

COUNCIL COMMITTEE OF THE WHOLE

The Council Committee of the Whole met on May 12, 2026, at 6:00 p.m. with Council President Neil presiding. Members of Council present were Mr. Anderson, Ms. Arndt, Mr. Boggerty, Ms. Hall (arrived at 6:03 p.m.), Mr. Lewis (arrived at 6:03 p.m.), Dr. Pillsbury, Mr. Rocha, and Dr. Sudler. Mayor Christiansen was absent. Civilian members present for their Committee meetings were Dr. Iriowen (via WebEx), (*Utility*), Mr. Garfinkel, and Mr. Shevock (*Legislative, Finance, and Administration*). Mr. Wilson (*Utility*) was absent.

ADOPTION OF AGENDA

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

State Joint Resolution 8 – Land Use Reform – Overview and Schedule (Jason Lyon, Water/Wastewater Director, and Ann Marie Townsend, ACIP, Senior Project Manager, Rossi Group)

Mr. Jason Lyon, Water/Wastewater Director, and Ms. Ann Marie Townsend, Rossi Group, reviewed the presentation regarding the Senate Joint Resolution 8 for the land use reform project.

This item was informational; committee action was not required.

Mr. Neil stated that affordable housing means different things depending on income level and expressed concern that current housing initiatives do not adequately address the needs of low- and fixed-income residents. He discussed manufactured housing as a potential option because of lower construction costs and long shelf life, but noted that rising land and lot rental costs continue to create affordability challenges. Mr. Neil further stated that private equity ownership and rising rents in lease-land communities and apartment complexes prevent tenants from saving money to purchase homes, and argued that the State Legislature has failed to address those issues.

Mr. Neil referenced the need for greater oversight of rental practices, including rent justification measures similar to utility regulation. He stated that property owners should receive a reasonable profit while maintaining affordability for residents. He also discussed concerns regarding profits leaving the State through corporate ownership structures, citing examples from manufactured housing communities and increasing monthly lot rents. Mr. Neil concluded that while expanding manufactured housing opportunities may help address part of the housing shortage, additional action is needed to protect low-income and fixed-income residents from escalating housing costs and preserve long-term affordability.

Dr. Pillsbury recounted receiving two separate phone calls from residents of senior housing whose rents had substantially increased. She recommended asking the state to put a limit on senior housing and how much the rent can be increased because it is becoming unaffordable. Dr. Pillsbury also recommended utilizing row homes. She explained that they make great starter homes, they are affordable, and the utility costs are lower due to the shared walls.

Mr. Boggerty echoed Dr. Pillsbury's statement, noting that one of the women she mentioned had her rent increase by 25%, equating to \$200. He also explained that one individual did complain and take action, and her lease was not granted in retaliation.

Responding to Mr. Boggerty, Ms. Townsend stated that tiny homes would fall in the missing middle category. She noted that the biggest issue is the cost of land. She explained that she and Ms. Melson-Williams were attempting to identify what zoning districts might be appropriate to allow for a cottage community. She noted that it would allow for density in small homes without a lot of overhead. The units could be owner-occupied, like a condo, or they could be rentals.

Responding to Mr. Boggerty, Ms. Townsend stated that the city is working to correct the Planning Department staffing issue and that it typically completes the process faster than other agencies. She explained that to go through the land development process with the City of Dover, the applicant must obtain approval from the Planning Department, Public Works, the Fire Marshal, the Electric Department, the Kent Conservation District, and DelDOT. She noted that they encourage applicants to begin conversations with DelDOT and the Kent Conservation District before submitting to the city, because they often do not have those conversations until after they have submitted, which adds time to the process.

Ms. Townsend stated that the Governor has signed an Executive Order that should have the state departments streamline their reviews.

Responding to Ms. Hall, Ms. Townsend stated that she has not seen any legislation introduced regarding rent stabilization.

Ms. Arndt stated that she was supportive of all the options presented, and she would like to see them all explored. She recommended that during the public engagement, the public should be able to see what the denser housing communities look like. She noted that the city does not have many townhouse communities, and it would be beneficial to have a visual of those, duplexes, triplexes, and accessory dwelling units (ADU).

Responding to Ms. Arndt, Ms. Townsend stated that the Housing Resource Committee (HRC) has been discussing the importance of making sure people understand what the communities can look like and that they do not all have one look.

Responding to Dr. Sudler, Ms. Townsend stated that they have not yet begun discussions about the square footage for the tiny homes. She noted that they are reviewing the code, researching the different types, and will be bringing forward options. She explained that she has seen them as small as 450 square feet, while others start at 800 square feet. However, to be considered an accessory dwelling unit under the code, it requires bathing facilities, cooking facilities, and sleeping quarters.

Dr. Sudler noted that surrounding municipalities list a tiny home as 100 to 400 square feet. However, they also have accessory dwelling units of 400 to 1,000 square feet. He expressed concern with how close the square footage is and if it would create a problem for those who are building a tiny home, and it does not meet the accessory dwelling unit criteria, but is close to the square footage.

Ms. Townsend stated that an accessory dwelling unit can be within the principal structure, it can be over a garage, or a tiny home in a yard.

Council Reports – April 2026

First District

Dr. Pillsbury reported addressing concerns from senior citizens whose rent has been significantly increased. She also noted reporting on participating in the Dover Days Parade.

Mr. Rocha reported participating in the committee for the Governor's Prayer Breakfast, which was held the previous Thursday.

Second District

Ms. Hall reported working collectively with some members of council to organize a Town Hall Open Forum. She noted that it was very informative and that they were able to gather lots of feedback. She stated that there was an online survey, and she is looking forward to publishing the results and pulling together recommended steps for moving forward. She stated that a lot of the concerns centered around code enforcement.

Mr. Lewis reported attending the sixth anniversary ribbon-cutting of Burns and Ellis on April 29, 2026, and the Dover Days Parade and festivities. He noted addressing a constituent complaint on Holmes Street and referred the complaint to Ms. Duca and Mr. Kopp.

Third District

Ms. Arndt reported attending the Dover Days festivities, which had amazing fireworks. She also reported having several conversations with constituents regarding Silver Lake Park and what they would like to see as far as future park amenities. Lastly, she reported having conversations regarding some employee issues as an employee liaison for council.

Fourth District

Dr. Sudler reported working on budget concerns to potentially decrease the probability of a utility user fee increase. He also conducted a Mayor's Blue Ribbon OUD Task Force Committee meeting, where they forwarded individual agencies' information to the state level for consideration in the application of OUD funds. He also addressed concerns with basketball courts and vehicles being in residential areas. He reported reviewing ordinances with Mr. Eddie Kopp. Lastly, he reported looking forward to having extensive dialogue regarding addressing the seven-million-dollar deficit through a zero-base budget approach.

Mr. Anderson reported attending a number of events, including the National Day of Prayer, Dover Days, and ribbon cuttings for businesses. He reported receiving a number of parking concerns surrounding parking enforcement in places like The Green, Cecil Street, West Street, and Woodcrest. Woodcrest residents would like to work with the city to repaint the curbs where the yellow paint has faded. Additionally, residents in Mill Creek have expressed interest in adding a basketball court to their city park, especially after the talks of the enforcement of basketball courts on the streets. He noted that the park is not geared towards preteens or teens, and Representative Busch is interested in participating in the discussion. Lastly, he noted that the residents on South

Bradford Street seem to be pleased with the community police officer who established rapport with them at their first meeting.

At-Large

Mr. Boggerty reported addressing the signs that should be going up in Lincoln Park to help reduce the ongoing speeding issues. He also reported addressing the rent increases in the 55-plus community. He reported attending the Governor's Prayer Breakfast and addressing various employee issues as an employee liaison.

Council President Neil

Council President Neil reported riding in a 1937 fire engine through the Dover Days Parade and attending a Construction and Property Maintenance Code Board of Appeals Meeting. He reported sending out a Third District alert on behalf of Councilwoman Arndt and himself covering the upcoming NASCAR race, roadway issues, and scam warnings.

UTILITY COMMITTEE

The Utility Committee met with Chairman Rocha presiding.

Adoption of Agenda

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

Evaluation of Proposals – Underground Utility Locating Services (Jason Lyon, Water/Wastewater Director)

Mr. Jason Lyon, Director of Water and Wastewater, reviewed the background and analysis of the evaluation of proposals for the underground utility locating services.

Staff recommended awarding a three (3) year contract with the option of two (2) one (1) year extensions to Century Engineering LLC, a Kleinfelder Company, as per the proposal submitted in response to RFP #26-0017COD.

Responding to Mr. Lewis, Mr. Lyon stated that Century Engineering LLC has been used in different circumstances but not for the requested task. He explained that they are an engineering firm with experience in street design and water/wastewater design, which the city has used many times.

Responding to Mr. Lewis, Mr. Lyon stated the vendor had very low damage rates. He explained that if a utility gets hit and it is the fault of the utility locator, then the utility must take on some of the resulting problems. The city must take on informing the public that they are out of service, resolving any restoration issues, and sending their team out to assess the damage. He explained that the low damage rates were one of their high marks, and it was one of the criteria that they looked at when evaluating the companies.

Responding to Mr. Lewis, Mr. Lyon stated that the contract is for a three-year contract with two additional one-year contractual obligations at the city's discretion. For the first two years, it is an hourly cost for the locator to do the work that is required by state law. He explained that the hourly rate is the same for the first two years of the contract that was provided by the proposer. The third year, it will increase by three percent, which will require budgeting in the third year. He also noted that the project does not start until July 1, 2027.

Responding to Mr. Lewis, Mr. Lyon stated that the three percent was not mandated, but the location of the utilities is.

Responding to Mr. Lewis, Mr. Lyon stated that Century was the only vendor that provided the three percent pricing structure. He noted that the other two vendors provided increases every year.

Responding to Ms. Arndt, Mr. Lyon explained that he has served on the board of Miss Utility of Delmarva for approximately 16 years and currently serves as its president. He provided background on the State's utility locating system, noting that a 1974 state law requires utility companies to locate and mark their utilities at their own expense when excavation work is planned. He explained that calls made to 811 are distributed to utility companies within the affected area, and those companies are responsible for the cost of locating and marking utilities. Mr. Lyon stated that the system was designed to encourage contractors and residents to use the service in order to prevent damage to gas, electric, and other utility lines during excavation activities.

Dr. Sudler moved to recommend acceptance of the staff recommendation to award a three-year contract with the option of two one-year extensions to Century Engineering, LLC. The motion was seconded by Dr. Pillsbury and unanimously carried.

Mr. Rocha moved for adjournment of the Utility Committee meeting, hearing no objection the meeting adjourned at 7:09 p.m.

LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE

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

Adoption of Agenda

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

Proposed Ordinance #2026-05 – Amending Chapter 70 – Offenses and Miscellaneous Provisions, Sec. 70-4. – Throwing and kicking objects and playing games in streets and public places (Eddie Kopp, Chief Code Enforcement Officer)

Mr. Eddie Kopp, Chief Code Enforcement Officer, reviewed Proposed Ordinance #2026-05.

Staff recommended forwarding Proposed Ordinance #2026-05 to council for approval.

Ms. Hall expressed opposition to the proposed restrictions on portable basketball courts, stating that many children rely on them as one of their only recreational outlets due to the removal of courts from local parks. She noted that, despite traffic concerns near her residence, she supervises her children while they play and believes families should have the right to allow their children to play outside on their property. Ms. Hall further stated that the proposal would likely generate significant public opposition and emphasized the importance of maintaining accessible opportunities for youth recreation and athletic development.

Mr. Boggerty expressed opposition to the ordinance, stating that playing games such as basketball, football, two-square, and other neighborhood activities in the street are a common part of childhood and community interaction. He acknowledged that there are risks involved but stated that recreational opportunities for youth are already limited due to the lack of nearby parks, community centers, and accessible facilities, and he emphasized the importance of neighborhood camaraderie and outdoor activity for children and families.

Ms. Arndt stated that she had previously provided comments to Mr. Kopp expressing similar concerns. She noted that the existing ordinance already contains provisions prohibiting athletic games, throwing balls, and similar activities in the street, including quoits, indicating that the ordinance was drafted many years ago. She questioned the need for additional regulations, stating that existing provisions may already address the issue. Ms. Arndt expressed support for children playing basketball outdoors rather than staying inside playing video games, but stated that parents and homeowners should be responsible for removing and properly storing basketball hoops after use so they do not remain in the street. She further commented that homeowners or parents could potentially be cited under existing regulations for impeding traffic rather than expanding the ordinance.

Responding to Ms. Arndt, Mr. Kopp stated that the adopted ordinance contains only line-item A, which says that it shall be unlawful for any person to throw, kick, or project. The addition is the equipment being stored in the street. Mr. Kopp noted that even if the ordinance is not passed, it is still unlawful to play games in the street unless the committee chooses to amend the ordinance as is currently written.

Dr. Sudler stated that while many residents, including himself, have played basketball in the street, the issue remains a legitimate traffic and public safety concern. He noted that basketball apparatuses placed in the roadway can obstruct drivers' visibility and create hazards for motorists, children, seniors, and visually impaired individuals, particularly after dark. He suggested the city consider a compromise, such as requiring basketball equipment to be removed from the street during nighttime hours.

Dr. Sudler emphasized that the current code already appears to prohibit such activity and that individuals playing basketball in the street are technically in violation under the ordinance as written. He expressed support for further clarification and possible amendments to establish a reasonable "happy medium," and recommended additional discussion and community input before taking final action.

He further suggested that a discussion for broader youth recreation needs within the community, including affordability of youth programs and summer activities are needed and encouraged the Parks and Recreation Committee to explore additional initiatives and solutions to better support youth engagement and recreation opportunities.

Mr. Rocha stated that while he personally played basketball in the street growing up, often on dead-end streets, he also recognizes the concerns raised by residents regarding late-night noise, safety, and the appearance of basketball goals left in the roadway. He expressed support for considering a curfew and requiring goals to be moved off the street and onto private property when not in use. Mr. Rocha acknowledged the need to balance neighborhood safety and respect for residents with the lack of recreational opportunities available to youth. He noted the limited accessibility and affordability of youth recreation programs and suggested that the committee explore revisions to the ordinance that could provide a reasonable compromise benefiting all parties.

Mr. Kopp clarified that the wording set up or store is what code enforcement is focusing on, as they are concerned with the storage of the equipment on the street. He noted that the word set up was in the preexisting ordinance, and it was included in conjunction with the ordinance as written. He explained that it is currently unlawful as written and recommended amending the first sentence and providing clarity. He noted that the reason for the changes was to address the storage of the equipment on the street rather than the kids playing in the street.

Mr. Neil moved to recommend sending the proposed ordinance back to staff for revisions based on the discussion. The motion was seconded by Ms. Hall.

Mr. Shevock expressed concerns regarding children playing basketball unsupervised in heavily traveled streets, particularly where vehicles are parked along the roadway and visibility is limited. He stated that young children running between parked cars to retrieve balls creates a significant safety hazard for both motorists and pedestrians. Mr. Shevock indicated he would have fewer concerns if basketball activity occurred on cul-de-sacs or less traveled streets, but felt it was irresponsible to allow children to play in busy streets under those conditions.

Mr. Anderson stated that the issue of basketball courts in streets has been divisive within the community, noting that opinions are often evenly split. He noted that not all streets present the same safety concerns. Roads heavily traveled, such as Governors Avenue, are inappropriate locations for basketball activity, although light residential streets or cul-de-sacs may be more suitable. Mr. Anderson further noted the city's limited ability to provide recreational facilities in every neighborhood and suggested that, if changes to the current prohibition were considered, reasonable limitations such as compliance with noise ordinances and restricting play after dark could help address resident concerns and improve public support.

Dr. Sudler stated that his primary concern was not the proposed time restrictions, noting that daylight can extend until 9:30 p.m. during the summer months. He emphasized that the core issue remained the placement of basketball apparatuses in the street, which would still be unlawful under the ordinance even with the proposed amendment. He noted that returning the ordinance for

restructuring only addressed the amended portion and did not resolve the underlying concern of the adopted verbiage.

Mr. Kopp asked for clarification in relation to item A. He questioned if the committee wanted to put a timeline in place, dusk to dawn, a specific time, or strike the item altogether.

Responding to Mr. Rocha, Mr. Kopp stated that there is no code against the equipment being stored on the property. He noted that code enforcement is concerned with the equipment being stored in the street. He explained that it is not only a traffic concern, but it also prohibits public works from completing waste collection.

Mr. Rocha recommended placing dusk to dawn as the timeline.

Mr. Anderson recommended using 7:00 a.m.

Ms. Arndt stated that she would support not allowing the equipment to be stored on the streets, as it should be stored on the property. She agreed with the timeline being dusk to dawn. She also clarified that the noise ordinance states that yelling, shouting, hooting, whistling, or singing in public streets is not permissible between 11:00 p.m. and 7:00 a.m.

Mr. Garfinkel said that dusk to dawn is not a good choice because it cannot be measured. Mr. Garfinkel expressed concern about noise and quality-of-life impacts on residents, particularly during evening hours when people are returning home from work. He emphasized that basketball activity in the street presents safety concerns, including balls entering the roadway, vehicle traffic conflicts, and interference with trash collection. Mr. Garfinkel suggested the city consider requiring developers to construct basketball courts in lieu of granting park fee waivers as an alternative solution. Mr. Garfinkel stated that the proposed ordinance changes appeared rushed and supported the Council President's motion to refer the matter back for further consideration rather than adopting what he characterized as "knee-jerk" legislation.

Mr. Rocha stated that while he understood the safety concerns associated with basketball goals and playing in the street, he believed they should find a balanced approach that still allowed children opportunities for recreation close to home. He expressed concern that children often lack accessible places to play and opposed completely prohibiting neighborhood basketball activity. Mr. Rocha suggested they explore measures such as "Children at Play" signage and stated he would support reasonable time restrictions for play. He emphasized the importance of keeping youth engaged in safe, constructive activities within their neighborhoods.

Responding to Mr. Lewis, Mr. Kopp stated that the act of playing in the street is not enforced by code enforcement. The Dover Police Department would be responsible for the enforcement. He noted that he only added the amendment regarding the storage of the equipment because that is what code enforcement is responsible for. He explained that he would be happy to make amendments to item A, but code enforcement is not responsible for that enforcement.

Responding to Mr. Lewis, Mr. Kopp explained that the proposed amendments were limited to the storage of basketball equipment, as that falls within the scope of code enforcement responsibilities.

He stated that item A was not amended for that reason, but noted that if the committee wished to amend that section as well, he would make the necessary changes. He further clarified that code enforcement does not enforce the activity itself, but is primarily concerned with the storage of the equipment.

Mr. Lewis noted that children are often outside playing sports in neighborhoods late into the evening under streetlights. He expressed support for establishing time restrictions to address noise concerns affecting nearby residents, including disturbances at night. He also stated he would be open to exploring amendments related to limiting the placement of basketball equipment, particularly where it may create obstructions or interfere with sanitation truck access.

Ms. Hall stated that she agreed with the proposed time limitations and raised an additional concern regarding practical enforcement during the day. She noted that children may need to briefly go inside for bathroom breaks, and questioned whether the equipment would then be repeatedly moved in and out of the roadway throughout the day. She emphasized that if designated play hours are established for safety reasons, then the storage requirements should align with those same hours to avoid continuous movement of equipment and to ensure consistency with the intended schedule.

Responding to Dr. Sudler, Mr. Kopp recommended aligning item A with the existing noise ordinance, as read by Councilwoman Arndt, which restricts noise between 11:00 p.m. and 7:00 a.m. He explained that the noise ordinance already addresses activities such as yelling, screaming, and other loud disturbances associated with outdoor play, including basketball. Therefore, he suggested it would be more appropriate to reference the existing ordinance rather than create separate standards, unless the committee chooses to revise the noise ordinance itself. He noted he is willing to amend item A accordingly at the pleasure of the committee.

Dr. Sudler expressed concern that, during the period while amendments to the ordinance are being drafted and processed, the current rules still make it unlawful to play basketball in the street. He noted that even if the committee advances a recommendation, it would not take effect for at least two weeks. He emphasized that this gap leaves the existing prohibition in place and asked how the council could resolve the issue so that basketball activities in the street are not technically unlawful during the interim.

Responding to Dr. Sudler, Mr. Anderson stated that, per the charter, the ordinance would need to go through a first and second reading after additional discussion regarding the revisions. He noted that the changes will likely not be adopted until July.

Dr. Sudler recommended holding a special meeting to expedite the process so that the ordinance could be adopted before the end of the summer.

Dr. Pillsbury questioned whether the police department is aware that they are responsible for the enforcement. She also questioned whether the citizens are aware that the police department is responsible for the enforcement and not council. She stated that there appears to be a perception that council can internally enforce the regulation; however, enforcement is an interagency matter, and residents need to understand the appropriate agency to contact if they have concerns within

their community. Dr. Pillsbury expressed interest in knowing how often the police department receives related complaints.

Responding to Dr. Pillsbury, Mr. Anderson stated that they could put the request into the police department to obtain how often they receive complaints regarding basketball. Mr. Anderson also asked for clarification on whether code enforcement was responsible for the apparatus being out and whether the police department was responsible for the actual activity.

Responding to Mr. Anderson, Mr. Kopp stated that he was correct. He explained that code enforcement refers people to the police department with complaints.

Responding to Dr. Sudler, Mr. Kopp explained that, in a broad sense, various personnel such as fire marshals, code enforcement officers, and cadets all serve as code officials. However, Delaware law establishes specific limits on enforcement authority. He provided the example of towing vehicles from private property, noting that although it had been done for many years, further legal review determined that state law specifically authorizes only municipal police to perform that function. He stated that ordinances are reviewed alongside Delaware Code to determine what actions are legally permissible, and that ordinance language is sometimes written in a particular manner to ensure compliance with state law and to protect the municipality from exceeding its authority.

Mr. Neil moved to recommend sending the proposed ordinance back to staff for revisions based on the discussion. The motion was seconded by Ms. Hall and unanimously carried.

Proposed Ordinance #2026-06 – Amending Chapter 106 – Traffic and Vehicles, Article III. – Stopping, Standing, and Parking, Division 1. – Generally, Sec. 106-123. – Vehicle parking time limited where carrying capacity is in excess of one ton, and trailer and recreational vehicle parking (Eddie Kopp, Chief Code Enforcement Officer)

Mr. Eddie Kopp, Chief Code Enforcement Officer, reviewed Proposed Ordinance #2026-06.

Staff recommended forwarding Proposed Ordinance #2026-06 to council for approval.

Dr. Sudler moved to recommend acceptance of the staff recommendation and forward Proposed Ordinance #2026-06 to council for approval. The motion was seconded by Ms. Arndt and unanimously carried.

Mr. Anderson moved for adjournment of the Legislative, Finance, and Administration Committee meeting, hearing no objection the meeting adjourned at 8:00 p.m.

Mr. Neil moved for adjournment of the Council Committee of the Whole meeting, hearing no objection the meeting adjourned at 8:00 p.m.

Fred A. Neil
Council President