain at work until officially released.

##### PROCEDURE

#### **A. Responsibilities:**

1. The City Manager will make all decisions concerning the closing of City Offices.
2. Department Heads will determine which positions, by job title, are assigned to maintain essential services when offices are closed. Such positions will be designated as "emergency" positions and employees occupying those positions shall be notified of their "emergency" status.

B. Guidelines:

1. Opening of Offices:

- a. In most cases of inclement weather, all City Offices will open and remain open for business during regularly scheduled hours.
- b. When inclement weather is severe enough to create a safety hazard for employees or to cause extremely poor road conditions, each department head shall exercise his/her judgement in assessing employee tardiness.
- c. Employees who call in and are unable to come to work may, have the option of using vacation, comp time or leave without pay to cover the normal working hours missed as a result of the weather emergency. If an employee chooses comp time, and does not have comp time accrued, that employee will be advanced comp time with the understanding that those hours missed due to the weather emergency will be made up within two (2) weeks of the weather emergency.
- d. An employee who calls in sick during inclement weather, may be required at the discretion of the supervisor to provide a doctor's certificate to substantiate charging the absence to sick leave. An employee who fails to provide the required certificate when requested to do so, shall have the time reported as leave without pay.

The above section is subject to employee labor agreement, when applicable.

2. Closing of Offices During the Day:

When extreme inclement weather necessitates the closing of offices after the work day has begun, the following will apply:

- a. All employees not designated as emergency employees will be excused from work. For the remainder of the work day these employees will be placed on excused leave of absence with pay.
- b. Each employee designated as an emergency

employee shall remain on duty for the duration of his/her regular shift or revert to his/her assigned emergency shift, if appropriate.

- c. Individuals who called in and were placed on vacation leave status will be charged such leave for the entire day. The option of requiring a doctor's certificate for a reported sick leave shall continue to be available to a Supervisor. Individuals who depart on vacation leave prior to official announcement will be charged such leave for the entire remainder of the day.

3. Closing the Office before the Start of the Work Day:

When inclement weather prevents the opening of offices for the day, the following will apply:

- a. Employees will be notified of the closing of offices by the procedures outlined in paragraph D, Public Announcements.
- b. Each emergency employee shall report to his/her normal shift or emergency shift as appropriate.
- c. All non-emergency employees are excluded from reporting to work. These employees will be placed on excused leave of absence with pay for their entire workday.
- d. Employees on previously approved leave status ((vacation, etc., (excluding sick)) will remain on such leave status.

C. Exceptions:

In the event a Department Head determines that it is necessary for non-emergency employees to remain at or report to work after offices are closed as the result of inclement weather, then he/she may direct such employees to do so. Such employees will be paid in accordance with the same policies governing emergency employees.

D. Compensation:

Emergency employees who work during their normal or emergency shifts will receive hour-for-hour vacation time in addition to their normal straight time pay for hours worked during the normal shift when City offices are closed by the City Manager due to inclement weather.

The above section is subject to employee labor agreements, when applicable.

E. Public Announcements:

FM Radio stations, WDSD 92.9 and Eagle 97.7 and television station WBOC will be asked to carry announcements of the City's order to close offices due to inclement weather.

F. Employee Message Center

Employees may call the City's Employee Message Center in order to determine the City's operating schedule. The phone number is 736-4240. The message will be updated as information is provided by the City Manager.

ARTICLE XIV

**WORKER'S COMPENSATION**

**SECTION 1. WORKER'S COMPENSATION LEAVE**

An employee absent from duty as a result of sickness or disability covered by Delaware Worker's Compensation Act may receive Worker's Compensation benefits up to 66 2/3% of the employee's average weekly pay provided the weekly benefit cannot exceed the maximum limit set by State Law. For the first sixty (60) calendar days that an employee is out under a licensed physician's care as a result of an on the job accidental injury, the City will guarantee 100% of an employee's base weekly pay. The sixty (60) calendar days of full pay is per injury and is cumulative. Partial days will be counted towards the 60 calendar days. In each case where the employee must be absent from duty more than sixty (60) calendar days because of an on the job accident, the City will cease its payments but will allow the employee to elect to use accumulated vacation and sick leave as a supplemental payment for the difference between his/her regular salary and the payments received under the Worker's Compensation Act. Such an employee may have deducted from his accumulated vacation or sick leave that fraction of a day which is the same as the fraction that the supplemental payment for one day is of a regular day's pay. Supplemental pay and workers compensation pay shall not exceed the employee's average weekly wage. The City shall continue to pay for his/her individual group health insurance, the City's share of dependent health coverage and the City's share of life, accidental death and dismemberment and accident and sickness insurance coverages. Upon returning to work an employee's salary will be computed on the basis of the last salary earned plus any across the board or reclassification salary increase to which the employee

would have been entitled during the disability covered by Worker's Compensation.

Temporary employees and part-time employees working less than twenty (20) hours per week will be placed on leave without pay status and will receive all benefits for which they may be eligible for under the Worker's Compensation Act; but are not eligible for the 100% guarantee of base salary for the first sixty (60) days on Worker's Compensation leave.

The above section is subject to employee labor agreements, when applicable.

## **SECTION 2. ON-THE-JOB INJURIES**

The City of Dover and the Workmen's Compensation Law of Delaware require that the standard "Employer's Report of Occupational Injury or Disease" form be completed and filed with the Human Resources Department within two (2) working days after the injury occurs. The employee's immediate Supervisor must answer questions on the form as completely as possible.

The guidelines listed below will be followed in the event of an on the job injury:

1. Emergency first-aid treatment should be administered, whenever practical, and the injured employee should be transported to Kent Medical Center or Kent General Hospital Emergency Room. The method of transportation whether by the nearest available vehicle or by ambulance shall be determined by the extent of injury and by the person handling the situation.
2. The injured employee, or any other designated person, should notify the injured employee's supervisor as soon as practical after the injury occurs.
3. After the injured employee has received medical treatment he or she shall complete the "Employee's Report" form. The supervisor then shall complete the "Supervisor's Report" form. The injured employee will then complete the "Authorization for Medical and Records" form.
4. After the above three (3) forms have been filled out, the Supervisor and the Human Resources Department will complete the "Employer's Report of Occupational Injury or Disease" form.
5. The completed forms will be delivered to the Human



Resources Department for processing.

6. Prior to returning to work from a "lost time injury" the employee must submit, to his/her supervisor, a signed physician's statement authorizing that employee's fitness to return to work status.

### **SECTION 3. WORKER'S COMPENSATION BENEFITS**

City employees are covered by the Delaware Worker's Compensation Act and are required to report all injuries or possible injuries arising out of and in the course of employment to their supervisor by the end of their normal daily work schedule.

## **ARTICLE XV**

### **SEPARATION, DISCIPLINARY ACTION AND REINSTATEMENT**

#### **SECTION 1. TYPES OF SEPARATION**

All separations of employees from positions in the service of the City shall be designated as one of the following types and shall be accomplished in the manner indicated: resignation, reduction in force, disability, retirement, dismissal or death.

#### **SECTION 2. RESIGNATION**

A minimum of two (2) weeks notice is required of all resigning non-exempt personnel and four (4) weeks notice for exempt personnel. The resigning employee shall give such notice in writing to his/her supervisor. An employee can not use vacation time as notice for his/her resignation.

The City reserves the right to terminate an employee's employment immediately, after receiving an employee's resignation.

#### **SECTION 3. REDUCTION IN FORCE**

In the event that a reduction in force becomes necessary, consideration shall be given to the quality of each employee's past performance, the need for the employee's service and seniority in determining those employees to be retained. Employees who are laid off as a result of a reduction in force shall be given at least two (2) weeks notice of the anticipated lay-off. No regular employee shall be separated while temporary employees continue serving in the same class in the department, unless the regular employee refuses to transfer to the position held by the temporary employee.

The above section is subject to employee labor agreements, when applicable.

#### **SECTION 4.     DISABILITY**

An employee may be separated for disability when the employee can not perform the required duties as a result of a physical or mental impairment. The employee or the City may initiate action, but in all cases it shall be supported by medical evidence as certified by a competent physician. The City may require an examination at its expense and performed by a physician of its choice. Before an employee is separated for disability, a reasonable effort shall be made to locate alternative positions within the City's service for which the employee may be suited.

#### **SECTION 5.     RETIREMENT AGE**

Sworn Police Officers hired prior to September 1, 1982 shall retire in accordance with the policies governing this, set forth in Section 18-25 of the Police Pension Plan. All sworn Police Officers hired on or after September 1, 1982 shall adhere to the policies set forth in the Delaware County and Municipal Police/Firefighter Pension with the State of Delaware.

All civilian employees shall refer to the City of Dover General Employee Pension Ordinance, Section 2-181 through 2-184.

#### **SECTION 6.     DEATH**

All compensation due in accordance with Article X, Section 5 of this policy, will be paid to the estate of a deceased employee. The date of death shall be recorded as the separation date for computing compensation due.

#### **SECTION 7.     DISCIPLINARY ACTION**

An employee may be suspended, demoted or dismissed as a result of failure in performance of duties or failure in personal conduct. The employee shall be provided with a written notice including the recommended effective date and reasons for the action.

The above section is subject to employee labor agreements or Police Department rules, when applicable.

#### **SECTION 8.     FAILURE IN PERFORMANCE OF DUTIES**

An employee whose work is unsatisfactory over a period of time shall be notified by the supervisor in what way the employee's work is deficient and what must be done if the work is to be satisfactory.

An employee who is suspended, demoted or dismissed for unsatisfactory performance of duties shall normally receive at least two warnings before disciplinary action is taken. First, one

or more oral warnings must be issued by the employee's supervisor, and second, a written warning must be issued by the department head serving notice upon the employee that corrected performance must take place immediately in order to avoid disciplinary action. The supervisor and department head must record the dates of their discussions with the employee, the performance deficiencies discussed and the corrective actions recommended and must file the information in the employee's personnel folder in the Human Resources Department.

Failures in the performance of duties considered to be adequate grounds for suspension, demotion or dismissal include, but are not limited to the following representative examples:

- (a) inefficiency, ineffectiveness, negligence or incompetence in the performance of duties,
- (b) careless, negligent or improper use of City property or equipment,
- (c) physical or mental incapacity to perform duties,
- (d) discourteous treatment of the public or other employees,
- (e) leaving work assignments during working hours without prior supervisory permission,
- (f) habitual improper use of leave privileges,
- (g) habitual pattern of failure to report for duty to the assigned time and place and
- (h) failure to observe safety rules and regulations.

#### **SECTION 9. FAILURE IN PERSONAL CONDUCT**

An employee may be suspended, demoted or dismissed for causes relating to personal conduct detrimental to City service or for other serious reasons. Such action may be necessary to avoid undue disruption of work or to protect the safety of persons or property.

An employee suspended, demoted or dismissed for causes relating to personal conduct shall be: (1) given a statement of the charges before the disciplinary action, (2) allowed to respond, and (3) given a prompt written statement of the decision of the department head. If circumstances are such that the department head must take immediate action without notice, then Section 11 of this Article shall apply.

The following causes relating to failure in personal conduct

are representative of those considered as being adequate grounds for suspension, demotion or dismissal:

- (a) fraud in securing appointment,
- (b) conviction of a felony or a misdemeanor which would adversely affect performance of duties, or the entry of a plea of "no contest" to either,
- (c) misappropriation of City funds or property,
- (d) falsification of City records for personal profit or to grant special privileges,
- (e) reporting to work under the influence of alcohol or other narcotic drugs or partaking of such things while on duty or while on public property, except that prescribed medication may be taken within the limits set by a physician so long as medically necessary,
- (f) any action with the intent to deceive,
- (g) theft, unauthorized use or unauthorized removal of City property,
- (h) insubordination which shall mean the failure or deliberate refusal by an employee to obey a proper order given by a supervisor or the use of disrespectful language towards his/her supervisor,
- (i) disorderly conduct including fighting, practical jokes and horseplay,
- (j) abuse of employee benefits,
- (k) unapproved outside employment,
- (l) gross negligence in performance of duties,
- (m) any other actions which reflect adversely upon the City, and
- (n) discrimination or harassment of any person on the grounds of race, color, religion, sex, handicap, sexual orientation, physical handicap, age or national origin.

#### **SECTION 10. DISCIPLINARY SUSPENSION**

An employee who is suspended for disciplinary reasons shall be relieved temporarily of all duties and responsibilities and shall receive no compensation for the period of the suspension.

#### **SECTION 11. IMMEDIATE DISCIPLINARY SUSPENSION**

An employee may be suspended without notice by the Department Head for causes related to personal conduct in order to avoid undue disruption of work, to protect the safety of persons or property or for other serious reasons. When a Department Head suspends an employee he/she shall tell the employee to leave City property at once and remain away until further notice. A written summary detailing the circumstances and facts leading to the suspension shall be prepared, one copy delivered to the employee by certified mail and one copy filed in the employee's personnel folder in the Human Resources Department and one copy delivered to the Bargaining Union President (when applicable).

## **SECTION 12. NON-DISCIPLINARY SUSPENSION**

During the investigation, hearing or trial of an employee on any criminal charge or during the course of any civil action involving the employee, the Department Head may suspend the employee without pay for the duration of the proceeding as a non-disciplinary action if such action is deemed necessary in the best interest of the City.

Sworn Police Officers will conform to policies outlined in the Police Bill of Rights.

Full recovery of pay and benefits for the period of non-disciplinary suspension may be authorized by the City if the suspension is terminated with full reinstatement of the employee.

## **SECTION 13. REINSTATEMENT**

An employee who resigns while in good standing or who is dismissed as a result of reduction in force may be reinstated, with the approval of the Department Head and the City Manager or an appropriate City Official. An employee who enters active service with the Armed Forces of the United States, the Public Health Service or with a Reserve component of the Armed Forces will be granted reinstatement rights commensurate with the Veterans Readjustment Assistance Act.

## **ARTICLE XVI**

### **GRIEVANCE PROCEDURE**

#### **SECTION 1. POLICY**

It is the policy of the City to provide a just procedure for the presentation, consideration and disposition of employee grievances. The purpose of this Article is to outline the procedure and to insure all employees that a response to their grievance will be prompt and fair.

## SECTION 2. GRIEVANCE - DEFINED

A grievance shall be any disagreement or dispute arising from the application, meaning or interpretation of the conditions, policies and procedures set forth in these personnel rules.

## SECTION 3. PURPOSES OF THE GRIEVANCE PROCEDURE

The purposes of the grievance procedure include but are not limited to the following:

- (a) providing employees with a procedure by which their grievances can be considered promptly and fairly,
- (b) encouraging employees to express themselves about the conditions of work which affect them as employees,
- (c) promoting better understanding of the policies, practices and procedures which affect employees,
- (d) increase the confidence that employees have that personnel actions are taken in accordance with established fair and uniformed policies and procedures and
- (e) increases the sense of responsibility which supervisors exercise in dealing with their employees.

## SECTION 4. PROCEDURE

When an employee has a grievance, the following successive steps are to be taken. The number of days for each step should be considered the maximum number of working days unless otherwise provided and every effort should be made to expedite the process. Time limits at any step however may be extended by mutual consent.

All documents used in this procedure must be dated and signed by the respondent and recipient.

The procedure for presentation, consideration and disposition of employee grievances is as follows:

- (a) An employee with a grievance concerning rules defined by this personnel policy shall present the matter to his/her immediate supervisor within ten (10) days of its occurrence with the objective of resolving the matter informally. The employee may present his/her grievance either orally or in writing. The supervisor shall then attempt to adjust the matter and give the employee an answer, either orally or in writing no later than three



(3) working days after the grievance is presented. The grievance and answer shall be reported to the supervisor's immediate superior.

(b) If the grievance is not resolved at Step 1 above, the employee may present the grievance to the head of his/her department within five (5) working days after the supervisor's answer is given or due. The Department Head shall confer with the employee regarding the grievance within three (3) working days after the grievance is presented and shall render a written decision within three (3) working days after the conference is held.

(c) If the grievance is not resolved in Step 2 above, the employee may present the written grievance to the City Manager within five (5) working days after the Department Head's decision is rendered or due. The City Manager shall confer with the employee and Department Head regarding the grievance within five (5) working days after the grievance is presented and shall submit his/her written decision to the employee within ten (10) working days after the conference is held. The City Manager's or appropriate City Official's decision shall be final.

If a grievance is not appealed to the next step within the specified time limit or any agreed extension thereof, it shall be considered settled on the basis of the City's last answer. If the City does not provide a written response to the grievance or appeal thereof within the specified time limits, the grievant may elect to treat the grievance as denied at that step and immediately appeal the grievance to the next step in accordance with the procedure set forth.

The entire grievance procedure is subject to employee labor agreement, when applicable.

## ARTICLE XVII

### **EMPLOYEE BENEFITS**

#### **SECTION 1. INSURANCE BENEFITS**

The City shall make group life insurance, group hospital, surgical and health insurance, accidental death and dismemberment insurance and off-the-job group accident and sickness available for full-time regular employees. Refer to the applicable employee

labor agreements for specific details.

- (a) Group Hospital, Surgical and Health: The City shall pay a portion of an employee's health care up to a specific amount. The City shall provide group hospital, surgical and health insurance coverage for employees and their families. The City pays 100% of each full-time regular employee's individual coverage and 75% of the cost of dependent coverage.

The above section is subject to employee labor agreement, when applicable.

- (b) Group Life: The City shall pay 50% of the cost of individual employee coverage for full-time regular employees. The employee must pay the other 50%. The insurance shall provide coverage equal to twice an employee's annual salary rounded to the next \$1000. Maximum coverage will be determined by insurance policy.

- (c) Accidental Death and Dismemberment: The City shall pay 50% of the cost of individual employee coverage for full-time regular employees. The employee must pay the other 50%. The insurance shall provide accidental death insurance coverage equal to twice the employee's annual salary and accidental dismemberment coverage based on a schedule rounded to the next \$1000. Maximum coverage will be determined by insurance policy.

- (d) Off-the-Job Accident and Sickness: The City shall pay 50% of the cost of the individual employee coverage for full-time regular employees. The employee must pay the other 50%. The insurance shall provide a weekly check for covered benefits for up to 52 weeks for an off-the-job disability accident or sickness.

For employees who are represented by the Fraternal Order of Police (FOP) please see your employee labor agreements for benefit begin date and waiting periods.

For all employees, with the exception of employees represented by the Fraternal Order of Police (FOP) the following waiting periods and conditions apply:

Sickness: The employee is entitled to up to fifty-two (52) weeks of short-term disability coverage. There is an initial waiting period of 7 calendar days following the onset of an illness. During this 7 day period no benefits are paid. The 7 day waiting period counts towards the 52 weeks.

Off Duty Accident: There is no waiting period following an off duty accident. The employee is entitled to up to fifty-two (52) weeks of short-term disability payments.

(e) Vision Insurance: The City shall pay 100% of the cost of vision insurance for the employee. Dependent coverage is not available. The plan shall provide for one eye exam every 24 months in addition to benefits for glasses or contact lenses.

In the case of each insurance benefit listed above, it shall be the employee's responsibility to activate the coverage applicable.

If an employee is enrolled between or on the first and fifteenth of the month for any of the insurance coverages, then his/her individual coverage shall be effective the first day of the following calendar month. If an employee is enrolled between or on the sixteenth and the last day of the month, then his/her coverage shall be effective on the first day of the calendar month following one (1) calendar month of employment. Dependent coverage must be taken when the employee enrolls for individual coverage or it may be delayed by the Insurance Carrier.

Part-time regular employees working twenty (20) or more hours per week shall be eligible for the same coverages listed above. However, the City's share and the cost of the coverage shall be one-half (1/2) that for full-time regular employees. For each coverage where the City pays the full cost or a portion of the cost for full-time employees, the City will pay only one-half (1/2) of the same costs for eligible part-time employees.

Part-time regular employees working less than twenty (20) hours per week shall not be eligible for the coverages listed in this section.

Temporary employees shall not be eligible for the coverages listed in this section.

## **SECTION 2. RETIREMENT BENEFITS**

The City shall make available to full-time regular employees working at least thirty-seven and a half (37.5) hours per week a City Retirement Plan. All employees hired after July 1, 1991 shall be required as a condition of employment to join a plan. Employees shall remain members until their employment with the City ceases, retires or pass away. Pension benefits shall be provided through one of the following:

(a) Police Pension Plan (Sponsored either by the City of Dover or State of Delaware)

(b) General Employee Pension Plan

(c) Defined Contribution Plan

The City shall provide group hospital, surgical and health insurance coverage for retired employees and their families. The City pays 100% of each retiree's individual coverage and 75% of the cost of dependent coverage. This applies to all retirees, unless otherwise specified in employee labor agreements.

### SECTION 3. DEFERRED INCOME

The City shall make available through its membership in the International City Management Association Retirement Corporation (ICMA) and Public Employees Benefit Services Corporation (PEBSCO) deferred compensation plans for regular employees whereby an individual can defer a portion of his/her current salary for use at a predetermined retirement date. The City shall make contributions based upon Employee Labor Agreements when applicable. For regular non-bargaining employees the employee benefit shall be no less than the highest contribution required by an employee labor agreement.

### SECTION 4. UNIFORMS

The City shall provide uniforms for certain personnel. These employees shall be required to wear uniforms so they will be easily identified as City employees while working on or near private property.

The employee is responsible for the uniforms. Therefore, the cost of avoidable damage or loss of uniforms shall be paid by the employee. An employee will wear his/her uniform properly, will not allow them to be worn by other individuals and will wear them only during working hours or to and from work. Upon separation from employment, the employee shall return the uniforms to the City.

The above section is subject to employee labor agreement, when applicable.

### SECTION 5. BLOOD BANK

The City shall make available to full-time regular employees and retirees the option of joining the Blood Bank of Delaware group plan. This program provides protection for the employee/retiree and his/her dependents if the need for blood arises. Under the group plan the employee/retiree and his/her dependents are protected in all 50 states and Canada for an unlimited amount of blood.

The City shall pay annual dues, however, when contacted by the Blood Bank, an employee/retiree must agree to one of the following:

- (a) donate a pint of blood,
- (b) have someone else donate a pint of blood in his/her name,
- (c) pay a fee to the City's Blood Bank of Delaware Group Plan.

Part-time regular employees working less than twenty (20) hours per week and temporary employees are not eligible for the Blood Bank.

#### **SECTION 6. CREDIT UNION**

The State of Delaware employs a Credit Union which is a federally insured savings and loan organization. All City employees shall be eligible to become a member subject to the requirements of the Credit Union.

#### **SECTION 7. SERVICE AWARDS**

The City shall provide a Service Award program to recognize employees for continuous and loyal service. Employees who work thirty-seven and a half (37.5) or more hours per week are eligible for the award.

Awards shall be presented to employees who have completed five, ten, fifteen, twenty, twenty-five and thirty years of service.

### ARTICLE XVIII

#### **EDUCATIONAL ASSISTANCE**

##### **SECTION 1. LIMITED EDUCATION LEAVE WITH PAY**

A limited education leave of absence with full or part pay or unpaid leave during regular working hours may be granted to a regular full-time employee upon the recommendation of the department head and with the approval of the City Manager or appropriate City official to permit an employee to take courses of study which will better prepare the employee to perform his/her assigned duties.

##### **SECTION 2. EXTENDED EDUCATION LEAVE WITH PAY**

Full time educational leave of absence at full or part pay or unpaid leave for a period not to exceed twelve (12) calendar months may be granted to regular employees upon recommendation of the City Manager and Department Head with the approval of the City Council.

An employee granted such extended educational leave with pay shall agree to return to the service of the City upon completion and training and remain an employee of the City for a period equal to two years or the employee shall reimburse the City for all compensation received while on educational leave in addition to all education reimbursements. This agreement shall not constitute an employment contract.

Article XIII, Section 3 shall apply to an employee on full-time education leave.

### SECTION 3. EDUCATIONAL ASSISTANCE

The City promotes continuing education if this education will better prepare the employee to do his/her job. An employee is allowed to receive reimbursement for a maximum of three (3) courses per semester/quarter/block. This benefit is available to an employee who has successfully completed his or her initial probationary period of employment, with the exception of sworn police officers. Sworn police officers are eligible upon completion of six months of employment.

To be eligible for this benefit an employee must have demonstrated during his/her full-time regular employment with the City, prior to application, that his/her elementary and secondary public school training is sufficient and adequate for extended study and training and that such informal education and training is compatible and commensurate with the employee's chosen extended study and training.

The employee's selected major must be approved in writing and in advance by his/her Department Head and the Human Resources Department. The selected courses of study must be helpful to the employee in his or her present work and basic advancement.

The City shall reimburse the employee for tuition, laboratory fees and books. Reimbursement will be the lower of University of Delaware in-state rates for the level and type of course taken or the actual amounts paid for tuition. Employees shall receive reimbursement based upon the follow schedule:

| Letter Grade | Grade        | Reimbursement<br>Percentage |
|--------------|--------------|-----------------------------|
| A            | 90 to 100    | 100%                        |
| B            | 80 to 89     | 90%                         |
| C            | 70 to 79     | 80%                         |
| D or F       | 69 and under | 0                           |

Receipts and official grade verification must be provided for



reimbursement.

The City shall reimburse the employee for books provided the City has the option of retaining the books if it so desires.

An employee who takes advantage of this policy shall be required to complete at least two (2) continuous years of employment with the City upon receiving reimbursement or shall have the amount of the reimbursement deducted from his/her final pay check. This agreement shall not constitute an employment contract.

No employee shall be eligible for benefits under this policy if they are enrolled and receiving benefits under any other Education Association Plan, such as the "G.I. Bill", financial aid or etc.

For complete details on the reimbursement process please contact the Human Resources Department.

#### ARTICLE XIX

##### **PERSONNEL RECORDS AND REPORTS**

###### **SECTION 1. PERSONNEL RECORDS MAINTENANCE**

Personnel records are necessary for proper administration of the personnel system and will be maintained by the Human Resources Department with the exception that the Police Chief will maintain files for sworn police officers. The City shall maintain in personnel records only information that is relevant to accomplishing personnel administrative purposes. Supervisors may keep working personnel files but material not maintained in the Human Resources files or the files maintained by the Internal Affairs division of the Police Department may not provide the basis for discipline against an employee.

The following minimum information on each City employee must be maintained:

- (a) name,
- (b) age,
- (c) date of original employment or appointment to City service,
- (d) current position title,

- (e) current salary,
- (f) date and amount of most recent change in salary,
- (g) date of most recent promotion, demotion, transfer, suspension, separation or other change in position classification and
- (h) office to which the employee is currently assigned.

## SECTION 2. ACCESS TO PERSONNEL RECORDS

Any person may have access to the information listed in Section 1 except for items e, f and g for the purpose of inspection, examination and copy during regular business hours of the City. Access to such information shall be governed by the following:

(a) All disclosure of records shall be accounted for by keeping a written record (except for authorized persons processing personnel actions) of the following information: Name of the employee; information disclosed; date information was requested; name and address of person to whom the disclosure is made; purpose for which the information is requested. This information must be retained for two years.

(b) Upon request, records of disclosure shall be made available within a reasonable time to the employee to whom it pertains.

(c) An individual examining a personnel record may copy the information. Any available photocopying facilities may be provided and the cost may be assessed to the individual.

## SECTION 3. CONFIDENTIAL INFORMATION

All information contained in a City employee's personnel file, other than the information listed in Section 1, subparagraphs a, b, c, d and h of this Article shall be maintained as confidential and shall be open to public inspection only in the following instances:

(a) The employee or his/her duly authorized agent may examine all portions of his or her personnel file, except for letters of reference solicited prior to employment.

(b) A licensed physician designated in writing by the employee may examine the employee's medical record.

(c) A City employee having supervisory authority over

the employee may examine all material in the employee's personnel file.

(d) By order of a court of competent jurisdiction, any person may examine all material in the employee's personnel file.

(e) Each individual requesting access to confidential information will be required to submit satisfactory proof of identity.

(f) A record shall be made of each disclosure and placed in the employee's file (except of disclosure to the employee and supervisor).

#### **SECTION 4. EXCEPTIONS**

Exceptions may be granted to Section 2 and 3 of this article upon determination by the City Solicitor that such exceptions are allowable under Chapter 100, Title 29 of the Delaware Code (Freedom of Information Act).

#### **SECTION 5. RECORDS OF FORMER EMPLOYEES**

Former employees are not permitted to review their personnel file. Employees who are laid off with a right of reemployment or are on a leave of absence are permitted to review the file.

#### **SECTION 6. REMEDIES OF EMPLOYEE OBJECTING TO MATERIAL IN FILE**

An employee who objects to material in his/her file may place in his file a statement relating to the material he/she considers being inaccurate or misleading. The employee may seek the removal of such material in accordance with established grievance procedures.













**Daniel A. Griffith**  
Partner  
302.357.3254  
DGriffith@whitefordlaw.com

March 7, 2026

**Via Email: adelcollo@offitkurman.com**

Anthony Delcollo, Esquire  
222 Delaware Avenue, Suite 1105  
Wilmington, DE 19801

**Re: Statement of Reasons for Removal of David Hugg as City Manager**

Dear Mr. Delcollo:

As you requested, in accordance with Section 33 of the Charter of the City of Dover, I write to provide a Statement of Reasons supporting the City's decision to seek Mr. Hugg's removal as City Manager.

As an initial matter, the scope of Mr. Hugg's duties as City Manager is described in Section 37 of the City's Charter:

**PART I - CHARTER AND RELATED LAWS**

**Subpart A - CHARTER [2]**

***Sec. 37. - Duties of the manager.***

It shall be the *duty* of the *city manager* to supervise the administration of the affairs of the *city* under their charge; to make such recommendations to the council concerning the affairs of the *city* as may seem desirable to the *city manager*; to keep the council advised of the financial conditions and future needs of the *city*; to prepare and submit to the council the annual budget estimate; to prepare and submit to the council such reports as may be required by that body; and to perform such other *duties* as may be prescribed by this Charter or required of them by ordinance or resolution of the council.

(Amd. of 7-12-2005 (S.B. 126); Amd. of 9-9-2022 (H.B. 456) [library.municode.com], § 24).  
(Emphasis added).

Following is non-exhaustive list of Mr. Hugg's failure to perform his duties as described above. The City reserves the right to identify additional reasons beyond those enumerated here at the upcoming public hearing Mr. Hugg requested and the following reasons are not intended to be in any specific order:

**I. Failure to Keep Council Reasonably Informed**

- Mr. Hugg has demonstrated a clear failure to comply with statutory obligations by failing to inform the City Council President of 17 documented resident complaints. These complaints articulate serious concerns regarding the People's Church of Dover UCC Foundation Shelter Services, which are allegedly undermining the quality of life in the area and devaluing local property. The residents have raised substantial threats of litigation, citing that the People's Church is operating as a detrimental neighbor, allowing individuals to sleep on-site in explicit violation of local regulations governing homeless shelters.

This situation has allegedly fostered an environment that is perceived as a hotspot for drug use and prostitution. Mr. Hugg's failure to provide a timely notice effectively precluded the Council President from convening an executive session to address these complaints on December 2, 2025. This omission is unacceptable and prevents the Council from responding proactively to legitimate community concerns. It was only after legal counsel submitted a similar complaint on February 4, 2026, that city staff began drafting a response, with the City Solicitor finally providing a draft on February 18, 2026.

This delay in action is not only concerning but raises questions about the city's commitment to addressing resident grievances and ensuring compliance with local regulations. Immediate remediation and strategic legal consultation are imperative to mitigate potential litigation risks.

**II. Accountability, Communication Gaps, and Interpersonal Conflicts Among Senior Administrators in the Workplace**

- HR and Finance System Issues. The City of Dover made a significant investment in a sophisticated financial system, but its implementation has proven excessively complex. This complexity has created confusion among department heads regarding their access and authority within the system. Mr. Hugg has failed to clarify the boundaries of decision-making authority, leading to policy disagreements between the Controller/Treasurer and the Human Resource Senior Administrators. His failure to define the limits of each department's power has fostered a hostile work environment. Furthermore, Mr. Hugg's inability to establish regular "knowledge sharing" sessions has eroded the City Council's confidence in his leadership. As City Manager, Mr. Hugg should have taken decisive action to clarify roles and promote collaboration, ensuring the effective administration of the city's affairs.

- Leadership and Departmental Oversight Failures. Mr. Hugg has failed to urgently address the implications of poorly defined departmental roles, particularly regarding approval workflows within Human Resources. Recent audits indicate nearly \$100,000 was erroneously disbursed to individuals who are no longer qualified for payments, constituting a potential breach of fiduciary duty and exacerbating compliance risks. This mismanagement jeopardizes the City of Dover's financial integrity and exposes it to potential legal repercussions.

The Finance Department now needs to implement immediate measures to mitigate these risks, including obtaining cost estimates for outsourcing payroll and financial operations to enhance oversight and ensure regulatory compliance. Additionally, the city faces the pressing challenge of securing supplemental funding to cover these operational costs. Failing to address this issue could lead to further financial strain and losses, with significant long-term consequences for our constituents.

### **III. Legal Ramifications of Breach of Executive Session Regulations and Violation of Health Insurance Portability and Accountability Act (HIPAA) Issues**

- The unauthorized disclosure of private health information (PHI) by a City Manager constitutes a significant infringement of both legal and ethical standards. Specifically, Mr. Hugg's repeated breaches of confidentiality raise serious concerns regarding compliance with privacy laws and executive regulations.

In the first instance involving a former grant writer, Mr. Hugg allegedly shared sensitive health information with specific individuals without proper authority or the employee's consent. Such actions not only jeopardize individual privacy rights but also expose the City to potential legal liabilities, including claims of invasion of privacy and violations of the Health Insurance Portability and Accountability Act (HIPAA).

- The second incident related to the hiring process for a potential City Planner further underscores the gravity of these breaches. By failing to maintain confidentiality, particularly in an area where the City Council was prepared to perform a formal investigation and risk assessment, Mr. Hugg not only undermined the integrity of the hiring process but also failed to respect the established protocols intended to protect both candidates and the City of Dover.

It is imperative for all individuals in leadership positions, particularly those handling sensitive information, to adhere strictly to executive session regulations. Mr. Hugg's failure to do so supports disciplinary action, including termination, and exposes the City to legal repercussions that may result in financial liability or reputational harm. The necessity for a robust commitment to confidentiality and compliance with regulatory statutes cannot be overstated.

Cumulatively, these failures in Mr. Hugg's performance of his statutory duties as City Manager have caused Council to lose confidence in Mr. Hugg's ability to remain in that position. To the extent Mr. Hugg seeks additional details concerning each or any of these enumerated reasons, additional detail can be provided in connection with the public hearing he has requested. As set forth above, the issues described above are non-exhaustive and may be supplemented in connection with the public hearing.

I am, of course, available to discuss this Statement of Reasons at your convenience. The City will add the public hearing for Mr. Hugg's removal to its next agenda. In the interim, please feel free to contact me.

Very truly yours,

*/s/ Daniel A. Griffith*

Daniel A. Griffith

DG:dag  
Enclosure



## **SPECIAL CITY COUNCIL MEETING**

A Special City Council Meeting was held on February 10, 2022 at 5:28 p.m. with Council President Sudler presiding. Members present were Mr. Anderson, Mr. Boggerty, Mr. Neil, Mrs. Arndt, Mr. Rocha, and Mr. Taylor. Mayor Christiansen was also present. Mr. Hare and Dr. Pillsbury were absent.

Council staff members present were Mrs. Melson-Williams, Mr. Hugg and Ms. Bennett

### **ADOPTION OF AGENDA**

**Mr. Rocha moved for adoption of the agenda, seconded by Mr. Neil and unanimously carried.**

**Mrs. Arndt moved to recess into Executive Session pursuant to 29 Del. C. § 10004(b)(6) - Discussion of the content of documents, excluded from the definition of "public record" in § 10002 of this title where such discussion may disclose the contents of such documents ( § 10002(1)(1) - any personnel, medical or pupil file, the disclosure of which would constitute an invasion of personal privacy, under this legislation or under any State or federal law as it relates to personal privacy) and pursuant to 29 Del. C. § 10004 (b )(9) - Personnel matters in which the names, competency and abilities of individual employees are discussed, unless the employee requests that such a meeting be open. The motion was seconded by Mr. Taylor and unanimously carried.**

The Special Council Meeting recessed into Executive Session at 5:29 p.m.

The Executive Session adjourned at 6:54 p.m.

### **ACTION RESULTING FROM THE EXECUTIVE SESSION**

During the Executive Session, members of Council discussed personnel matters related to the Interim City Manager and Interim City Planner positions.

#### **Appointment of City Manager**

During the Executive Session, members of Council discussed hiring Mr. Dave S. Hugg III as permanent City Manager starting at \$150,000 per year.

**Mr. Neil moved to appoint Mr. Hugg as the City Manager effective immediately with a salary of \$150,000. The motion was seconded by Mr. Boggerty and unanimously carried.**

**Mr. Rocha made a motion to dissolve the City Manager Search Committee. The motion was seconded by Mr. Boggerty and unanimously carried.**

#### **Appointment of Planning and Community Development Director**

During the Executive Session, members of Council discussed the position of Planning and Community Development Director with the Interim Director Dawn Melson-Williams.

**Mr. Neil moved to keep Mrs. Dawn Melson-Williams as Interim Director of Planning and Community Development until the position has been filled. The motion was seconded by Mrs. Arndt and carried unanimously.**



Mr. David S. Hugg, III, City Manager, stated that a new Human Resources Director has been hired and will be starting in May. He also explained that they are in the process of interviewing applicants for the Planning and Community Development Director. Mr. Hugg explained that the City of Dover submitted to the Congressional funding process, a little over \$10 million worth of projects that include new road work, additional water main and other water projects, as well as for continuation of the accessible playground at Dover Park and for funding for the Dover Police Department's outdoor wireless camera program to the congressional funding process.

#### **COUNCIL MEMBERS' ANNOUNCEMENTS**

Mr. Taylor extended Happy Easter to those who celebrate the death and resurrection of Jesus Christ.

Mr. Anderson wished everyone a blessed Holy Week. He wished Happy Passover to those who observe. Mr. Anderson reminded everyone that April 30, 2022 is National Prescription Drug Take Back Day. He explained that this event is meant to provide a safe, convenient, and responsible means of disposing of prescription drugs.

**Mr. Sudler moved for adjournment of the Regular Council meeting, hearing no objection the meeting adjourned at 9:35 p.m.**

ANDRIA L. BENNETT  
CITY CLERK-SELECT

All ordinances, resolutions, motions, and orders adopted by City Council during their Regular Meeting of April 11, 2022 are hereby approved.

ROBIN R. CHRISTIANSEN  
MAYOR

/AB

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Exhibits

Exhibit #1 - Dover Police 2021 Annual Report

life expectancy or they are interested in selling the property. Mrs. Melson-Williams advised, due to their proximity to municipal resources, the Delaware Department of Natural Resources and Environmental Control (DNREC) is less likely to allow for a new septic system to be installed.

Responding to Mr. Sudler, Mr. Jason Lyon, Director of Water Wastewater, stated there is a \$7,000 impact fee, which is the cost to connect the service to that property. He noted the cost is different for commercial and residential. The commercial cost is based on the number of fixed years and demand characteristics of the property. Mr. Lyon advised the cost of hiring a contractor to hook up water only can range between \$1,000 and \$5,000, depending on how far the contractor will have to go in the right-of-way to connect to the water line. In addition to the impact and contractor fees, if the property is on a state road, like Mifflin Road is, there may be additional costs related to traffic control that the Delaware Department of Transportation (DelDOT) may require.

Mr. Lyon stated the sanitary sewer is more complicated due to its depth in some portions of the city, noting that the sanitary sewer can be upwards of 15 feet deep. He advised that it becomes a large excavation project for a contractor at that depth and those costs can be up to approximately \$20,000 for just a sewer connection.

Responding to Mr. Neil, Mr. Lyon stated the city provides payment plans for the impact fees; however, it does not provide payment plans for contractors because that is a third party and the city is not involved.

Mr. Sudler stated he would like to look into ways to reduce the financial costs for their constituents, as well as look into constituents being double taxed by the county and city.

**Mr. Neil moved to recommend moving forward with the annexation of 166 Mifflin Road, as recommended by staff. The motion was seconded by Mr. Boggerty and unanimously carried.**

**By consent agenda, Mr. Neil moved for approval of the Committee's recommendation, seconded by Mr. Boggerty and carried by a unanimous roll call vote (Anderson absent).**

**Public Works Director and Director of Wastewater Reclassification**

Mr. David Hugg III, Interim City Manager, reviewed the background and analysis regarding the reclassification of Public Works Director and Director of Water Wastewater.

Responding to Mr. Neil, Mr. Hugg stated that Public Works and Water Wastewater will remain two departments. Public Works will be responsible for sanitation, streets, and storm water and some of the engineering that falls under Public Works will now report to Water Wastewater.

**Mr. Neil moved to recommend reclassification of the Public Works Director and Director of Wastewater, as recommended by staff. The motion was seconded by Mr. Anderson and unanimously carried.**

**By consent agenda, Mr. Neil moved for approval of the Committee's recommendation, seconded by Mr. Boggerty and carried by a unanimous roll call vote (Anderson absent).**

**Mr. Neil moved for adjournment of the Utility Committee meeting, seconded by Mr. Anderson, and unanimously carried.**

Meeting adjourned at 6:20 p.m.

#### **LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE**

The Legislative, Finance, and Administration Committee met with Chairman Anderson presiding.

##### **Adoption of Agenda**

**Mr. Neil moved for adoption of the agenda, seconded by Mrs. Arndt and unanimously carried.**

##### **Evaluation of Bids - Diesel Powered Street Sweeper - Bid Number 22-0020PW**

Mr. Mark Nowak, Interim Public Works Director, reviewed the background and analysis regarding the evaluation of bid for the diesel powered street sweeper.

Staff recommended awarding the contract to THC Enterprises, Inc. t/a Mid-Atlantic Waste Systems for the City of Dover 7.3 Cubic Yard Volumetric Capacity Street Sweeper #22-0020PW, for the amount of \$268,452.

Responding to Mrs. Arndt, Mr. Nowak stated water cannot be used if the temperature is below freezing because the water will freeze and damage the components of the sweeper. This model of street sweeper will allow the city to use the machine without water when the temperatures are below freezing.

**Mr. Hare moved to recommend approval of staff's recommendation, seconded by Mr. Boggerty and unanimously carried.**

**By consent agenda, Mr. Neil moved for approval of the Committee's recommendation to award the contract to THC Enterprises, Inc. t/a Mid-Atlantic Waste Systems for the City of Dover 7.3 Cubic Yard Volumetric Capacity Street Sweeper #22-0020PW, for the amount of \$268,452. The motion was seconded by Mr. Boggerty and carried by a unanimous roll call vote (Anderson absent).**



**Booster Vaccine Incentive**

Mr. David Hugg III, Interim City Manager, reviewed the staff recommendation of a booster vaccine incentive brought forth by the COVID -19 Working Group. Staff recommended awarding four hours of administrative leave to staff who receive or have received the COVID-19 booster vaccine. Time must be approved for use by a Supervisor and used before June 30, 2022.

Responding to Mr. Boggerty, Mr. Hugg confirmed this incentive is different from the COVID leave that is already in place. Currently staff who receives the vaccine and has side effects or tests positive for COVID-19 receive 40 hours of COVID leave. This incentive would be four hours of administrative leave for any staff that receive or have received the COVID-19 booster.

Responding to Mr. Jonathan Contant, Civilian Committee Member, Mr. Hugg stated the effectiveness of the last campaign to receive the COVID-19 vaccine was not relevant. Many of the staff already received their vaccination prior to the start of the campaign.

Responding to Mr. Sudler, Mr. Hugg stated there had been a significant number of positives and exposures across the city workforce. The number seemed to be trending down in the last week, but it has been in the triple digit range. Mr. Hugg advised that it had impacted their ability to carry out some functions, but he commended staff for jumping in and getting things done. He noted that staff had been very responsive to the guidelines and policies that have been put in place and that people are wearing masks, maintaining social distance and, in some cases, going back to virtual meetings to minimize the number of face to face contacts. Mr. Hugg went on to say people are still concerned about the pandemic, but feeling better.

Mr. Hare moved to recommend approval of staff's recommendation of awarding four hours of administrative leave to staff who receive or have received the COVID-19 booster vaccine. Time must be approved for use by a Supervisor and used before June 30, 2022. Additionally, Mr. Hare moved to recommend that any future staff recommendations regarding booster vaccination incentives be approved. The motion was seconded by Mr. Rocha and unanimously carried.

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

**Proposed Amendments to the City of Dover Charter**

Mr. Dave Hugg, Interim City Manager, reviewed the proposed amendments to the City of Dover Charter.

Referring to line 386, Mr. Neil stated that he would like to leave in the line that states "but no ordinance increasing the salary of the mayor or city council members shall become effective until the date of commencement of the terms of the mayor or council members elected at the next regular election." He thought that line 386 becomes a check and a balance for the public.

Mr. Neil stated the changes made to line 455 were very broad and he would like to have a legal opinion before moving forward. He agreed with striking the sidewalks section of the document, but questioned if Council should include the city being responsible for the Americans with Disabilities Act to reinforce the fact the city is following that.

Mr. Contant agreed with Councilman Neil's opposition to line 386, noting that it did serve as a check and balance. He stated he is not opposed to changing Council's pay rate because it is low and has not been adjusted over time. Mr. Contant suggested if the Charter were to be changed, then determine a new base level of pay and tie it to an index that would automatically increase every year.

Mr. Taylor agreed with Mr. Contant that Council's salary should be tied to an index that is structured around attendance, increasing salaries to where they need to be in the beginning and then the index would apply for future pay increases.

Mrs. Arndt reminded members that the background materials that Mr. Hugg had provided weeks and weeks ago mentioned that the provision at lines 388 and 389 was included in almost all of the municipal charters for the state. She suggested that it was pretty standard language for municipal charters in terms of the compensation not going into effect until after the next election. Mrs. Arndt advised that she would be in support of leaving that language in the charter.

Mr. Anderson respectfully disagreed with the idea of not changing the charter regarding compensation. He noted that the documents provided by Mr. Hugg indicated that counties and some of the municipalities, including Georgetown and Wilmington, have this type of language in it. Mr. Anderson believed it had created a problem where the City has to play catch up every 20 years. He thought Council should set the authority for pay increases in the Charter and then set up a separate ordinance which establishes the different procedures. Mr. Anderson stated that he supports the amended charter as written. Mr. Sudler agreed with Mr. Anderson's position on compensation.

Referring to Section 44, Mr. Anderson stated he would like it to read that the budget must be presented by the last business day of May or on or before the fourth Monday in June. Noting the limit of 1/4 of one percent of taxable assessed value in Section 50, line 929, Mr. Anderson stated that the limit had been a stumbling block and requested Ms. Lori Peddicord, Controller/Treasurer, to look into the effect a change from 1/4 of one percent to one percent would have on the City's bond rating.



**CITY MANAGER'S ANNOUNCEMENTS**

Mr. David Hugg, III, City Manager, thanked Council members for the opportunity to serve as the City Manager. He stated that he looked forward to working closely with all of City Council as they work through the upcoming budget process and in putting together a diversity and inclusion plan going through the transformational leadership training process.

**COUNCIL MEMBERS' ANNOUNCEMENTS**

Mr. Taylor brought up the topic of Dover Interfaith Mission for Housing. He explained that at some point soon he would like to call a special meeting just to discuss Dover Interfaith. He stated that he has spoken to Ms. Jeanine Kleimo on several occasions, and he has asked Assistant City Manager Sharon Duca about how to get this process started. Mr. Taylor also stated that he would like to have a discussion on the police substation being placed downtown. He went on to explain that, in his opinion, one of the main reasons why there is not a lot of foot traffic is because people do not think it is safe downtown. He believes that perception should be dealt with head-on.

Mr. Neil mentioned the passing of former City Councilman Irving Levitt. He explained that he did not know Mr. Levitt personally, however, he is occupying the same seat. He stated that Mr. Levitt had a lasting impact and, although he did not know him, that he has spoken to those who did know Mr. Levitt and they had very high praise.

Mr. Sudler asked members of Council to observe a moment of silence for former Councilman Levitt.

Mr. Boggerty congratulated City Manager Hugg on his appointment and acceptance of the position. He also recognized and thanked Councilman Rocha for doing a yeoman's job during the interview process and leading the search committee and thanked him for allowing him to serve on the search committee. Mr. Boggerty further stated that he remains a resource for the City Manager on topics such as Human Resources and Diversity, Equity, and Inclusion. He would be happy to lend his expertise in these areas.

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

Meeting adjourned at 7:21 p.m.

ANDRIA L. BENNETT  
CITY CLERK-SELECT

## **SPECIAL COUNCIL MEETING**

A Special Council Meeting was held on May 9, 2022, at 5:18 p.m. with Council President Sudler presiding. Council members present were Mr. Anderson, Mr. Boggerty, Mr. Neil, Dr. Pillsbury, Mrs. Arndt, Mr. Rocha, Mr. Taylor, and Mr. Hare. Mayor Christiansen was present (arrived at 5:56 p.m.)

Council staff member present was Mrs. Bennett.

### **ADOPTION OF AGENDA**

**The Agenda was adopted by unanimous consent.**

### **COUNCIL PRESIDENT CANDIDATES - OPENING STATEMENTS**

Mr. Neil stated he would like to be considered as Council President and offered the following statement:

I gave everybody an opportunity to look at my history, to get a better understanding of who I am. Anybody who wishes to see the full document, it can be obtained from the City Clerk's Office and the City of Dover website [www.cityofdover.com](http://www.cityofdover.com). I seek to serve as President of this City Council to maximize our efforts in creating the philosophy of the government of Dover, for the professional staff to carry out. There is no grandiose statement to try to unfairly transform this city via pronouncements, but to get back to basics, to do what we have been elected to do. Make sure this city is functioning smoothly, while improving the quality of life of our residents, cost effectively. Holding a workshop at a country club is not the image I want to convey as being cost effective. We received a memo we face a \$2 million shortfall in the 2023 city budget. On June the 2nd, although the room cost at the Maple Dale Country Club was waived, the estimated cost for food is \$1,738.55 cents. This is taxpayers' money.

Holding a workshop at a country club, even with free room is not the mind set I bring to the table. It is a judgment call, with a \$170 million or more city budget, a thousand dollars is not much, but it is the mind set, because it is still the taxpayer's money. These are times when not going with the lowest bid, can actually save money in the long run, but this is not the time. I value the time of the members of this body who were elected by their constituents to represent them regarding the city business. The business occurs on the second and fourth Monday and Tuesday of the month. Any other business, should be set up as an extra activity, be open to staff, and the public on a different day. Marathon meetings are not the most effective means of conducting the city's business, and often unfair to the staff and to the people who come here to testify.

Even though we are elected for a short period of time, and can be fired or reelected, I look at what each of you brings to the table. And I plan to utilize those talents as your time permits. Mr. Sudler and I have different styles of leadership. He has been a force in the city civil rights movement in Delaware, he has been searching for means to lead city staff, the Mayor and the City Council to triumphantly govern our workforce, and facilitate superior service to our constituents. This is an abbreviation, a paraphrase of a quote on Mr. Sudler's plans for his first year. I am not grandiose, I



am just plain Fred, that is what I put on the front of the document I have given you to study and look at. I want to blend the skills you bring, recognizing your time is valuable as we guide and oversee the work of our professionals. You do not need me to inspire you. You are here because you are inspired enough to run for office.

As President, my first task will be meeting with our extraordinarily experienced City Manager, and our department heads to bring us the subjects that need to be discussed at our workshop in June. We should be talking about what Mr. Hugg has been asking us to do. What do you want moving forward? We need to see the Dover story told better. I am a huge fan of the Dover Dispatch. We need to expand on how we communicate with the public and ourselves. The information flow must go up, sideways and down, and so when a resident requests a burnt out street light to be replaced and it is not, we will know that it is a supply side issue, not neglect. It was I who brought up that fact at a meeting, that being said, the bulbs are now back in inventory.

President Sudler has every reason to be proud of his election because it made history. That page of history cannot be removed, but I am very disappointed he has no confidence he will be reelected in a democratic, secret ballot. He wants transparency, just like a political boss. All of us support diversity and inclusion, but an open ballot promotes another D word, divisive. After this election, we should be able to come together in a common cause without worrying if our vote for the President will affect our relationship with the winner if we did not vote for him. Ironically, in Mike Finney's article in the Delaware State News this past week, Mr. Sudler was quoted as preferring registered voters to elect the City Council President, which would mean a citywide secret ballot.

Mr. Sudler indicated his interest in being Council President and offered the following statement:

First and foremost, I would like to thank my Lord and savior Jesus Christ for using me as a vessel to fulfill psychological contracts within the workplace, while simultaneously boosting trust and morale between the City Council members, the community and our organizational citizens. With the support of the majority of City Council members, under my presidency, I have successfully implemented vision A, B, and C located on slides four through seven.

Slide number four, The Visions, Under vision A, to further advance the consensus building among the City of Dover and Kent County, consequently executing a more team strategy to procuring fiscal aid for alleviating inequities that affect the private, public, faith-based and higher learning institutions in Dover. Through my 2021 network vision section one, titled Council Liaison to the Kent County Commissioners and State Representatives, District Three Councilwoman Tricia Arndt and District Four Councilman David Anderson, co-liaison, secured a \$10 million budget from the State of Delaware's Budget for the Bond Bill, which will benefit the city's fiscal budget for addressing infrastructure essentials. For example, the Meeting House

**REAPPOINTMENT RECOMMENDED BY MAYOR CHRISTIANSEN - SILVER LAKE COMMISSION- TWO-YEAR TERM TO EXPIRE JULY 2025**

Mayor Christiansen recommended the following reappointment to the Silver Lake Commission for a two (2) year term to expire in July 2024.

John DeMarie

**By consent agenda, Mr. Hare moved for approval of the reappointments to the Silver Lake Commission, as recommended by Mayor Christiansen, seconded by Mr. Rocha, and carried by a unanimous roll call vote.**

**CITY MANAGER'S ANNOUNCEMENTS**

Mr. David Hugg, III, City Manager, reminded everyone of the City of Dover employee cookout on Thursday, August 18, 2022, and urged members of Council to attend, if possible. Mr. Hugg explained that what makes this event particularly relevant and important are two things. The first is the title, Together We Succeed, which is the title that was picked by the DE&I committee, the sponsors of the event. Mr. Hugg further explained that the idea is to bring as many employees as possible together to get to know each other and exchange thoughts, ideas, and goals, and interact with the members of the Council.

**COUNCIL MEMBERS' ANNOUNCEMENTS**

Mr. Taylor announced that on Wednesday, August 10, 2022, at 6:30 p.m. at Dover Police Department they will be reviewing the proposed loitering ordinance. He encouraged everyone to come out and hear the way it is constructed and the way it is presented. He explained that at some point real soon, hopefully on the September agenda, there will be enough feedback from the constituents to move forward with this ordinance. Mr. Taylor asked for everyone to come out and attend on Wednesday at 6:30 p.m. at the Dover Police Station.

Councilman Rocha announced that on Saturday, September 10<sup>th</sup>, 2022, Dover Christian Church, which is located at 1738 Forest Avenue, is holding the inaugural Providing Dream Achievement Community Resource Expo. This will be done in partnership with the United Way of Delaware, Comcast, Tracy Palmer Ministries, the Interdenominational Ministerial Alliance (IMA), and the Capital School District. They are going to take over the parking lot, have a bunch of activities for children and they are going to have resources for adults. They are going to set up tables for job placement and they are going to be inviting certain companies here that are looking for workers. They will be doing COVID testing and vaccines at the same time. They are going to have information for behavioral health and health and human services. There will be a plethora of resources where residents can come out and gain knowledge including energy tips. They are going to be using the parking lot at Dover High School to park the cars, and then everyone can come over. They will have food, activities and at the end of the expo, there will be a concert. Interested participants in the concert that evening, it's \$35 per car and all monies that are generated will go towards activities like this. The expo will be from 12 p.m. to 4 p.m. on Saturday, September 10<sup>th</sup>. The concert will start that evening at 7 p.m.



**FINAL READING - PROPOSED ORDINANCE #2023-05**

The First Reading of the Proposed Ordinance was accomplished during the Council Meeting on June 12, 2023. Council President Sudler reminded members of the public that copies of the proposed ordinance were available at the entrance of the Council Chambers or on the City's website at [www.cityofdover.com](http://www.cityofdover.com) under "Government."

**Mr. Anderson moved that the Final Reading of the proposed ordinance be acknowledged by title only, seconded by Mr. Sudler, and unanimously carried. (The First Reading of the proposed ordinance was accomplished during the Council Meeting of June 12, 2023.)**

**By motion of Mr. Anderson, seconded by Mr. Lewis, Council, by a unanimous roll call vote, adopted Ordinance #2023-05 (Exhibit #1).**

**CITY MANAGER'S ANNOUNCEMENT**

City Manager Hugg thanked the members of council for passing the budget this evening.

**MAYOR'S ANNOUNCEMENTS**

Mayor Christiansen reminded everyone about the City of Dover's Family Fourth of July celebration, which will start with a VFW parade at 6:00 p.m., followed by a celebrity pie eating contest featuring Delaware's official State dessert, peach pie, sponsored by Fifer's Orchards. Mayor Christiansen further stated that immediately following, in front of Legislative Hall, will be a hot dog eating contest sponsored by Coney Island Grill, followed by 30 minutes of the most spectacular fireworks display on the Eastern shore.

**COUNCIL MEMBER'S ANNOUNCEMENTS**

Mr. Rocha wished Council President Hare a Happy Birthday.

Mr. Sudler thanked City Manager Hugg, Assistant City Manager Duca, Ms. Peddicord, and Jeff Dill for a great job. Mr. Sudler further stated that he knows it was a tough year, the staff handled some tough questions, and everyone was able to come through and help convey to the constituents that they were in good hands. Mr. Sudler thanked everyone for their due diligence and stated great job, Team Dover.

Mr. Boggerty stated that last week's ice cream day was canceled due to inclement weather, however, due to the great response, it has been rescheduled for Friday, June 30, 2023. Mr. Boggerty thanked Mayor Christiansen and Council President Hare for their donations and for Mr. Rocha being willing to be the DJ for the event.

Mr. Neil reminded everyone that Bally's is having fireworks on the evening of July 2, 2023. Mr. Neil explained that it is going to be bigger than last year, and it is free to the community.

Mrs. Arndt reminded members that in lieu of the Council Committee of the Whole meeting, there is Land Use, FOIA, and Ethics training scheduled and will be held in Council Chambers. Members of the Planning Commission and Board of Adjustment have been invited. Mrs. Arndt stated that the attorney that will be presenting will be Max Walton, that he is highly regarded in the State of Delaware and will be sharing case law and changes to case law that they should all be aware of.

but even more so with the merchants on Loockerman. She explained that there is a lot of energy and excitement about what is to come, and she is looking forward to supporting them as a council member.

#### Fourth District

Dr. Sudler reported that he attended the celebration and final walk for Deputy Chief Spicer as well as the tree lighting ceremony. He received complaints about overgrown tree limbs on Forest Avenue as well as Conwell Street. He stated he would turn the pictures over to the City Manager and Assistant City Manager to aid in getting those complaints addressed. He reported receiving a call from a constituent asking the city to create a Homeowner Association Task Force. The constituent stated that those who are part of a homeowners association do not feel they are being treated fairly.

#### At-Large

Mr. Boggerty reported that he attended the swearing-in ceremony of Bethany Hall-Long as well as the inauguration of the 153rd General Assembly of Delaware. Mr. Boggerty also paid his respects to Richard "Mouse" Smith, Delaware NAACP President, who tragically passed away unexpectedly. Lastly, Mr. Boggerty reported that on February 8, 2025, he will be hosting a faith-based workshop sponsored by the Gospel Music Workshop of America. They will be showcasing the local youth, artists, and music. Youths aged 10 to high school are welcome to register with talents ranging from singing, writing, musical instruments, dance, and art. Registration will be free and the event is scheduled to be held at The WELL Church. On January 31, 2025, a round table discussion will be held regarding the movie The Forge at The WELL Church. The discussion will be geared towards young men, fathers, and uncles.

#### Council President Anderson

Council President Anderson reported that he was unable to attend the tree-lighting ceremony due to being ill. He commended Sankofa on raising the bar on events surrounding the December holidays. He stated they always bring an international flavor to Christmas from different places around the world and he is looking forward to their Martin Luther King events on January 20, 2025. Mr. Anderson reported that on January 18, 2025, he will be attending a preinaugural reception to provide a positive opportunity for the city. He stated there have been positive interactions and meetings with legislators, creating a partnership to represent the mutual constituents. He reported that the constituents from Kirkwood Street had some complaints regarding snow removal, but Queen Street noted that everything was handled perfectly. He praised the sanitation crews for picking up five days' worth of trash in three days after working 12-hour shifts during the snowstorm. Mr. Anderson also reported attending the 10th anniversary event of the Downtown Development District held at Rail Haus.

#### **Selection Process of New City Solicitor (David S. Hugg, III, City Manager)**

Mr. David S. Hugg, III, City Manager, reviewed the background information regarding the selection process of a new city solicitor.



Responding to Mr. Hugg, Dr. Sudler thanked him for compiling the data. Dr. Sudler requested a list be compiled of the services that the city is currently paying for. He would like to see the top three areas for which they provide services. He recommended that the conceptual models be provided to the Legislative, Finance, and Administration Committee so that they can absorb which model might be the best fit for the city. Whether they would like to hire an attorney who would work directly and solely for the City of Dover or what they have been traditionally doing. Dr. Sudler requested that the city publicly post the position and refrain from contacting any individuals directly, to ensure an unbiased hiring process. Dr. Sudler also recommended going outside of Delaware to see what small municipalities in Maryland are doing and bring that to the committee. Dr. Sudler would like to use that information to compile criteria. He would like to see the top five issues that the new solicitor will be dealing with.

Responding to Dr. Sudler, Mr. Hugg stated that he could certainly do that. He also stated that any individual chosen must be a member of the Delaware Bar and have been practicing law in Delaware. Mr. Hugg stated that they will also need to include attorneys who specialize in other areas such as unions and police matters.

Dr. Sudler requested the breakdown of funds that the City is paying by specialty or expertise (unions/police matters) versus how much the city pays the City Solicitor. Dr. Sudler hopes to find an attorney who specializes in many different areas to save the city money. Dr. Sudler noted that currently in the code it does not state that the city has authority to hire outside attorneys, so that may need to be changed.

Responding to Mr. Rocha, Mr. Hugg stated that some of the attorneys on the list only represent one municipality and a lot of that sometimes depends on where their offices are located. There are a few others who have made representing municipalities a specialty. Mr. Hugg noted that they could specify that the attorney would only represent the City of Dover. Mr. Hugg did reference the City of Rehoboth's Request for Qualifications (RFQ) and how they did discuss in-house counsel as a full-time employee.

Responding to Mr. Rocha, Mr. Hugg stated that he believes there is enough work for an in-house attorney and that an in-house attorney would make sense.

Responding to Mr. Rocha, Mr. Hugg stated that having an in-house attorney could save the city money and give them more access to an attorney who does not charge \$400 an hour every 15 minutes. The attorney would be available for Council meetings, Committee meetings, and other meetings as requested. Mr. Hugg noted that there are some advantages to having an in-house attorney.

Responding to Mr. Rocha, Mr. Hugg stated that he does not believe that they could find an attorney who fits all their needs and that he would not recommend that either. He explained that having worked with bond counsel, labor union, and

in theory. He noted that there was a chance that they might not hit that number at a loss.

Responding to Mr. Anderson, Mr. Hugg reminded everyone that the electric utility operates as an enterprise fund and must cover all expected costs, including reserves and replacements. He highlighted that rising market costs, such as transformers tripling in price, are factored into the energy cost speculation. Approximately 75% to 80% of the utility's total energy purchases are hedged to protect against future price increases. He emphasized that The Energy Authority (TEA) was highly skilled at hedging, making regular hedge purchases monthly. The utility hedges about 75-80% of its energy purchases to protect against price spikes, with 55% already hedged for the upcoming energy year starting in June. He noted that the hedging reduces market exposure compared to other utilities. Additionally, the utility can adjust rates up or down through a purchase power adjustment provision to reflect actual costs. He stated that they already have about 55% hedged for the upcoming energy year, which starts in June, which would help to stabilize and keep energy costs as low as possible. He explained that their market exposure was significantly lower compared to most Delaware Municipal Electric Corporation (DEMEC) or public electric utilities. They also have a purchase power adjustment provision, which allows them to adjust rates up or down based on actual costs.

Mr. Hugg explained that when actual costs are lower than estimated, adjustments are made to return savings to customers. However, predicting wholesale energy prices was highly unpredictable due to various factors such as the war in Europe, weather conditions, and malfunctions at the Liquefied Natural Gas (LNG) facility in the Gulf, which diverts natural gas either to the market or from the market. He noted that they do their best to estimate both the expected costs and what their demand would be. He emphasized the fluid nature of energy prices, noting warm weather patterns this year, and that demand was down substantially. There was also a cold snap that caught residents by surprise, highlighting how volatile energy prices can be. He noted that energy prices can fluctuate daily, and even multiple times within a single day. He explained that by code and by operation as an enterprise fund, they have to deal with and recognize what those costs are and plan accordingly. They have to maintain a certain level of reserves and have a contingency fund. He noted that there was not a lot of flexibility to deviate from, and that sometimes results in a cost increase.

Responding to Mr. Anderson, Mr. Hugg stated that the activities were to regulate the available energy, which included determining when plants are taken out of service and what not. The Indian River Power Plant was initially slated for closure, a factor that had been incorporated into their plans. However, due to a capacity shortage on the peninsula, the plant will now remain operational. There were charges involved with bringing it back online, and because it was an inefficient old plant, it cost more to generate. He referenced that recently, President Trump issued an order to keep a Pennsylvania plant open that was scheduled to close, noting that the resulting costs were passed on to public utilities. He explained that situations like this, or unexpected failures, such as those that have occurred at Van Sant Station in the past, are examples of unforeseen events where the contingency fund would be necessary.

Responding to Mr. Anderson, Mr. Burgett clarified that it would be an appropriate time to use the contingency fund if Van Sant Station was considered down due to an unforeseen outage, and there would be daily charges incurred.



Responding to Mr. Anderson, Mr. Hugg clarified that the city faced a \$5 million charge due to its inability to meet performance requirements during a past winter peak when the McKee Run Plant was unable to operate. He explained that under the Pennsylvania-New Jersey-Maryland Interconnection (PJM) rules, the city's power plants, such as Van Sant Station, are sometimes required to run when called upon. If they are called upon and cannot run, penalties may apply, which would be covered by the contingency fund. While running the Van Sant Station can occasionally generate revenue for the city, it does not happen often. He also mentioned that The Energy Authority (TEA), a third-party organization, prepared the city's electric budget, not the city employees themselves. He noted that he would get back with council to provide information regarding the plant contingencies.

Responding to Mr. Anderson, Mr. Burgett stated that when they are called upon to run Van Sant Station, there is a potential opportunity for the city to make money. Unfortunately, it is not very often. He also mentioned that the Energy Authority, a third-party organization, prepared the city's electric budget, not the city employees themselves. The city is relying on The Energy Authority (TEA) to create its budget. He noted that he would get back with council to provide information about the plant contingencies.

Responding to Mr. Hugg, Mr. Anderson expressed concern that, unlike in past years when hedging levels reached 70–80% by July during periods of low rates, the current hedging level is below 60%. He questioned the reasons for projecting such uncertain costs and requested more detailed technical justification from The Energy Authority (TEA). He emphasized that these decisions would significantly impact their constituents.

Responding to Mr. Rocha, Ms. Marney stated that the revenue was considered part of their electric fund revenue resources. It would be applied toward the overall revenue for the electric fund.

Responding to Mr. Rocha, Mr. Hugg stated that they budget a certain amount of revenue sales as part of the budget process. He noted that they count on a certain level of revenue they would receive from being called upon to run. He also mentioned that there are times when they are called upon a lot, and sometimes they are not. He emphasized that this was a revenue item.

Responding to Mr. Rocha, Mr. Hugg stated that the amount of money was not significant enough to warrant a full adjustment to the rates on a real-time basis. He explained that the occurrences were very unpredictable. There are times when they could go months without being called. Each day, they would receive a report from The Energy Authority (TEA) estimating whether or not they were likely to run. He noted that trying to adjust the rates based on that variable would be pretty risky.

Responding to Mr. Rocha, Mr. Hugg stated that the payments come from the Pennsylvania-New Jersey-Maryland Interconnection (PJM).

Responding to Mr. Rocha, Mr. Hugg stated that, depending on the form of payment, it can be a check or a transfer from the Pennsylvania-New Jersey-Maryland Interconnection (PJM).

Mr. Neil stated that if anyone has read any of the newspapers, particularly in this area, the cost of

**WHEREAS**, the City of Dover is in favor of utilizing the Community Development Block Grant funds for the community development purposes in accordance with the National Community Development objectives of benefiting low and moderate income families, eliminating slums and blight, and meeting other community development objectives; and

**WHEREAS**, the United States Department of Housing and Urban Development requires the City of Dover to submit a Consolidated Plan and an Action Plan for Application for Federal Assistance including the proposed use of funds and including certain certifications and policies to obtain its \$321,933 entitlement; for eligible activities; and \$18,000 in Program Income.

**NOW, THEREFORE BE IT RESOLVED** that the Mayor and Council approve the 2025-2029 Community Development Block Grant Consolidated Plan and application for Federal Assistance included in the Consolidated Plan, along with certifications and policies attached and authorize its forwarding to the United States Department of Housing and Urban Development for consideration.

**ADOPTED:** June 9, 2025

By consent agenda, Mr. Rocha moved for approval of the following appointments, seconded by Ms. Arndt and carried by a unanimous roll call vote and carried by a roll call vote, six (6) yes (Hall, Anderson, Arndt, Rocha, Sudler, Neil), one (1) no (Lewis), two (2) absent (Pillsbury and Boggerty).

**SETTING OF ELECTRIC, WATER, AND WASTEWATER RATES AND TARIFFS**

Mr. David Hugg, III, City Manager, reviewed the Electric, Water, and Wastewater Rates and Tariffs.

Ms. Arndt moved for adoption of the Electric, Water, and Wastewater Rates and Tariffs, seconded by Ms. Hall.

Ms. Arndt stated that they hire independent firms with expertise in setting, modeling, and projecting rates to ensure that they can continue to provide those essential services to their constituents. She pointed out that none of them want to raise rates, but unfortunately, these are the times they are living in, and everything is going up. The city cannot maintain the previous rates and still make necessary repairs, complete upgrades, and provide the level of service the constituents have come to expect. She emphasized that it was not her desire to raise rates, but at this point, there was no alternative. She noted that it was a very trim budget and felt that they had done their best, and that she stood by the rate as presented.

Ms. Arndt moved for adoption of the Electric, Water, and Wastewater Rates and Tariffs, seconded by Ms. Hall, and carried by a roll call vote, five (5) yes (Hall, Neil, Arndt, Rocha, Anderson), two (2) no (Sudler and Lewis), and two (2) absent (Pillsbury and Boggerty).

**IMMIGRATION POLICY CLARIFICATION (MAYOR ROBIN R. CHRISTIANSEN)**

Mayor Christiansen reiterated a statement he originally made on January 27, 2025, and reissued the statement, addressing the relationship between the City of Dover and Federal Immigration



**FINAL READING PROPOSED ORDINANCE #2025-11 – FISCAL YEAR 2025/2026 CITY OF DOVER BUDGET ORDINANCE (DAVID HUGG, III, CITY MANAGER)**

The First Reading of the Proposed Ordinance #2025-11 was accomplished during the Council Meeting of June 09, 2025. The Ordinance is available at the entrance of the Council Chambers and on the City's website at [www.cityofdover.com](http://www.cityofdover.com) under "Government".

**Mr. Anderson moved that the Final Reading of the proposed ordinance be acknowledged by title only, seconded by Ms. Arndt, and unanimously carried.**

Mr. David Hugg, III, City Manager, reviewed Proposed Ordinance #2025-11 – Fiscal Year 2025/2026 City of Dover Budget Ordinance.

Responding to Dr. Sudler, Mr. Hugg noted that each new business brought into areas such as Garrison Oak contributes to the city's assessed property value and generates new tax revenue, as the land was previously not on the tax rolls. Additionally, the city now sells water, sewer, and electric services to those businesses, which also brings in revenue. He had provided Mr. Lewis a rough estimate that indicated that those economic development efforts had generated approximately \$2.9 million in new revenue.

Responding to Mr. Hugg, Dr. Sudler stated that this was the reason he asked so that the audience and the constituents could hear about some of the initiatives that the city has taken as part of their due diligence to raise revenue.

Mr. Rocha stated that he was aware of the challenges when it came to maintaining the budget and bond rating. He noted that what was counted was the electric utility increase. He mentioned that he was amenable to moving the budget forward. He also mentioned that they needed to have something that they could look at in addition to the increases that were proposed in the budget. He noted that the state has partnered with Delmarva Power with a \$6 million deal to assist with utility bills. He believed that the city had set a fund aside, but wanted to be put on record, as they moved the budget forward.

Responding to Mr. Rocha, Ms. Marney stated that the city does not currently have a fund to assist individuals who cannot pay their utility bills. She explained that what council elected to do this year was to cooperatively work with Delaware Municipal Electric Corporation (DMAC) to employ the Efficiency Smart Program that would go into effect at the beginning of July 2025. The Efficiency Smart Program offers constituents additional resources to aid them in lowering their bills by becoming more efficient. In addition, she stated that they have access to several community partners to help pay utility bills, such as the Catholic Charities, Low Income Home Energy Assistance Program (LIHEAP), State Community Action, and several other partners. She noted that they have resources with the Salvation Army, Catholic Charities, and Holy Cross. She also mentioned that they have been working closely with Modern Maturity. She explained that the program on the state level assistance program with Delmarva Power has been discussed with Delaware Municipal Electric Corporation (DMAC), but it has not yet been implemented at the municipal level. However, it may be mandated in the future. She added that they were working with Delmarva Power and Delaware Electric Co-op to determine if the program would be successful enough to expand to municipalities.

Mr. Rocha stated that it seemed like Delmarva Power was funding the program and that it was coming out of the state's budget. He noted that it seemed like Delmarva Power was kicking in the money in partnership and would not affect the city. He proposed that the city establish its own fund to assist the citizens who utilize the city's utilities. He stated that they were going to have an increase that would affect the constituents who are on fixed incomes and who are struggling. He noted that if the city maintains its bond rating and sets aside funds for assistance, it will help support the budget if it is approved.

Responding to Mr. Rocha, Ms. Marney stated that the proposed fund is not currently in the budget. She explained that they would need to return with a plan and work through the specific details of how it could potentially be implemented. They would also need to establish financial policies and an application policy behind it as well. She noted that it was similar to what they have done with American Rescue Plan Act (ARPA) funds and that they could run that through the Delaware Health and Social Services (DHSS) because they have the resources to determine the need. She also mentioned that the Customer Service Department, as an example, necessarily would not. She recommended not to put that on their shoulders.

Responding to Mr. Rocha, Ms. Marney stated that they had a pot of money that was just for Dover electric customers. She noted that those funds were determined to be distributed through Delaware Health and Social Services (DHSS). She explained that if a customer was at risk for disconnection or struggling to pay their bill, they could take their utility bill to Delaware Health and Social Services (DHSS). Those individuals would see that they are Dover residents and know that they have an additional pot of money to pull from. She pointed out that if they look back at their receivables over that time, it was the reason why they were able to keep it so low. Customer Service was able to see that a customer may be at risk and could give a referral to Delaware Health or social service agencies for assistance using that fund. She noted that what he was recommending sounded familiar to what they had done in the past. She stated that they would need to vet out the specific details. She believes that is something they cannot put into the budget currently, but it was something that would be beneficial to come back to council in the future.

Mr. Lewis expressed appreciation to Mr. Hugg and his staff for preparing the budget, but noted that there are still opportunities to trim expenses. He had concerns over affordability issues in the Second District, emphasizing that even a small utility increase could have a significant impact, such as residents having to choose between paying for medication, food, or other essentials. He shared that after speaking with constituents, it was clear that they did not want him to support the utility rate increase. He noted that since the constituents had voted for him, he must abide by their wishes. He yielded to Ms. Smack to ask a question.

Mr. Anderson stated a point of order, explaining that if Mr. Lewis wished to yield his time to Ms. Smack, he would need to make a motion to suspend the rules.

**Mr. Lewis made a motion to suspend the rules so members of the public could speak. The motion was seconded by Dr. Sudler and unanimously carried.**

Ms. Smack raised concern that several organizations being referenced as resources for constituents may no longer have the funding they once did. She pointed out that federal funding



residential bills because commercial bills include demand rates, which vary depending on the business's rating. She suggested that if a business finds that they are in any situation where they need to request assistance, always reach out to the Customer Service Department. The Customer Service Department has different payment arrangement programs that they can assist with, but it would depend on what their specific rate is. She noted that if they are a smaller commercial business, they would not have a demand fee, but their rates may be slightly different than if they were a transmission customer, such as the Dover Air Force Base or a primary customer.

Ms. Marney explained that the amount of increase for a particular customer had an energy consumption of 1,169 kilowatt-hours for their bill. The increase for the customer charge increased by \$0.78. She noted that the increase in electric consumption was essentially \$0.0143, or just over a penny. She stated that the electric consumption went from \$166.38 to \$183.30. The particular customer used 3,000 gallons of water, and so their water usage increased. The prior charge was \$8.64, and the new total increased to \$9.61, so there was a \$0.60 increase for the customer charge and a little over a dollar for the actual consumption charge. She noted that the net increase was \$21.46. The new amount due would have been \$277.35. She pointed out that this was a representative of a residential bill with a customer who used 3,000 gallons of water and an electric consumption of 1,169 kilowatt-hours.

Responding to Mr. Boggerty, Ms. Haines stated that she has reached out to Ms. Sass to share on social media that the rates were approved and to get a sample bill out internally. She noted that she had reached out to key business accounts to let them know that the rates were coming. She also mentioned that they have sent them emails with the tariffs and rates.

Responding to Ms. Haines, Mr. Boggerty acknowledged that she mentioned reaching out to key business accounts but emphasized that every business matters. He encouraged a more aggressive approach this year and thanked the staff for their hard work.

Mr. Anderson thanked the staff for the work that had been done with the budget. He recognized that it was a complicated budget, but it was done that way in order to maximize efficiency and savings. He pointed out that he intended to vote for the budget. He expressed concern regarding the clarity of information and highlighted that the \$50.00 increase in electric bills can be especially impactful during the winter months. In some older homes, electric bills can already average between \$500.00 to \$600.00 during those winter months. He noted that it raised serious concerns, particularly for neighbors nearby who are already struggling to figure out how to afford those costs. Mr. Anderson further expressed concern for residents struggling with high electric bills, particularly in winter, noting that some neighbors do not know how they would afford it. He referenced ongoing discussions about creating a local fund to help with supplemental costs, while encouraging residents to first seek assistance through programs. He also mentioned that federal funding through the reconciliation bill, those funds remain in place, though the final details are uncertain. He emphasized the importance of Dover supporting its own citizens and suggested revisiting the local assistance fund between September and October. He proposed that they use a small portion of the unbudgeted credit card fee savings as possible funding.

Mr. Anderson cautioned against relying on the estimated \$650,000 in revenue from the credit card fee savings. He noted that they may not receive or only receive half of the \$650,000 in

have contractual obligations with the bargaining employees and obligations with other necessary commitments that are not included. She mentioned that she has been in communication with Fitch Ratings over the last few weeks to review the city's bond rating. There is a meeting scheduled for Thursday, June 26, 2025. She noted that a key part of that review includes the electric rate study previously approved by council in 2023. She cautioned that if the proposed rates were not implemented, there would be a good likelihood that the city could receive a negative impact on its bond rating with Fitch Ratings. She asked that council keep that in mind as they are working through those processes. She stated that she believes that they can develop a way to implement a fund to assist the constituents, similar to what was done during COVID-19. She emphasized that implementing a fund would take time to put together. She recommended bringing the matter back to council in one (1) month or two (2) months for review. She suggested forming an Ad Hoc Committee to explore potential sources of funding.

Responding to Dr. Sudler, Ms. Marney clarified that a lower bond rating does not result in an immediate loss of funds but impacts the city's future borrowing capabilities and interest rates. In turn, it affects the city's ability to fund capital projects and other initiatives that benefit the community overall.

Responding to Mr. Hugg, Dr. Sudler acknowledged an understanding of the city's budgeting process and stated that, such as businesses, they take risks and roll the dice. He stated that accepting a lower bond rating for one (1) fiscal year would likely not have a major impact and could benefit constituents. He emphasized that the city has maintained a good bond rating and is currently facing hardship. He argued that the constituents need the city to put their needs over maintaining the bond rating.

Responding to Ms. Hall, Ms. Marney explained that under the Low-Income Housing Energy Assistance Program (LIHEAP), there is a reconciliation process. If a customer is awarded \$1,000, that amount can only be applied against electric consumption. She stated that the city's bill format included other charges. She noted that when the accounts are totaled up at the end of the season, if any money is applied to non-electric charges, the city would be required to refund the difference back to the state. She pointed out that the city no longer participates in that program, and in doing that, customers are able to keep that full \$1,000, and there would be no refund back to the state. Instead, the customers receive a two-party check from the Low-Income Housing Energy Assistance Program (LIHEAP) made out to both the city and the customer. She stated that it allows the full \$1,000 to remain on the customer's account for future debt that is incurred.

The City Clerk read the motion to refer staff for budgetary review to develop a fund for the Citizens of Dover to assist with utility bills.

**Mr. Rocha made a motion to refer staff for a budgetary review to develop a fund for the Citizens of Dover to assist with utility bills. The motion was seconded by Mr. Anderson and unanimously carried.**

Mr. Anderson made a motion that the proposed budget be approved as amended. The motion was seconded by Ms. Arndt.



Mr. Anderson acknowledged the idea of allowing more time but emphasized that one (1) of the reasons that the City of Dover maintains strong bond ratings and fiscal reviews is because it consistently passes budgets on time. He pointed out that the city meets its financial obligations and contractual commitments. He explained that failing to pass the budget would mean no additional public safety positions that they have asked for to help monitor cameras in real time, as well as denying cost-of-living raises for employees. It could hinder the city's ability to fill positions and adequately serve the constituents. He also mentioned that they would be saying no to other various projects, such as union obligations, road projects, and upgrading the utilities. He described the budget as a well-planned, intricate document designed to better serve citizens and improve government efficiency. He noted that the city consolidated departments from 35 to 14, which has resulted in millions of dollars being saved on the continuing line. He emphasized that the reason there was little excess in the budget was that city management has controlled the growth of government costs over the past decade. He noted that the city's cost growth has been minimal, except for necessary council initiatives, such as the pay equity study, which was crucial to staying competitive in the job market. He stated that the city had difficulty filling positions and pointed out that it was not feasible to pay someone with a CDL license just \$14 an hour.

Mr. Anderson emphasized the need to make adjustments but pointed out that various initiatives, such as supporting the General Pension equity with a 2% increase, which cost the city about \$1.5 million for the year. He argued that if someone voted in favor of such initiatives, they should also support the budget that included those costs. Otherwise, he suggested that the person should not have voted for the initiative in the first place. He stated that if someone did not believe employees should receive a market-based raise and did not vote for it, that was acceptable. However, if they did vote for it, then they should support the budget because they were the ones who directed it to be included. He emphasized the importance of staying true to established policies and being cautious when establishing new policies. He noted that recent actions were necessary to address staffing issues, which have since improved, allowing services to continue. He pointed out that the City of Dover is a service-based organization. He urged responsibility in supporting the budget tied to those policies, suggesting that those who oppose those policies should seek to repeal the policies rather than vote against the budget.

Responding to Dr. Sudler, Ms. Marney stated that the current bond rating was AA, high quality.

Responding to Dr. Sudler, Mr. Hugg stated that removing the electric rate hike for residential customers alone would reduce revenue by under \$4 million annually.

Responding to Dr. Sudler, Ms. Marney stated that calculating the impact for commercial numbers would be more complex and depend on the specific rate class. She noted that for the commercial numbers, it would take time to pull those numbers together. She also mentioned that the \$4 million for residential was based on the 2024 consumption.

Dr. Sudler expressed concern regarding the impact of the electric rate hike, particularly on residential customers, including seniors, veterans, individuals with disabilities, and others who fund the municipality. He stated that he would not support the budget for that reason. For the record, he stated that he does support fair wages for employees. He emphasized the need to prioritize and divert resources to help constituents who are not experiencing relief. He criticized the hardships being placed on residents without sufficient due diligence by the city. He argued

CITY COUNCIL MEETING OF JUNE 23, 2025

dollars and stated that investing in the utility infrastructure was not misplaced. She urged council to consider the greatly dilapidated state of the infrastructure and to act now. She noted that since costs were still manageable, rather than waiting and facing greater financial challenges down the road.

Dr. Sudler agreed with Ms. Hall's comments and shared that a transformer had exploded beside his house less than a year ago. He noted that those types of issues could be handled outside of the annual budget process. He emphasized that Regular City Council meetings could be used to address and approve such needs separately, as they arise. He stated that even if the overall budget was not approved or was delayed, the necessary funding for specific items was still available and could still be approved to move forward with that specific line item.

**Mr. Anderson moved to approve Ordinance #2025-11 – Fiscal Year 2025/2026 City of Dover Budget Ordinance as amended. The motion was seconded by Ms. Arndt, and carried by a roll call vote, seven (7) yes (Hall, Boggerty, Anderson, Pillsbury, Arndt, Rocha, Neil) and two (2) no (Sudler, Lewis). (Exhibit #4)**

**CITY MANAGER'S ANNOUNCEMENTS**

Mr. Hugg acknowledged council for engaging in an important and critical debate, noting that he does not necessarily disagree with all the things that were said. He stated that he had no specific announcements. He noted that staff routinely does return to council throughout the year with budget amendments and offered to make those updates more informative. He expressed his willingness to assist in that effort.

**MAYOR'S ANNOUNCEMENTS**

Mayor Christiansen was absent.

**COUNCIL MEMBERS' ANNOUNCEMENTS**

Mr. Anderson reminded everyone that the Dover African American Festival would be at Legislative Mall on Saturday, June 28, 2025. He noted that it would start at 11:00 a.m. He also mentioned that the Fourth of July Independence Day celebration is on July 4, 2025. The event itself will start at 6:00 p.m. at Legislative Mall. He encouraged everyone to stay involved with the community and to check out the Downtown Dover Partnership (DDP) on Facebook. He highlighted that there would be events on The Green with music and concerts.

Mr. Neil announced that an update on the ongoing developments from the Downtown Dover Partnership (DDP) would take place on June 26, 2025, at The Hive, starting at 4:30 p.m. He encouraged everyone to attend. He emphasized the importance of understanding where money was coming into the city. He noted that as development continues, it would drive growth through increased property values and tax revenue.

The meeting adjourned at 10:04 p.m.

ANDRIA L. BENNETT  
CITY CLERK



# 'We're on a good path forward': Sudler releases statement on staffing changes at Dover city hall

Posted Thursday, October 28, 2021 7:49 pm

By [Leann Schenke](#)

DOVER — Following a roughly 50-minute executive session Thursday, Dave Hugg has been named interim city manager for Dover, replacing former interim city manager Matt Harline.

Mayor Robin Christiansen said in a telephone interview Thursday that Mr. Harline “chose to retire and look for other employment.”

Kim Hawkins, the city’s human resources director, also has chosen to retire, Mayor Christiansen said.

On Friday, Kay Sass, public affairs and emergency management coordinator, said in a news release that Ms. Hawkins retirement comes after 26 years of service to the city.

Mayor Christiansen said both Mr. Harline’s and Ms. Hawkins’ last days of employment with the city were on Tuesday.

“While we are thankful for the time the individuals have served, we are sure things will run relatively smoothly during this transition,” Ms. Sass said.

In the release, Council President Roy Sudler Jr. said, "while the changes were abrupt in the organization, we are on a good path forward. We requested to withhold any comments to the media until we could meet with staff first. As a family, our staff deserved to know what the path looked like on this journey before everyone else.

"When you have a large shift in any organization there will be speculation, but we have an incredibly talented, dedicated workforce that will sail through this period just fine," he said.

Mayor Christiansen said Mr. Hugg was chosen as interim city manager during the executive session, which was attended by the full city council. The meeting was presided over by Councilman Sudler.

Mayor Christiansen said Mr. Hugg will continue to serve as director of planning and inspections and economic development — roles he held prior to being named interim city manager. However, Mayor Christiansen said he expects Mr. Hugg will delegate some of his responsibilities from those positions.

Mr. Hugg previously served as the town manager for Smyrna for 16 years prior to his retirement in 2016. Ms. Sass said he brings with him the "knowledge to carry things forward in this interim."

Ms. Sass said there will likely be an announcement in the next week or so with additional details on who will be filling the vacant positions.

Mayor Christiansen said he received a request to attend Thursday's executive session on Tuesday. The session's agenda, which was posted to the city's website, includes a notice at the top that reads "this agenda was posted with less than seven days notice due to the urgency of the situation requiring consideration."

Mayor Christiansen said Mr. Hugg will serve as interim city manager "until the search process is complete."

Mr. Harline was hired as Dover's assistant city manager in May of 2019.

The city has been conducting a search for a new city manager after its most recent city manager, Randy Roberston, resigned in late May. Mr. Robertson had

been on the job for a little more than six months before tendering his resignation and moving away from the area to care for his mother.

The application process is still open for the city manager position and can be found on the city website at [cityofdover.com/jobs](http://cityofdover.com/jobs). The job opening for the human resources director will be posted soon, Ms. Sass said in the release.

# Changing roles: Former planner Hugg named Dover city manager

Posted Friday, February 11, 2022 7:03 pm

By [Mike Finney](#)

DOVER — Talk about making yourself feel right at home.

Dave Hugg, who has served as the director of planning and community development for the city of Dover since March 31, 2017, was chosen by the City Council to become the new city manager during a special meeting Thursday night.

Mr. Hugg had been serving as interim city manager for Dover since last October, replacing former interim city manager Matt Harline, who chose to retire.

Mr. Hugg originally came to Dover on a six-month contract after he was hired as a consultant to Dover's city government in 2017. At the time, city officials stressed that "he would not be a candidate for the position of city planner."

He was then asked to temporarily replace former City Planner Ann Marie Townshend, who accepted a job as city manager in Lewes.

However, Mr. Hugg's vision for the city, penchant for getting results and innovative management style quickly made him a welcome addition to city staff, as he was hired as full-time director of planning and community development in December 2017, contrary to prior plans.

Dover City Council President Roy Sudler said that Mr. Hugg was the obvious candidate to fill the city manager vacancy permanently, after filling the role of interim city manager the past couple of months. His starting salary will be \$150,000 per year.



"It is my honor to convey to our constituents that City Council members not only acknowledge, but also appreciate and value the hybrid employee skills that Mr. Dave Hugg has exemplified during our organizational challenges as interim city manager," Councilman Sudler said. "Therefore, council has deemed it vital to promote Mr. Hugg to city manager of Dover, Delaware."

Dawn Melson-Williams, principal planner for the city, will take over as the planning director until the position is filled.  
Councilman Fred Neil (3rd District) said moving Mr. Hugg to his new role as city manager made perfect sense.

"Concerning Dave's appointment, I feel elated," said Councilman Neil. "The only question was if he wanted the position when the city manager's job came open. As planning director, he created stability and cut red tape. His vast experience before coming to Dover was evident in everything he has done."

Among Mr. Hugg's greatest contributions during his stint in Dover has been overseeing members of the planning office in developing the city's 2019 Comprehensive Plan. It was during that extensive process that he offered some insight into his leadership style, according to city officials.

He was also tasked with assessing operations of the planning office and initiating a "pro-business" approach to Dover's permitting processes.

Mr. Hugg said sometimes people need to take chances if they want to get a big return, as happened with the city of Wilmington's Riverfront, which is now bustling with economic and entertainment activity.

"A former governor and a former president of the University of Delaware got together and stood up on the waterfront in Wilmington and said, 'By God, we can do this.' And they did it," Mr. Hugg said. "We need to figure out how they got it done."

"The most important thing that they got done was the government entities stood up, put aside the politics, put aside the 'we can't pay for it' and said, 'If it's worth doing, we're going to find a way to make it happen.'"

Mr. Hugg added, "That's not happened in Dover. I hate to say it, but that's not happened. Everybody's kind of, 'Oh well, it's not in our budget,' or 'Well, it's not government's responsibility,' or 'Well, it's somebody else.'"

“There needs to be some leader that stands up and says, ‘By God, we’re going to do it,’ and isn’t afraid to take the crap that will come.”

Officials said it is that kind of can-do attitude that makes Mr. Hugg such a cutting-edge leader who has been a vital cog in helping to bring multiple large companies to Dover, such as the Delmarva Corrugated Packaging company on the POW/MIA Parkway.

Councilman Sudler said that several factors combined to make Mr. Hugg the obvious candidate to become Dover’s city manager.

Mr. Hugg retired as Smyrna’s town manager in December 2016 after 14 years leading different departments in the town.

“Mr. Hugg’s leadership style is aligned with leadership tenets regarded as a critical job resource to promote work engagement and employee retention initiatives stemming from four behavioral dimensions: individualized consideration, intellectual stimulation, inspirational motivation and idealized influence,” said Councilman Sudler.

“The transformational leadership style not only motivates employees to reach beyond the status quo but acknowledges the need for a new direction and plays an integral role in inspiring and guiding employees through a transitional organizational era.”

He added, “The above mentioned often relies on valuing the employee input as the organization introduces new visions and goals for answering the directive for administrative reform, which encourages employees to achieve past and present expectations collectively with respect for all organizational citizens, subsequently coinciding with Dover’s mission statement.”

It was while putting the 2019 Comprehensive Plan together that Mr. Hugg offered some insight into what he thinks needs to be done to improve Delaware’s capital city.

He said he had pored over Dover’s last comprehensive plan in 2008 and many initiatives, which had been backed by paid studies, but they just remained in files in City Hall.

"They need to get done," Mr. Hugg said, while putting the new plan together. "We've talked about some of these major projects, not necessarily me because I haven't been here that long, but some of these projects have been talked about for years and it's time.

"It's time to get them done and it's time for the city to step up and make some of those investments."

He added, "We've got all these plans. We've got corridor plans and the transit center plan and plans for downtown and all these studies that had been done. Some of them have been sitting on the shelf for a decade. Either dust them off and implement them or throw them out, either one or the other. It's time to take that action."

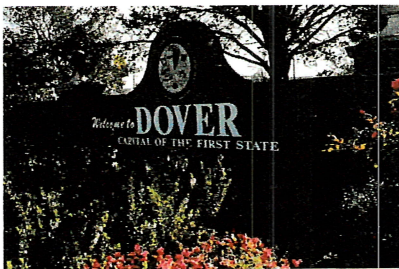


# City of Dover hires new city manager

Delaware Public Media | By [Kelli Steele](#)

Published February 14, 2022 at 8:57 AM EST

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Brad Glazier/Glazier Photography  
/ Delaware Public Media

*The City of Dover has a new city manager.*

*The Dover City Council appointed Dave Hugg to the position during a special meeting last week.*

*Hugg has served as the director of planning and community development for the City since March 2017. He's been interim city manager since last October, replacing former interim city manager Matt Harline, who retired.*

*Before coming to Dover, Hugg served as the town manager in Smyrna for 14 years - before retiring in December 2016.*

*Dover's principal planner Dawn Melson-Williams takes over as the planning director until that position is filled.*

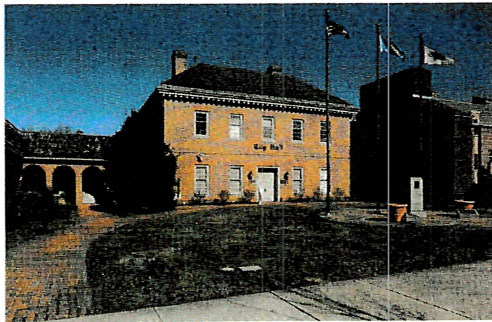
# Dover sees another change in city manger's office

Delaware Public Media | By [Joe Irizarry](#)

Published October 29, 2021 at 4:37 PM EDT

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Milton Pratt  
/  
Delaware Public Media

*Dover has a new interim city manager, replacing another interim city manager who retired.*

*Dover City Council selected Dave Hugg - the city's director of planning and inspections - to take over as interim city manager.*

*Hugg replaces former interim city manager Matt Harline who retired.*

*Harline had replaced Randy Robertson who resigned for family reasons after being in office for six months.*

*The city was already in the process of finding a full-time city manager, and this hasn't changed that. Mayor Robin Christiansen says they have gotten a good response in applicants for the position.*

*Christiansen adds in the meantime Hugg's experience will be helpful.*

*"He brings quite a bit of experience having been the director of the state planning office, town manager in Smyrna, and also currently our planning and inspections director," said Christiansen. "So, he is very familiar with the job that he's been given and we have the utmost confidence that he will keep the ship of state moving forward."*

*He notes that city council will appoint someone from Hugg's office to assume his duties until he returns to the office of planning and inspections.*

*The city's human resources director Kim Hawkins also chose to retire.*

*Christiansen says the city will be aggressive in finding her replacement.*

*"We'll post that job I believe Monday and the interim city manager will interview folks for that position and we'll fill that spot rather rapidly because like the city manager's position it is very crucial to the day-to-day operation of the city," said Chrstiansen.*

*Dover is also looking for a new city clerk according to the mayor.*

### **Tags**

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## MUNICIPAL GOVERNMENT

# Pulled in opposite directions, Dover Councilman claims city took his family land



by Karl Baker  
December 19, 2024



A dispute over the annexation of Raymond Street, and whether it should support the development of a new major apartment complex, has raised questions of transparency from a city councilman. | SPOTLIGHT DELAWARE PHOTO BY KARL BAKER

### Why Should Delaware Care?

A curious legal fight over an apartment proposal in Dover raises questions about conflicts of interest amid a backlash against increased development in the capital city. It also raises questions about in annexation decisions by municipalities.



EN



As CEO of his mother's real estate company, Roy Sudler Jr. is suing Dover for what he said is its unjustified taking of his family's land to make way for a controversial plan to build a mid-rise apartment complex near Delaware State University.

In his role as a Dover City Councilman, Sudler is also a named defendant in the same case.

Sudler acknowledged that his dual roles as politician and local real estate executive place him into a precarious position. But he said his family's dispute must be fought, claiming it's the latest example of what he describes as Delaware's capital city deferring to interests of developers.

"It's a conspiracy of a big developer conspiring, in my view, with (city) planners and managers to take our property," he said in an interview with Spotlight Delaware.

Dover's mayor, city manager and solicitor declined to comment for this story, citing the pending litigation.

An attorney for the developer – Newtown Pennsylvania-based Patel College Properties – did not respond to a request to comment.

At its core, the legal fight is over ownership of portions of land that sit along the path of a planned – but unbuilt – city road.



Roy Sudler Jr. | PHOTO COURTESY OF CITY OF DOVER

If ultimately constructed, the road would extend the existing Raymond Street to the site of a proposed 385-unit apartment complex, which sits behind Delaware State University, and is split from campus by a tributary of Silver Lake.

The six-story apartments – complete with tennis, pickleball and volleyball courts – would also wrap around the top side of property owned by Sudler's family.

On their land, the family operates their own apartment building, and one that largely rents to lower-income individuals. It is nominally owned by a company called the Apartments at Mishoe Cove, LLC, which in turn is owned by Wilma Mishoe – a former president of Delaware State University and Sudler's mother.



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ves as CEO of the limited liability company.

For more than a year, the influential Mishoe/Sudler family has argued that parts of their property crosses over the route of the planned road. They also have claimed that an annexation three years ago of property into the city – intended for Raymond Street’s new right-of-way – was done improperly.

Asked why he voted in favor of the annexation as a city councilman, Sudler said he didn’t realize then that it would allow for construction of the new road across disputed property.

Instead, he believed the annexation would lead to better maintenance of the existing Raymond Street that runs in front of his apartment building, he said.

“My family had been asking the city to do improvements to our streets,” he said.

### **‘Both sides making arguments about ownership’**

For their part, city officials have asserted that their annexation was done properly, even while some have noted in public meetings that ownership of certain parcels of property have been disputed.

During a meeting of the Dover Planning Commission last year, a private attorney retained by Dover, said the question of who owned parts of the planned street had “overwhelmed” all other discussions about the apartment proposal.

“The record is sort of replete with both sides making arguments about ownership,” he said.

Still, the attorney, Glenn Mandalas, argued during the meeting that Dover’s planning commission is not the proper body to decide the rightful owner – nor to decide whether the city erred in the annexation.

Mandalas suggested those decisions were better left to the courts.

Following his comments, Dover’s planning commission approved the site development plan for the apartment proposal.

After that approval last year, Mishoe and her family company challenged the decision – first with the city’s Board of Adjustment, then in state court asking a Delaware judge to review the decision through what is called a writ of certiorari.



Earlier that year, the family also directly sued the City of Dover.



In the lawsuit, they named as individual defendants several city officials, including each city councilmember, and Sudler himself.

A court hearing on the city's motion to dismiss the writ of certiorari will occur Thursday.



A Pennsylvania-based developer aims to build hundreds of new off-campus apartments targeting Delaware State University students, drawing concerns about traffic from locals. | PHOTO COURTESY OF CITY OF DOVER

## A broader backlash?

Last year's approval of the Patel College Properties project came amid a building boom for apartments across Delaware, following an upward surge for rents in the state.

Among those new proposals is a 384-unit complex planned for land that sits across a set of railroad tracks from the Patel College Properties development.

If both ultimately are built, they would likely add more than 1,000 people to that northern Dover area.



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ear that would change its modest suburban character into one highlighted by increased traffic

Several open fields still surround the Mishoe Towers apartment, dotted by modular or modest single-family homes.

During another March 2023 Dover planning commission meeting, several city residents, including a handful of elected politicians, expressed those fears and their skepticism of the overall Patel College Properties development.

One woman said she is concerned that her disabled grandchild could be hit while walking along a new Raymond Street.

One man, who is disabled from a past stroke, also feared getting hit by a car while walking along the road.

And, the Rev. Raymond Fisher said he was concerned about college students drinking and driving through the nearby streets.

“When you get that fire water in you, you’re not fully conscious of what you do,” Fisher said.

Rep. Sean Lynn (D-Dover) said during the hearing that he had heard similar critiques, which he called “an outpouring of opposition to this project.”

In response to many of the critiques, the developer’s attorney Dominic Balascio, said during last year’s meeting that his client has followed every city rule required to develop the property. He also noted the city’s Comprehensive Plan identifies the property as appropriate for an apartment complex.

He also noted the city’s annexation of the roadway’s parcels was approved by city council, after the Dover solicitor certified that the parcels in question were marked as a potential roadway more than 100 years ago.

“They can’t be denied access to the right of way at this point because it is a public right of way,” he said.





## MUNICIPAL GOVERNMENT

# Dover moves to oust city manager, tensions revealed



by Maggie Reynolds  
March 19, 2026



Dover City Council unanimously voted to place City Manager Dave Hugg on a paid leave beginning March 2, the first step toward permanently removing him from the position. | SPOTLIGHT DELAWARE PHOTO BY MAGGIE REYNOLDS; GRAPHIC BY ELSA KEGELMAN



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## Why Should Delaware Care?

From unrest over the leadership of its police chief to intense division over a proposed panhandling ordinance, the city of Dover has seen its fair share of controversy in recent months. Adding to this series of events is the city council's decision to discreetly place a top city employee on administrative leave.

The city of Dover quietly put its top administrative employee on leave earlier this month — the first step toward permanently removing him from the position.

Dover City Council unanimously voted to place City Manager Dave Hugg on a paid leave beginning March 2, Spotlight Delaware has learned through conversations with multiple city officials. According to the city's charter, that leave is a first move toward officially firing him.

City officials, who spoke on the condition of anonymity to discuss internal deliberations, said long-simmering tensions between Hugg and city council members recently boiled over. Elected leaders, they said, grew tired of Hugg not promptly informing them about relevant issues, often leaving council members “blindsided” when matters were brought to their attention months later.

Two officials pointed to a recent controversy surrounding city council members' decision not to allocate money to the People's Church homeless shelter as illustrative of the broader issue. The officials said Hugg failed to inform council members for months about a series of complaint letters the city had received about the shelter, as well as a threat of legal action from a neighboring resident.

When asked about Hugg's absence, a city spokesperson confirmed he was on leave but would not say why, citing the matter as a “personnel issue.”

According to Dover's city charter, a city manager must be given a public hearing and a “written statement of the reasons alleged for their removal” before the city council can take a final vote on removing them.

And Anthony Delcollo, a lawyer representing Hugg, said a public hearing is exactly what the city manager wants. Hugg did not directly respond to Spotlight Delaware's multiple requests for comment.

“As Mr. Hugg was not provided any information regarding purported wrongdoing or performance issues prior that the City felt it was time to move on from his employment, our client looks forward to the present his position in this hearing,” Delcollo said.



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But it remains unclear when that required public hearing will take place.

As of Wednesday afternoon, no item referencing a hearing for Hugg was listed on the agenda for the city council's next meeting scheduled for Monday, March 23. There also is no timeline in the city charter for how long a city manager can be on administrative leave, or when their public hearing must take place.

Dover City Solicitor Dan Griffith declined to comment on the decision to place Hugg on administrative leave, and the status of scheduling a public hearing.

Hugg has served as Dover's city manager since early 2022. He first joined the city on a contracted basis in 2017, and ended up staying on with the city and rising to the role of city manager over the next five years.

### **Capital city tensions**

The most recent example of Hugg's alleged tension with city council members played out at city council's Committee of the Whole meeting on Feb. 26. During that meeting, council members discussed whether to approve \$47,000 in funds for workforce development programs at a homeless shelter in downtown Dover.





Dover City Council voted not to allocate money to the People's Church homeless shelter at a recent meeting. that debate was part on the ongoing tension between elected officials and City Manager Dave Hugg. | SPOTLIGHT DELAWARE PHOTO BY NICK STONESIFER

Council President Fred Neil asked if any of his colleagues had been told about the pile of complaint letters Hugg received about the shelter back in December – they said they had not.

Prior to the start of that same meeting, council members discussed Hugg's performance during an executive session, or a meeting of elected leaders not open to the public. When council returned to public session, they voted unanimously to "accept the recommendation of the city solicitor on the personnel matter."

Multiple city officials confirmed to Spotlight Delaware that the "recommendation" was to place Hugg on administrative leave.

At subsequent city council meetings, Assistant City Manager Sharon Duca has taken over Hugg's typical duties, including providing city manager's announcements and providing additional information on  
r consideration.



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Council's decision to place Hugg on administrative leave comes after a tumultuous nine months for the capital city.

Council members, police officers and even the mayor have been entangled in a controversy over Police Chief Thomas Johnson's leadership since last summer, and a hotly contested panhandling ordinance first introduced last fall exposed divisions among the city's elected officials.

Now, the move to oust Hugg marks the latest disagreement involving one of Dover's highest paid employees and the city's elected officials.

Hugg previously served as Smyrna's town manager for 14 years and was said to be retiring from public service when he stepped down from that position in late 2016, according to reporting from the Daily State News.

Shortly after retiring from Smyrna, though, Hugg was hired as the acting director of planning and city development for Dover on a temporary, contract basis in early 2017.

At the time, city officials told the Daily State News he would only work for six months, and Hugg would not be a candidate for the position of city planner.

But Hugg ended up continuing in that position as the director of planning and community development for five years. He then was chosen by city council members to fill the permanent position of city manager in early 2022.

**Read more from Spotlight Delaware**

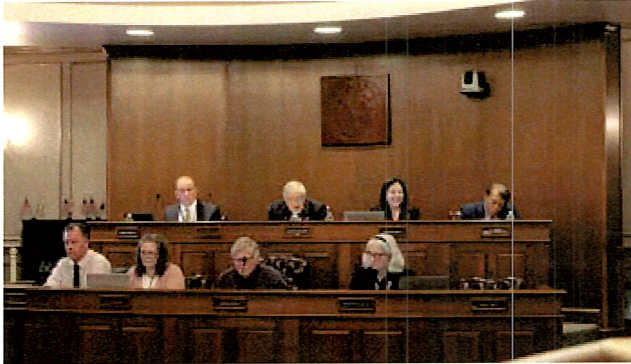




## **Dover mayor's prolonged absence draws concern, questions**

Both residents and city council members expressed concerns that Dover Mayor Robin Christiansen's prolonged absence from public meetings violated the city charter — justifying his removal from office.

April 3, 2026



## **Dover City Council to explore public comment changes**

Dover officials will consider changing their city council meeting structure after drawing criticism for limiting and not recording public comments.

October 28, 2025



## **Debate continues over Dover panhandling ordinance ahead of January vote**

As a proposal to reduce panhandling in Dover approaches a final vote in January, the question of whether it could survive a constitutional challenge remains.

December 14, 2025



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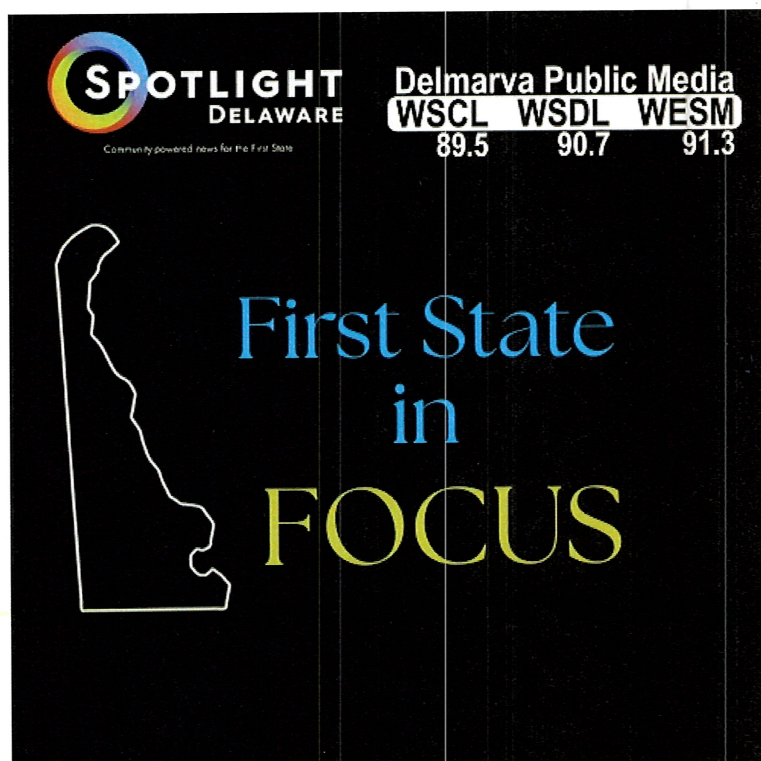
# Dover City Manager on the Way Out

Delmarva Public Media | By [Don Rush](#)

Published March 25, 2026 at 9:27 AM EDT



LISTEN • 3:58



*Dover is on its way to oust its City Manager Dave Hugg. In our partnership with Spotlight Delaware Delmarva Public Media's Don Rush talks with reporter Maggie Reynolds about the issues involved in his expected departure. The full interview can be heard on this Friday's Delmarva Today at noon on WSDL and WESM.*

**RUSH:** The City of Dover is embroiled in another controversy this time over the fate of

Ruth Gipps

Oboe Concerto: 3rd movem...

issue has arisen over the People's Church homeless shelter. In our partnership with Spotlight Delaware, we talked with reporter Maggie Reynolds about the latest developments in this excerpt from this week's Delmarva Today.

REYNOLDS: I got a tip that Hugg had been placed on administrative leave and I had seen at a couple of city council meetings and council committee of the whole meetings that Hugg wasn't present and that the assistant city manager had taken his place as the acting city manager. And so that was kind of all that was public at the time that I knew about this. But I've spoken with a number of members of counsel who told me anonymously or on background that he was placed on administrative leave and that they're looking to get his employment terminated because of some disagreements between counsel and Hugg's approach.

RUSH: So what's been the issue then?

REYNOLDS: So the main thing that people pointed to was a really recent example, and that was over this homeless shelter in Dover called the People's Church. And so there's been some friction over the People's Church and the City Council voted not to fund the People's Church for about \$50,000 because they feel like the church is attracting homelessness and other illicit activities to that area of downtown. And so the disagreement between council and Hugg over this came up because apparently Hugg got a number of letters complaining about the church and even a threat of a lawsuit a couple of months previously. And he did not tell members of council about these things that he had received. So they felt like they were in the dark about this situation and weren't properly being communicated with. And the people I talked to said that this was kind of an example of a broader pattern where they feel blindsided by things going on in the city that Hugg doesn't loop them in on.

RUSH: So when do we expect this issue to be resolved and are we expecting to hear some of the specifics as to what problem they had with Hugg that will then come out in the public?

REYNOLDS: So the city charter states that if the city manager is to be removed from their position, a public hearing needs to take place. And after that public hearing, counsel needs to vote whether or not to remove the person, and they need to state their reasons why they're voting to remove them. So all of those steps need to happen for



because that public hearing hasn't taken place. And so sources told me that it looks right now like they are going to have a public hearing because it doesn't seem like a settlement is going to be reached between Hugg's attorney and the city, but nobody's super sure what the logistics are of the public hearing or even if it would be scheduled during a regular counsel meeting or if it would be its own separate hearing. So I think that's something we can expect to see in the next couple of weeks.

RUSH: Some of the other councils that I've watched, these personnel issues have generally been not stated out because they are personnel issues.

REYNOLDS: I think that's what some people on council really would like to avoid because it would get quite messy airing out some of the different dynamics between people in the city government. But if it goes to a public hearing, that would be aired out. And I mean, that was a little bit of the debate as well over the executive session where council voted to put him on administrative leave after they came out of executive session. They were very vague in what they were voting on. They said, we're voting to move forward with the city solicitor's recommendation on personnel issues. So I didn't tell the public at all who they were voting on or what the subject was at all. I guess you can see there that the city doesn't want people to know that much about the personnel issue with Hugg... and it would become very public with a public hearing.

RUSH: Spotlight Delaware reporter Maggie Reynolds on the efforts to remove Dover City Manager Dave Hugg. The full interview can be heard on this Friday's Delmarva Today at noon on WSDL and WESM, this is Don Rush for Delmarva Public Media.

Local News







## Don Rush

Don Rush is the News Director and Senior Producer of News and Public Affairs at Delmarva Public Media. An award-winning journalist, Don reports major local issues of the day, from sea level rise, to urban development, to the changing demographics of Delmarva.

[See stories by Don Rush](#)

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Dew Point: °  
Winds: Light  
Pressure:

Tonight: 50°  
Partly Cloudy

Saturday: 68°  
Partly Cloudy

Sunday: 66°  
Partly Cloudy

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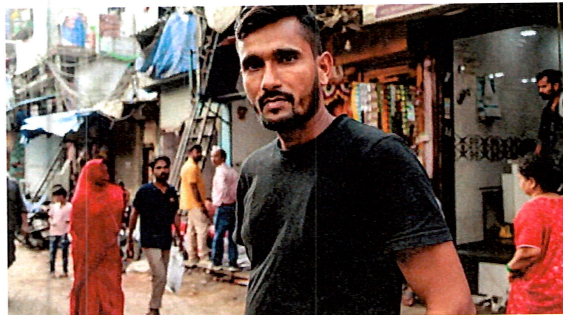
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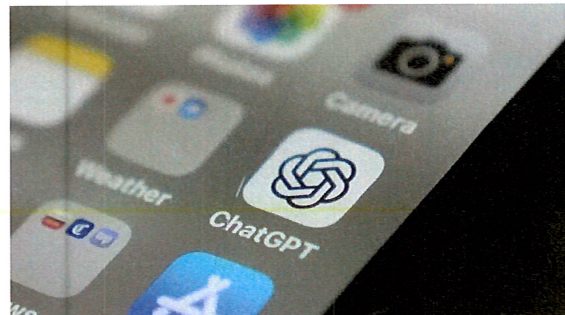
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**From:** "Edgell, David (OMB)" <[David.Edgell@delaware.gov](mailto:David.Edgell@delaware.gov)>

**Date:** March 12, 2026 at 1:33:06 PM EDT

**To:** David Hugg <[dshugg3@gmail.com](mailto:dshugg3@gmail.com)>

**Subject: RE: Termination**

Dave,

I am saddened to hear of your change in job status. I have valued working with you in your various roles throughout the years. As a Dover native and resident, I'd like to thank you for all you've done for the City. You stepped up at a difficult time, and did so much more than just keep the organization going. You contributed your time, knowledge and experience to move the Dover organization forward on many levels. I'll miss working with you in that capacity.

And yes, I'm looking forward to staying in touch. Good luck with your next steps, even if it is relaxing a bit and staying home in the evenings instead of going to public meetings!

You know where to find me. If I'm not at work, I can be reached at (302) 242-6181 and [dledgell@icloud.com](mailto:dledgell@icloud.com).

David L. Edgell, AICP

Director

Delaware Office of State Planning Coordination

(302) 739-3090

<http://www.stateplanning.delaware.gov/>

**From:** H. Joanne Masten <[joannemasten@aol.com](mailto:joannemasten@aol.com)>

**Sent:** Tuesday, April 7, 2026 3:13 PM

**To:** Delcollo, Anthony <[adelcollo@offitkurman.com](mailto:adelcollo@offitkurman.com)>

**Subject:** David Hugg---City Manager--Dover

I am a 77 year resident of the town of Smyrna. Have had the privilege of knowing Mr. Hugg for approx. 20 years.

A portion of that time I was honored to be a member of Smyrna town council for 2 years but also served 4 years as Mayor of the town of Smyrna. Years served 2011 thru May 1st, 2017.

When I think about the attributes of a highly effective City Manager, I consider the following to be imperative:

Management  
Leadership  
Operations  
Customer Service  
Planning

During my time on Smyrna town council, rarely there was a day when I did not have a conversation with Mr. Hugg. His communication was always very clear and timely. He was respected by the members of town council for the knowlege of the operations of the town as well as the day to day activities of the town.. Customer Service was paramount for a town our size. Residents expected action when there were issues. I can tell you anytime I phoned Mr. Hugg with an issue whether it be public works or administratively, a review was done and action taken. When it came to developing a strategic plan for the town which was a first, Mr Hugg was actively engaged and very visionary as to what Smyrna might look like in 5 years and 10 years. Since I lived in Smyrna al my life, I personally knew many of the town employees and Mr Hugg was well respected among them. If there was water line break during a freezing period, Mr Hugg was there with the employees and insured they were well fed. May seem unimportant but in 20 deg weather it meant alot. Being able to bring employees to work as a team is extremely important for a town/city to move forward.

Obviously I have no input into Dovers decision but feel they are really missing the mark. Mr. Hugg is well respected both at the state and federal level because of his expertise. Over the last few years, Mr. Hugg has been honored more than once for what he brings to the table for Dover. However, for any city manager to be successful everyone has to be on the same page with the same goals. Strong leadership must be in place to move forward. I have to state that I am saddened by Dover's plan to move forward with dismissing Mr. Hugg,,

If there is anything else you need to know please let me know.

Regards

Joanne Masten  
President, Kent County Levy Court  
302-270-1747

W. CHARLES PARADEE, III  
STATE SENATOR  
17<sup>th</sup> District



SENATE  
STATE OF DELAWARE  
411 LEGISLATIVE AVENUE  
DOVER, DELAWARE 19901

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April 7, 2026

To All Concerned,

I am writing to offer my strong and unequivocal support for Mr. David Hugg.

I have had the opportunity to work closely with David over the course of many years, both in my current role as State Senator, representing the Dover area, and previously during my time as a State Representative, when David served as the Town Manager for the Town of Smyrna.

Throughout that time, I have found David to be one of the most knowledgeable, trustworthy, and responsive public servants I have had the privilege to work with. His depth of understanding—particularly in land use and development—is exceptional. In my experience, there are few individuals in Kent County who possess the same level of insight, institutional knowledge, and practical expertise on these issues.

Equally important is his professionalism and work ethic. David was consistently proactive in communicating with me on matters affecting the City of Dover, particularly those involving state policy or funding. He did not wait for problems to arise—he anticipated them, addressed them early, and ensured that lines of communication between state and local government remained strong and productive.

In an environment where effective collaboration between levels of government is critical, David stood out as a steady, reliable partner who always approached his work with integrity and a focus on outcomes. **All Of Us** have benefited from David's experience, judgment, and commitment to public service.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Trey', with a long horizontal line extending to the left.

Senator Trey Paradee



U.S. DEPARTMENT OF  
HEALTH AND HUMAN SERVICES

HIPAA for Individuals </hipaa/for-individuals/index.html>



Navigate to:

## Your Rights Under HIPAA

This guidance remains in effect only to the extent that it is consistent with the court's order in Ciox Health, LLC v. Azar, No. 18-cv-0040 (D.D.C. January 23, 2020), which may be found at [https://ecf.dcd.uscourts.gov/cgi-bin/show\\_public\\_doc?2018cv0040-51](https://ecf.dcd.uscourts.gov/cgi-bin/show_public_doc?2018cv0040-51). More information about the order is available at <https://www.hhs.gov/hipaa/court-order-right-of-access/index.html> </hipaa/court-order-right-of-access/index.html>. Any provision within this guidance that has been vacated by the Ciox Health decision is rescinded.

Most of us believe that our medical and other health information is private and should be protected, and we want to know who has this information. The Privacy Rule, a Federal law, gives you rights over your health information and sets rules and limits on who can look at and receive your health information. The Privacy Rule applies to all forms of individuals' protected health information, whether electronic, written, or oral. The Security Rule is a Federal law that requires security for health information in electronic form.



# HIPAA Right of Access Videos

OCR has teamed up with the HHS Office of the National Coordinator for Health IT to create ***Your Health Information, Your Rights!***, a series of three short, educational videos (in English and option for Spanish captions) to help you understand your right under HIPAA to access and receive a copy of your health information.

- Individual's Right under HIPAA to Access their Health Information
- HIPAA Access Associated Fees and Timing
- HIPAA Access and Third Parties

# HIPAA Right of Access Infographic

OCR has teamed up with the HHS Office of the National Coordinator for Health IT to create this one-page fact sheet, with illustrations, that provides an overall summary of your rights under HIPAA:

- Your Health Information, Your Rights! [PDF, 5.04 MB]  
<[https://www.healthit.gov/sites/default/files/yourhealthinformationyourrights\\_infographic-web.pdf](https://www.healthit.gov/sites/default/files/yourhealthinformationyourrights_infographic-web.pdf)>

# HIPAA General Fact Sheets

- Your Health Information Privacy Rights [PDF, 456 KB]  
<[/sites/default/files/ocr/privacy/hipaa/understanding/consumers/consumer\\_rights.pdf](/sites/default/files/ocr/privacy/hipaa/understanding/consumers/consumer_rights.pdf)>
- Privacy, Security, and Electronic Health Records [PDF, 469 KB]  
<</sites/default/files/ocr/privacy/hipaa/understanding/consumers/privacy-security-electronic-records.pdf>>
- Sharing Health Information with Family Members and Friends [PDF, 537 KB]  
<</sites/default/files/ocr/privacy/hipaa/understanding/consumers/sharing-family-friends.pdf>>

# Who Must Follow These Laws

We call the entities that must follow the HIPAA regulations "covered entities."

Covered entities include:

- **Health Plans**, including health insurance companies, HMOs, company health plans, and certain government programs that pay for health care, such as Medicare and Medicaid.
- **Most Health Care Providers**—those that conduct certain business electronically, such as electronically billing your health insurance—including most doctors, clinics, hospitals, psychologists, chiropractors, nursing homes, pharmacies, and dentists.
- **Health Care Clearinghouses**—entities that process nonstandard health information they receive from another entity into a standard (i.e., standard electronic format or data content), or vice versa.

In addition, business associates of covered entities must follow parts of the HIPAA regulations.

Often, contractors, subcontractors, and other outside persons and companies that are not employees of a covered entity will need to have access to your health information when providing services to the covered entity. We call these entities "business associates." Examples of business associates include:

- Companies that help your doctors get paid for providing health care, including billing companies and companies that process your health care claims
- Companies that help administer health plans
- People like outside lawyers, accountants, and IT specialists
- Companies that store or destroy medical records

Covered entities must have contracts in place with their business associates, ensuring that they use and disclose your health information properly and safeguard it appropriately. Business associates must also have similar contracts with subcontractors. Business associates (including subcontractors) must follow the use and disclosure provisions of their contracts and the Privacy Rule, and the safeguard requirements of the Security Rule.

## Who Is Not Required to Follow These Laws

Many organizations that have health information about you do not have to follow these laws.

**Examples of organizations that do not have to follow** the Privacy and Security Rules include:

- Life insurers
- Employers </hipaa/for-individuals/employers-health-information-workplace/index.html>
- Workers compensation carriers
- Most schools and school districts
- Many state agencies like child protective service agencies
- Most law enforcement agencies
- Many municipal offices

## What Information Is Protected

- Information your doctors, nurses, and other health care providers put in your medical record

- Conversations your doctor has about your care or treatment with nurses and others
- Information about you in your health insurer's computer system
- Billing information about you at your clinic
- Most other health information about you held by those who must follow these laws

## **How This Information Is Protected**

- Covered entities must put in place safeguards to protect your health information and ensure they do not use or disclose your health information improperly.
- Covered entities must reasonably limit uses and disclosures to the minimum necessary to accomplish their intended purpose.
- Covered entities must have procedures in place to limit who can view and access your health information as well as implement training programs for employees about how to protect your health information.
- Business associates also must put in place safeguards to protect your health information and ensure they do not use or disclose your health information improperly.

## **What Rights Does the Privacy Rule Give Me over My Health Information?**

Health insurers and providers who are covered entities must comply with your right to:

- Ask to see and get a copy of your health records
- Have corrections added to your health information

- Receive a notice that tells you how your health information may be used and shared
- Decide if you want to give your permission before your health information can be used or shared for certain purposes, such as for marketing
- Request that a covered entity restrict how it uses or discloses your health information </hipaa/for-professionals/faq/3026/under-hipaa-may-an-individual-request-that-a-covered-entity-restrict-how-it-uses-or-discloses-that-individuals-protect-health-information/index.html>
- Get a report on when and why your health information was shared for certain purposes
- If you believe your rights are being denied or your health information isn't being protected, you can
  - File a complaint with your provider or health insurer
  - File a complaint with HHS </hipaa/filing-a-complaint/complaint-process/index.html>

You should get to know these important rights, which help you protect your health information.

You can ask your provider or health insurer questions about your rights.

Learn more about your health information privacy rights [PDF, 456 KB]  
[/sites/default/files/ocr/privacy/hipaa/understanding/consumers/consumer\\_rights.pdf](/sites/default/files/ocr/privacy/hipaa/understanding/consumers/consumer_rights.pdf).

## Who Can Look at and Receive Your Health Information

The Privacy Rule sets rules and limits on who can look at and receive your health information

To make sure that your health information is protected in a way that does not interfere with your health care, your information can be used and shared:



- For your treatment and care coordination
- To pay doctors and hospitals for your health care and to help run their businesses
- With your family, relatives, friends, or others you identify who are involved with your health care or your health care bills, unless you object
- To make sure doctors give good care and nursing homes are clean and safe
- To protect the public's health, such as by reporting when the flu is in your area
- To make required reports to the police, such as reporting gunshot wounds

Your health information cannot be used or shared without your written permission unless this law allows it. For example, without your authorization, your provider generally cannot:

- Give your information to your employer
- Use or share your information for marketing or advertising purposes or sell your information

**Sign Up for the OCR Privacy Listserv** </hipaa/for-professionals/list-serve/index.html>

Keep up-to-date as OCR releases updated health information privacy FAQs, guidance, and technical assistance materials.

April 13, 2026

To: City Clerk's Office, City of Dover Delaware

From: Ken Anderson, Redevelopment Implementation Director, Downtown Dover  
Partnership

RE: David Hugg

I remember meeting Dave Hugg around 2009, while serving in my role as the Director for Entrepreneurial and Small Business Development for the Delaware Economic Development Office (DEDO), which at the time, was an Executive Management Office of the Governor of Delaware.

In that role, I collaborated with Diane Laird, who was also at DEDO, serving in the role of the Statewide Main Street Coordinator. As a result of our combined work, I was introduced to Dave Hugg.

Additionally, around that same time I moved to Clayton, Delaware, right next to Smyrna, where Dave Hugg was also serving in a leadership role and had been for some time.

I have had the pleasure of seeing Dave Hugg in many of his various capacities. I saw him in the neighborhood Acme store dutifully shopping for groceries for his household. I observed him while facilitating various town meetings in the City of Smyrna, and most recently, in his role of City Manager for the City of Dover.

I believe that the true measure of a person can only be evaluated, in many different capacities over an extended period. Why, because all of us have bad days from time to time, but the true measure of a person, spiritually, socially, mentally, physically, financially, and professionally, can only be done with integrity, can only be done fairly, can only be done sans the biases that often manifest in our work, over a period of close observation over an extended period of time.

Only a few of us have that experience with Dave Hugg.

To that end, particularly in my current role as the Redevelopment Director for the Downtown Dover Partnership, we could not be where we currently are in the implementation of the Capital City 2030 Masterplan and the Downtown Dover Mobility Center without Dave's direct and indirect personal involvement.

At the beginning of the implementation of the Masterplan, and in my role of initiating the assessment and ultimate demolition of five (5) structures specific to the implementation of that plan, under extremely tight schedules, it would not have occurred in 15 months without Dave's Hugg's direct involvement.

Dave's involvement and sage influence on our Critical Improvement's Panel was critical in the making of crucial decisions supporting our small business infrastructure in Downtown Dover.

As you know, the resources we received from the State of Delaware for the construction of the Downtown Dover Mobility Center requires the expeditious processing of various designs and permits at various stages in the process. When it appears that these items were inordinately delayed somewhere in the system, Dave Hugg was always the one to whom we were able to call directly, and either he gave us immediate access to his staff, or he himself got engaged to determine if he could move things along.

He always did; despite all the "other stressors" he may have already had on his desk.

I have personally called upon Dave Hugg numerous times in the almost three years serving in my current role to support the myriad of issues surrounding the Downtown Dover Mobility Center, and Dave always was responsive, and facilitated the critical support that has resulted in the Downtown Dover Mobility Center being on plan and on schedule.

This kind of responsiveness and leadership has been the central thread in the fabric of my experiences with Dave Hugg, in the various capacities in which I have had the pleasure of collaborating with him, since 2009.

I do not know the reasons for Dave Hugg's current disposition with the City of Dover, but the little I have heard, absolutely does not comport with the Dave Hugg I have worked with directly and indirectly since 2009.

I highly recommend that Dave Hugg's situation be evaluated based upon the entirety of his incredible support to the State of Delaware, Town of Smyrna, and City of Dover.

He has earned a fair and partial hearing to restore his reputation, and his name, for all the well documented contributions he has made to the City of Dover and State of Delaware.

I highly recommend that Dave Hugg be restored to the position of City Manager for the City of Dover as expeditiously as possible. His experience and wisdom are critical to all our success.

Sincerely,

Ken Anderson

Redevelopment Implementation Director

Downtown Dover Partnership



COMMERCIAL  
MOVING EXPERIENCE  
REAL ESTATE

To Whom It May Concern:

I have had the pleasure of working with Dave Hugg over the past 20 years in Smyrna and Dover in the real estate industry. Dave has consistently demonstrated professionalism and a strong willingness to collaborate with developers, buyers, and sellers of commercial real estate. His knowledge of the local area and zoning regulations has been extremely beneficial in facilitating successful projects. Dave has also played an influential role in the economic growth of the city. His "let's get it done" attitude, combined with his understanding of smart growth principles, has contributed to numerous development projects, including the upcoming renovation of the old Dover Post Office, Garrison Oak Business Park, and many others.

Sincerely,

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Chuck Spiegelman  
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**JEFFREY SPIEGELMAN**  
*Minority Whip*  
STATE REPRESENTATIVE  
11<sup>th</sup> District

HOUSE OF REPRESENTATIVES  
STATE OF DELAWARE  
411 LEGISLATIVE AVENUE  
DOVER, DELAWARE 19901

COMMITTEES  
Administration  
Ethics  
Housing  
Rules  
Veterans Affairs

April 13, 2026

City of Dover  
City Council  
15 Loockerman Plaza  
Dover, DE 19901

Dear Councilmembers:

I am writing in support of David Hugg. As a State Representative serving Kent County, I have had the privilege of working with David both during his tenure as Town Manager of Smyrna and, more recently, as City Manager for the City of Dover. Having worked alongside him in both capacities, I can speak firsthand regarding his character, his professionalism, and his deep dedication to public service. Throughout our time working together, I have found him to be consistently respectful, hardworking, and fair in all that he does.

As City Manager, David has proven himself to be a tireless advocate for the city he serves and for the residents who call it home. He has played a vital role in advancing Dover's smart economic growth and in attracting quality jobs to the community. Under his leadership, strong collaborative relationships have been built among state government, local agencies, and private entities, assisting Dover to continue to grow and thrive.

David has demonstrated an unwavering commitment to the city and people of Dover. He is an asset to this community. Please contact me if you have any questions.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Jeff Spiegelman'.

Jeffrey N. Spiegelman  
House Minority Whip  
State Representative, 11<sup>th</sup> District