

REGULAR COUNCIL MEETING

AGENDA



APRIL 9, 2018 - 7:30 P.M.

**CITY HALL COUNCIL CHAMBERS
15 LOOCKERMAN PLAZA
DOVER, DELAWARE**

OPEN FORUM - 30 MINUTES PRIOR TO OFFICIAL MEETING (7:00 P.M.)

THE "OPEN FORUM" SEGMENT IS PROVIDED TO EXTEND THE OPPORTUNITY TO THE GENERAL PUBLIC TO SHARE THEIR QUESTIONS, THOUGHTS, COMMENTS, CONCERNS, AND COMPLAINTS. DISCUSSION OF ANY ITEM APPEARING ON THE AGENDA AS A PUBLIC HEARING IS PROHIBITED DURING THE OPEN FORUM AS AN OPPORTUNITY WILL BE PROVIDED DURING CONSIDERATION OF THAT ITEM. CITIZEN COMMENTS ARE LIMITED TO THREE (3) MINUTES. COUNCIL IS PROHIBITED FROM TAKING ACTION SINCE THEY ARE NOT IN OFFICIAL SESSION; HOWEVER, THEY MAY SCHEDULE SUCH ITEMS AS REGULAR AGENDA ITEMS AND ACT UPON THEM IN THE FUTURE.

INVOCATION BY BISHOP THOMAS L. HOLSEY

PLEDGE OF ALLEGIANCE LED BY COUNCIL PRESIDENT SLAVIN

AGENDA ADDITIONS/DELETIONS

*** CONSENT AGENDA**

THOSE ITEMS ON THE COUNCIL AGENDA WHICH ARE CONSIDERED ROUTINE AND NON-CONTROVERSIAL SHALL BE MARKED WITH AN ASTERISK (*) 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.

*** 1. ADOPTION OF MINUTES - REGULAR COUNCIL MEETING OF MARCH 26, 2018**

2. PRESENTATIONS

- A. DOVER AIR FORCE BASE - AIR FORCE COMMUNITY PARTNERSHIP (AFCP) PROFILES IN PARTNERSHIP RECOGNITION AWARD (COLONEL GRIFFIN)**
- B. MAYOR'S SELECTION FOR THE JEFFERSON AWARDS LEAD360 CHALLENGE**
- C. ANNUAL ENGINEERING CONSULTANT'S REPORT ON THE OPERATION AND MAINTENANCE OF THE ELECTRIC SYSTEM - FISCAL YEAR 2017**

3. PROCLAMATION - ARBOR DAY

4. **POSTPONEMENT OF PUBLIC HEARING/FINAL READING OF PROPOSED ORDINANCE #2018-01**
THE FIRST READING OF THE PROPOSED ORDINANCE WAS ACCOMPLISHED DURING THE COUNCIL MEETING OF FEBRUARY 26, 2018. THE ORDINANCE IS AVAILABLE AT THE ENTRANCE OF THE COUNCIL CHAMBERS AND ON THE CITY'S WEBSITE AT WWW.CITYOFDOVER.COM UNDER "GOVERNMENT." THIS ITEM WAS TABLED BY THE PLANNING COMMISSION AND STAFF RECOMMENDS POSTPONING THE PUBLIC HEARING/FINAL READING INDEFINITELY.

A. AMENDING CHAPTER 66 - MANUFACTURED HOMES, MOBILE HOMES, AND LAND LEASE COMMUNITIES; APPENDIX B - ZONING, ARTICLE 3 - DISTRICT REGULATIONS, SECTION 8 - MANUFACTURED HOUSING (MH) ZONE; APPENDIX B - ZONING, ARTICLE 12 - DEFINITIONS; AND APPENDIX F - FEES AND FINES

* 5. **COUNCIL COMMITTEE OF THE WHOLE REPORT - MARCH 27, 2018**

A. SAFETY ADVISORY AND TRANSPORTATION COMMITTEE

- (1) **PRESENTATION BY THE DOVER/KENT COUNTY METROPOLITAN PLANNING ORGANIZATION (MPO) - FINAL REPORT OF THE DOWNTOWN DOVER PARKING STUDY**

(COMMITTEE RECOMMENDED ACCEPTANCE OF THE REPORT)

- (2) **BRIEFING ON DOVER/KENT COUNTY METROPOLITAN PLANNING ORGANIZATION (MPO) PROJECTS**

(COMMITTEE ACTION NOT REQUIRED)

- (3) **UPDATE - SAFETY ISSUES AT THE LIBRARY**

(COMMITTEE DEFERRED CONSIDERATION OF THIS MATTER)

B. UTILITY COMMITTEE

- (1) **PRESENTATION - ELECTRIC RATE DESIGN AND COST OF SERVICES STUDY**

(COMMITTEE ACTION NOT REQUIRED)

- (2) **ROJAN MEADOWS SANITARY SEWER TERRITORY TRANSFERENCE**

(COMMITTEE RECOMMENDED GRANTING CONDITIONAL APPROVAL TO TRANSFER THE ROJAN MEADOWS SANITARY SEWER TERRITORY TO KENT COUNTY PENDING THE DEVELOPER'S ABILITY TO OBTAIN ALL NECESSARY APPROVALS AND AUTHORIZATIONS AS REQUIRED BY THE CITY)

C. LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE

- (1) **STATUS OF OTHER POST-EMPLOYMENT BENEFITS (OPEB) AND PENSION FUNDS**

(COMMITTEE ACTION NOT REQUIRED)

- (2) **PROJECT CARRY-FORWARD BUDGET BALANCES AND PROPOSED ORDINANCE #2018-02 - FY 2017-2018 BUDGET ORDINANCES - FIRST AMENDMENT**

(COMMITTEE RECOMMENDED APPROVAL OF THE PROPOSED BUDGET AMENDMENTS FOR FISCAL YEAR 2018 AND ADOPTION OF ORDINANCE #2018-02)

(SEE ITEM #7-A)

- (3) **GRANT APPLICATION PROCEDURE REVISIONS**

(COMMITTEE RECOMMENDED APPROVAL OF THE PROCEDURE REVISIONS AS REQUESTED)

- (4) **DIVERSITY AND INCLUSION STUDY REQUEST FOR PROPOSAL (RFP)**

(COMMITTEE RECOMMENDED AUTHORIZING FUNDING UP TO \$97,400 TO SUPPORT THE FULL SCOPE OF THE RFP)

- * **6. MONTHLY REPORTS - FEBRUARY 2018**
- A. CITY ASSESSOR'S REPORT**
 - B. CITY COUNCIL'S COMMUNITY ENHANCEMENT FUND REPORT**
 - C. CITY MANAGER'S REPORT**
 - D. CITY PLANNER'S REPORT**
 - E. CONTROLLER/TREASURER'S BUDGET REPORT**
 - F. POLICE CHIEF'S REPORT**

7. FIRST READING - PROPOSED ORDINANCE #2018-02

THE FIRST READING IS OFFERED ON THE PROPOSED ORDINANCE. FINAL ACTION BY COUNCIL WILL TAKE PLACE DURING THE SECOND READING ON APRIL 23, 2018. THE ORDINANCE IS AVAILABLE AT THE ENTRANCE OF THE COUNCIL CHAMBERS, ON THE CITY'S WEBSITE AT WWW.CITYOFDOVER.COM UNDER "GOVERNMENT," OR BY CONTACTING THE CITY CLERK'S OFFICE AT 736-7008 OR CITYCLERK@DOVER.DE.US.

- A. FY 2017-2018 BUDGET ORDINANCES - FIRST AMENDMENT**
(LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE)

8. CITY MANAGER'S ANNOUNCEMENTS

9. COUNCIL MEMBERS' ANNOUNCEMENTS

10. ADJOURNMENT

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EXECUTIVE SESSION PURSUANT TO:

29 DEL. C. §10004(B)(2) - PRELIMINARY DISCUSSIONS ON SITE ACQUISITIONS FOR ANY PUBLICLY FUNDED CAPITAL IMPROVEMENTS, OR SALES OR LEASES OF REAL PROPERTY;

29 DEL. C. §10004(B)(4) - STRATEGY SESSIONS, INCLUDING THOSE INVOLVING LEGAL ADVICE OR OPINION FROM AN ATTORNEY-AT-LAW, WITH RESPECT TO COLLECTIVE BARGAINING OR PENDING OR POTENTIAL LITIGATION, BUT ONLY WHEN AN OPEN MEETING WOULD HAVE AN ADVERSE EFFECT ON THE BARGAINING OR LITIGATION POSITION OF THE PUBLIC BODY;

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;

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 AGENDA ITEMS AS LISTED MAY NOT BE CONSIDERED IN SEQUENCE. PURSUANT TO 29 DEL. C. §10004(E)(2), THIS AGENDA IS SUBJECT TO CHANGE TO INCLUDE THE ADDITION OR THE DELETION OF ITEMS, INCLUDING EXECUTIVE SESSIONS, WHICH ARISE AT THE TIME OF THE MEETING.

REGULAR COUNCIL MEETING

The Regular Council Meeting was held on March 26, 2018 at 7:30 p.m. with Council President Slavin presiding. Council members present were Mr. Anderson, Mr. Sudler, Mr. Neil, Mr. Lewis, Mr. Cole, Mr. Polce, Mr. Hare, and Mr. Lindell.

Staff members present were Police Chief Mailey, Ms. Peddicord, Mrs. Mitchell, Mr. Hugg, Deputy Fire Chief Rhodes, City Solicitor Rodriguez, and Mrs. McDowell. Mayor Christiansen was also present.

OPEN FORUM

The Open Forum was held at 7:00 p.m., prior to commencement of the Official Council Meeting. Council President Slavin declared the Open Forum in session and reminded those present that Council was not in official session and could not take formal action.

Mr. Albert Evans, 101 Babb Drive, expressed concerns regarding dogs being loose in cars, public standards of decency in dress, and misuse of designated handicapped parking.

The invocation was given by Bishop Thomas L. Holsey, followed by the Pledge of Allegiance.

AGENDA ADDITIONS/DELETIONS

Mr. Hare moved for approval of the agenda, seconded by Mr. Neil and unanimously carried.

Mr. Sudler requested that item #3-B(3) - Proposed Ordinance #2018-03 Amending the Dover Code of Ordinances by Creating a New Chapter 84 - Public Safety Fee, be removed from the Consent Agenda.

Mr. Neil moved for approval of the Consent Agenda, as amended, seconded by Mr. Lewis and carried by a unanimous roll call vote.

ADOPTION OF MINUTES - SPECIAL COUNCIL MEETING OF MARCH 12, 2018

The Minutes of the Special Council Meeting of March 12, 2018 were unanimously approved by motion of Mr. Neil, seconded by Mr. Lewis and bore the written approval of Mayor Christiansen.

ADOPTION OF MINUTES - REGULAR COUNCIL MEETING OF MARCH 12, 2018

The Minutes of the Regular Council Meeting of March 12, 2018 were unanimously approved by motion of Mr. Neil, seconded by Mr. Lewis and bore the written approval of Mayor Christiansen.

ECONOMIC DEVELOPMENT COMMITTEE REPORT - FEBRUARY 28, 2018

The Economic Development Committee met on February 28, 2018 with Mayor Christiansen presiding.

AGENDA ADDITIONS/DELETIONS

Due to the lack of a quorum, the agenda was not adopted.

Mayor Christiansen stated that the meeting would be informational only and no action would be required.

**Wilmington University Contribution for Economic Development
(Dr. Clinton Robertson)**

Dr. Clinton Robertson, Assistant Dean and Professor, College of Business, Wilmington University, advised members that he had been at Wilmington University as a full-time employee for 22 years following his employment as an engineer with Dupont. Ms. Jean Davis, Assistant Professor and Regional Chair, College of Business, Wilmington University, stated that she had approximately 30 years of accounting experience, is a Certified Public Account (CPA), and had been with Wilmington University approximately 10 years.

Dr. Robertson stated that Wilmington University had met with Mayor Christiansen several times to discuss opportunities for cooperative efforts and partnerships for economic development with the City of Dover and Kent County. He advised that a meeting was held last week to brainstorm ideas and was attended by himself; Ms. Davis; Mayor Christiansen; Dr. Don Stuhlman, Wilmington University, Chair, Finance Programs; Mr. Mike Karia, Chair, Wilmington University, Adjunct Program Coordinator; Mr. Jim Waddington, Economic Development Director, Kent County Levy Court/Kent Economic Partnership; and Mr. Kirk Johnson, Professor of Economics, Goldey Beacom College. Dr. Robertson indicated that participants' ideas quickly solidified regarding major industries and growth expected in Dover and Central Delaware, and he provided and reviewed a handout, entitled "Wilmington University Contribution for Economic Development".

Dr. Robertson indicated that the major industries in Delaware are food and restaurant, agriculture, healthcare services, and manufacturing. He explained that Wilmington University had recently been working with the Delaware Restaurant Association and noted that the food and restaurant business is the biggest employer in the State, with more than 500 restaurants and 50,000 employees. He indicated that they were looking at a number of training and educational programs to get into and had hired Mr. Van Hampton, a Wilmington University graduate and Executive Director, First State Community Loan Association, as a part-time adjunct instructor. Dr. Robertson stated that Mr. Clinton Tymes, Small Business Development Center, was working with Mr. Hampton.

Dr. Robertson advised that there had been discussion regarding food service in downtown Dover, particularly Loockerman Street. He asked members what they would picture on Loockerman Street in three (3) to five (5) years, noting that millennials are drawn to bars and restaurants. Dr. Robertson stated that Delaware Technical and Community College (Del Tech) and Polytech have culinary arts facilities and, if they were pulled together with business and management programs, there could be a culinary institute at a place like the Loockerman Exchange. He advised that he went to upstate New York and saw how these culinary institutes work. Dr. Robertson stated that an institute in Canandaigua, New York shows

students how to form a table and make preparations, and even has culinary retail outlets. He suggested that local colleges and universities could work together to do something new and innovative like this, noting that these institutions have articulation agreements but had never taken an active role in partnering to move ahead toward a common goal.

Dr. Robertson informed members that healthcare had also been discussed, noting that this field was growing in the local area. He explained that the engine for growth was not just the increase in technology and healthcare but also demographics, since hundreds of retirees are moving into the area because of the taxes, climate, and great active adult communities. Dr. Robertson advised that he had been in this type of community for 17 years and it had drawn his neighbors from Pennsylvania, New York, and New Jersey. He noted that baby boomers would need healthcare, including long-term care, more and more. Dr. Robertson stated that Wilmington University has a nursing program and its business program offers a master's in healthcare administration, which had been very popular, and a number of their graduates work at Bayhealth Medical Center. He indicated that Del Tech also has a nursing program and suggested that these programs could be pulled together for a united front for economic development in Dover and Kent County.

Dr. Robertson advised that a number of manufacturing companies had left the area and it would be nice to have a concerted effort to bring manufacturing back. He stated that a good, educated, confident workforce is one (1) thing that would do this. Dr. Robertson noted that the Delaware Manufacturing Extension Partnership (DEMPEP), formerly the Delaware Manufacturing Alliance, would be having an exposé in the area in a couple of weeks and expressed the desire to reconnect to see where education might fit in. He advised that Wilmington University has programs like project management, as well as a number of information systems and technology programs. Dr. Robertson explained that they also have a new and growing program in data analytics that involves analyzing different ways of putting together huge banks of data to see where opportunities might be. He stated that there is a need to look at where and in which types of jobs millennials will be working, and what those moving here to work in data centers would be looking for. Dr. Robertson noted that millennials are gregarious and like the idea of a central place for bars and restaurants, and a number of towns and cities are focusing on this in their downtown areas. He stated that there is also a need for jobs, noting that there was a question of whether jobs or this type of downtown activity would come first. Dr. Robertson stated that colleges and universities can bring data analysis and IT to Dover, online as well as in class, and get a feel for what the market is. He indicated that it would be nice if the City of Dover and the educational institutions could grow together.

Dr. Robertson stated that another area of discussion was firefighters and police, noting that people come from everywhere to Dover to attend the Delaware State Fire School. He advised that Mayor Christiansen had mentioned that perhaps fire chiefs should have a terminal degree of some kind in management or business. Dr. Robertson informed members that Mr. Frank Richardson, a mutual friend of his

and Mayor Christiansen's who was once in charge of the Fire School, had worked as the head of the two-year fire and safety program at Del Tech. Dr. Robertson explained that Mr. Richardson had mentioned the possibility of having those who complete the Del Tech program come to Wilmington University to finish a bachelor's or master's degree program in fire and safety, while having Del Tech take care of everything. He stated that they had never really gotten into this new idea of cooperation among the different schools at this level. Dr. Robertson also advised that Wilmington University has a very dynamic program in administration of justice, which they had been looking at in regard to the police force and security in Dover.

Dr. Robertson informed members that transportation is another field being discussed, noting that a short-line railroad operator had been mentioned because there are spurs off the Norfolk Southern line. He noted that the leasing of railroad lines was allowed after railroads were deregulated in 1980. Responding to Dr. Robertson, Mr. Dave Hugg, Director of Planning and Community Development, stated that the Delaware Coast Line Railroad had taken over a lot of the short-haul traffic on the lower part of the Peninsula and could be seen regularly on the west side of Dover using those tracks. He advised that he did not know who their primary customers are, but the railroad is clearly a fixed investment that is grossly underutilized for freight and is not being utilized for potential passenger services. Referring to the air cargo ramp at Dover Air Force Base (DAFB) mentioned in the handout, Mr. Hugg stated that there had been a renewed effort by Mr. Waddington and a committee that is trying hard to get a use agreement signed, and things were starting to happen again at DAFB.

Mr. Hugg informed members that a number of older industrial sites with great rail access were not being used, and there may be opportunities to use a site that had been developed and used for heavy activity as a freight transfer station or some other kind of railroading activity. He indicated that Dover is ideally situated to have a presence for both air and rail. Mr. Hugg stated that Mr. Waddington had discussed the logistics of civilian transportation in and out of DAFB and mentioned that cargo planes have to leave Dover and go to LaGuardia or JFK to be serviced and parked because they cannot be here for more than a specified number of hours. Mr. Hugg indicated that it would be great if there was local service and there was a lot of opportunity for growth in that area.

Dr. Robertson stated that 24/7 availability of the runway is needed for air cargo. He advised that there are opportunities for freight because Dover is centrally located with Baltimore, Washington, New York, and Philadelphia. Dr. Robertson stated that he had heard that fresh flowers from South American were being pursued some years ago, noting that approximately 20 planes come into Miami International Airport per day and unload flowers. He explained that the flowers are placed in trailers and come all the way here for \$1,400 per trailer, and he suggested the possibility of getting flowers closer and distributing them. Mr. Hugg indicated that a freight airline had been relaying fresh flowers from Miami to Dover using DAFB; however, they ran into the problem of not having anyplace to park or service the airplanes. He noted

that planes have to fly to Dover, offload, and find somewhere to lay over until the flight back. Mr. Hugg advised that some pieces are missing and Dover could fulfill all those things. He stated that there are only one (1) or two (2) commercial or private jet servicing and rehabilitation companies in Delaware, including one (1) in New Castle County, and there is a huge market in private upscale commercial jets that have to be serviced, maintained, and rehabbed. Mr. Hugg noted that a friend who worked at the Greater Wilmington Airport for such a company advised that they were booked 24/7 and had a waiting list.

Dr. Robertson stated that Wilmington University has a number of students from Pats Aircraft in Georgetown who rehab aircraft. Mayor Christiansen noted that Pats Aircraft rehabs planes for the Saudi royal family. Mr. Hudson advised that Keystone Helicopters in Chester County, Pennsylvania rehabs helicopters and had also made specialized helicopters for Saudi Arabian families. He stated that four (4) years ago this company was trying to expand to close to 3,000 jobs, having a very difficult time trying to find qualified people, and starting to pull people from the DC and Maryland areas to come to Chester County, Pennsylvania. Mr. Hudson advised that planes would be another market.

Mr. Hudson informed members that there were culinary schools in Philadelphia that have school by day and sell the food they make to the public at night. He explained that they advertise their up-and-coming chefs and put out white tablecloths, and he stated his assumption that they were still doing well, noting that the community at-large wanted to help support them. Mr. Hudson suggested this as a possibility for Wilmington University and other schools at the Loockerman Exchange, noting that they could actually make money from people coming to eat and enjoy themselves. Ms. Davis noted that product sales would help with a lot of the costs. Mr. Hugg advised that the University of Delaware had done this successfully with their culinary program and had a fancy restaurant which was both a training and marketing opportunity.

Mr. Hugg indicated that, in recent discussions, the owner of the Loockerman Exchange had mentioned offering a variety of foods, such as a sushi bar and a barbecue, noting that this type of setting is increasingly being sought by millennials. He explained that, during the Downtown Dover Partnership (DDP) meeting of February 28, 2018, there had been discussion about how to make downtown Dover different. He suggested that one (1) way to do so would be to make it a foodie heaven and encourage a variety of small restaurants. Mr. Hugg noted that a block in New York may have 20 small restaurants, each with their own kind of specialty. He expressed his belief that there were real opportunities to take advantage of food innovation, from the standpoint of entrepreneurs ranging from those making jelly in their kitchens to those in farm-to-table enterprises. Mr. Hugg advised that there had been discussions about the potential for aquaponics or hydroponics in an urban location downtown because that area is a food desert with no places for people of modest income to get good and fresh foods. He stated that up-and-coming entrepreneurs need somebody to handhold and train them, noting that marketing

requires a different skill set. Ms. Davis noted that this is where the bridge would come in with Wilmington University, which would teach entrepreneurs business skills.

Mr. Hugg advised that a university in Glassboro, New Jersey, has a joint innovative kitchen program that provides hands-on teaching on how to write a marketing plan, distribute a product, etc. He noted that this interesting model provides a kitchen that allows students to make a product, such as strawberry jam, in some quantity and with some assurance of meeting health codes and also provides advice about such things as product label design. Dr. Robertson indicated that this program was like an incubator and he believed that it was called a build-out.

Mr. Hugg stated that there are a lot of good business programs in the State but no one offers undergraduate and graduate level education aimed at public administration, and he was unsure if a degree in public administration is available. He noted that not all of those with bachelor's degrees in business are necessarily ready to step into public administration and do it well. Ms. Davis advised that Wilmington University's undergraduate degree is not in public administration but has something to do with government; however, they offer master's degrees in management and public administration. She indicated that the numbers in this program had been dwindling a little and they may need to update it. Ms. Davis suggested that perhaps Wilmington University should meet with City staff who work in public administration to see what they are missing and promote their program better.

Mr. Hugg stated that the University of Delaware has an Institute for Public Administration that is focused largely on non-profit management and is not really preparing the next crop of managers that is needed. He advised that the International City Managers Association did some analysis not long ago on the graying face of city managers and concluded that more and more communities will be unable to find managers with any kind of focused training. He recalled that at one time there were a couple of thousand vacant city manager jobs across the country, and towns had been looking for years to fill them.

Dr. Robertson stated that the time might be right for an advisory board in Dover, and Wilmington University would welcome the City's participation. Ms. Davis advised that Wilmington University offers public administration classes for their master's degree at DAFB and had also offered them in Georgetown and Dover, noting that perhaps they were not marketing this well.

Mr. Hudson stated that, as a lot of the leadership in Delaware municipalities are getting older and retiring, people are being picked who may have on-the-job experience but not necessarily a degree. Ms. Davis expressed a desire to meet with staff to discuss Wilmington University's courses.

Ms. Davis asked if cities target individuals who have the ability to move up or if people with experience come from the outside. Responding, Mr. Hugg stated that

many people come into this profession from the planning side, but a lot come out of the business environment and may or may not understand some of the subtleties.

Mr. Hudson stated that many job announcements for city managers or assistant city managers indicate that they are looking for advanced degrees. He advised that the field is starting to understand that it is okay to have book knowledge; however, those with worldly experience in conjunction with what they have learned will do a lot better. Dr. Robertson stated that he would like to meet with Mr. Hugg and Mr. Hudson in the next couple of months to discuss public administration and perhaps some ideas to develop a city manager.

Responding to Mr. Hudson, Ms. Davis stated that Wilmington University offers the face-to-face classes for the public administration program only at DAFB, noting that their numbers were dwindling a bit and there were only five (5) or six (6) students. She advised that their online programs were doing well. Dr. Robertson stated that the online program would not give students any practice interfacing with other people, as city managers and those in public administration must do.

Mr. Hudson advised that those in resource professions must be able to deal with people, which can not be taught by a book, and must also have a personality that can deal with constant change. Dr. Robertson stated that Wilmington University had started to include internships and co-ops, which may be something they need to put into public administration. He noted that meeting with Mr. Hugg and Mr. Hudson as advisory staff would provide additional credibility for changing their program.

Mr. Hugg stated that universities could be beneficial to the City in the areas of data analytics and understanding what is going on out in the real world on a longer-term basis. Mr. Hugg advised that retail business models of 10 years ago are outdated and there are many new permutations of how people conduct business, whether face-to-face, over the internet, or both. He indicated, for example, that everyone had been told that big supermarkets were the way to go; however, smaller 15,000 square foot supermarkets were having success because some customers want convenience and value pricing and do not care about brands. Mr. Hugg cited additional trends, including chains like Starbucks, online banking, and walk-in medical care. He stated that he struggles every day to keep up with the new marketing norms, and this is an area where value could potentially be added from the academic side, suggesting that graduate students could be assigned research projects such as tracking the evolution of how people eat or why Wawa is so successful. Mr. Hugg indicated that the City needs to understand this better to know how to manage land use in a changing environment.

Ms. Davis stated that Wilmington University master's degree and doctoral students write theses and dissertations and suggested that City staff could come up with ideas. She noted that they also offer internships and co-ops, and if students could be matched to the City's needs, the University, the City, and the students would all win.

Mr. Hugg stated that he would like the University to open an ongoing dialog with the City due to the changing demographics.

Mr. Hudson noted that the population in Delaware is changing, with many people coming from the northeast who are bringing or looking for changes and wanting to go somewhere small, quaint, and walkable. He stated that West Chester and Trolley Square in Wilmington are prime examples where there are new restaurants, eateries, and bars that are full all of the time. Dr. Robertson noted that a lot of people already live in these areas. Ms. Davis stated that Dover has a built-in clientele with the colleges in the area, noting that it is a college town without being a typical college town.

Mr. Hugg stated that a couple thousand college students live two (2) blocks from the downtown area and never go there. He advised that Wilmington University students are largely driven by car, pass by the downtown area, and the City does not know what their preferences are. Dr. Robertson noted that there were challenges when W.T. Smithers was catering to students and State Street became rowdy at 1:00 a.m. Mr. Hugg explained that there are trade-offs, and understanding what they are is important. He stated that university students are an integral part of the community in Newark and are not in Dover and the question is why they are not. Mr. Hugg advised that it was not because the institutions offer many great things on campus.

Mr. Hudson stated that Newark has a vibrant downtown, which Dover does not have but would like to have. He expressed the need for just one (1) big-name destination, like an Iron Hill Brewery, and advised that this was how West Chester started. Mr. Hudson indicated that Iron Hill took a chance, college students went, and the area started filling in overnight. He stated that Dover's downtown is beautiful, much better than other downtown areas he had seen, and close to Route 13, and he could not understand why people were not coming in. Mr. Hudson noted that he lives in Wilmington and his friends there do not know where the downtown area in Dover is. He advised that the City's administration had talked about signage, but there is really not a lot downtown when people drive there.

Responding to Dr. Robertson, Mr. Hugg stated that there are incentives for downtown, such as waiving fees for building permits and business licenses, but it lacks a "wow." He noted that there are a couple of dress shops, bars, etc., but not a restaurant row, entertainment strip, or boutique area. Mr. Hugg stated that a research project may be an opportunity to ask some of these questions. Ms. Davis suggested that perhaps they could survey the people and colleges in the area and ask what they would like to see and what would bring them downtown. Mr. Hugg explained there were four (4) new women's boutiques downtown that seemed to stay open and in some places expand, but they are very much alone. He stated that he wondered how many of their customers are also buying a cup of coffee or lunch, and if they see their shopping experience as anything but a trip to a boutique.

Dr. Robertson stated that Wilmington University would like to partner with the City to help develop Dover and central Delaware.

Mr. Hugg suggested that Wilmington University get involved with the Kent Economic Partnership, Greater Kent Committee, DDP, and the food innovation program that the County is running. He noted that a lot of serious energy is being spent and people are being asked to come and join. Mr. Hugg explained that the Greater Kent Committee is a very focused group of about 80 or 90 key business leaders and Kent County has organized a plant managers group for manufacturing-related businesses that meets periodically.

Ms. Davis stated that Mr. Waddington had suggested that Wilmington University be part of the discussion and learn about it. Dr. Robertson noted that Wilmington University is also a stakeholder.

Mr. Hugg stated that education is one of the major components in Dover's economy but he was not sure that this is recognized or promoted well. He noted that the average person would not think of Dover as a center of education or higher education, as they may think of Newark and Wilmington, and collectively this message is not being sent. Ms. Davis stated that if Wilmington University can work with the City to find out what jobs are available in this area, they can train students who will stay here.

By consent agenda, Mr. Neil moved for acceptance of the Economic Development Committee Report, seconded by Mr. Lewis and carried by a unanimous roll call vote.

COUNCIL COMMITTEE OF THE WHOLE REPORT - MARCH 13, 2018

The Council Committee of the Whole met on March 13, 2018 at 6:00 p.m., with Council President Slavin presiding. Members of Council present were Mr. Anderson (arrived at 6:28 p.m.), Mr. Sudler, Mr. Neil, Mr. Lewis, Mr. Cole, Mr. Polce (departed at 7:52 p.m. and returned at 7:53 p.m.), Mr. Hare (departed at 7:43 p.m.), and Mr. Lindell. Mayor Christiansen (departed at 7:41 p.m. and returned at 7:53 p.m.) was also present. Civilian members present for their Committee meetings were Mr. Caldwell and Dr. Warfield (*Parks, Recreation, and Community Enhancement*), Mrs. Doyle and Ms. Scarborough (*Utility*), and Mr. Shevock and Dr. Stewart (*Legislative, Finance, and Administration*).

Mr. Hare moved to amend the agenda to change the order of the committees, as follows: Parks, Recreation, and Community Enhancement Committee; Legislative, Finance, and Administration Committee; and Utility Committee. The motion was seconded by Mr. Sudler and unanimously carried.

**PARKS, RECREATION, AND
COMMUNITY ENHANCEMENT COMMITTEE**

The Parks, Recreation, and Community Enhancement Committee met with Chairman Sudler presiding.

Community Development Block Grant (CDBG) Application Review

Mrs. Tracey Harvey, Planner/CDBG Administrator, reviewed her memo to the Parks, Recreation, and Community Enhancement Committee, dated March 13, 2018, regarding CDBG Grant Recommendations for FY 2018, as well as the FY 2018 CDBG Proposed Budget.

Staff recommended approval of the proposed Community Development Block Grant (CDBG) allocation recommendations for the FY 2018 CDBG grant renewal fiscal year.

The Committee recommended approval of staff's recommendation.

By consent agenda, Mr. Neil moved for approval of the Committee's recommendation, seconded by Mr. Lewis and carried by a unanimous roll call vote.

Community Development Block Grant (CDBG) Program Semi-Annual Update

Mrs. Tracey Harvey, Planner/CDBG Administrator, reviewed the CDBG Semi-Annual Report, December 2017 - February 2018.

LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE

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

AGENDA ADDITIONS/DELETIONS

Mr. Hare moved to amend the agenda to consider item #7 - Proposed Ordinance #2018-03 Amending the Dover Code of Ordinances by Creating a New Chapter 84 - Public Safety Fee (Sponsors: Hare and Neil), following item #2 - Presentation - Comprehensive Annual Financial Report (CAFR). The motion was seconded by Mr. Lewis and unanimously carried.

By unanimous consent, the agenda was approved as amended.

Report of Independent Public Accountants for the Fiscal Year Ending June 30, 2017 (CliftonLarsonAllen, LLP)

On behalf of CliftonLarsonAllen, LLP, Mr. Bill Early, Principal, and Mr. Remi Omisore, Principal, reviewed a presentation entitled "City of Dover, Delaware, Audit Results, Year Ended June 30, 2017".

Staff recommended acceptance of the report.

Mr. Neil noted, for clarification to those audience members present, that this was not the first time that member's of the Committee were receiving this information. He indicated that the report was included in the Committee meeting packet which was available on the City's website. Mr. Neil stated that everything is transparent, explaining that if anyone ever wants to know what's happening, they can go online and view the same material as members.

Mr. Neil thanked Mr. Early and Mr. Omisore for their impressive report and members of staff for working with them so closely.

Mr. Sudler asked Mr. Omisore to elaborate on his comment that expenses had decreased over the last couple of years. Responding, Mr. Omisore, referring to page 11, Income Statement Summary, of his presentation, explained that the expenses reflected are for the City as a whole and it is a combination of all of the funds. He stated that in looking at that \$5M increase, the old accounting for Other Post-Employment Benefits (OPEB) standards related to how much you contributed to the trusts; however, when the new standard came into play, OPEB kind of smoothed out. Mr. Omisore advised that it is not a funding mechanism, it is more of an accounting mechanism of smoothing the expense across the plan. He stated that the best way to explain it is to compare your mortgage payment to the value of your home, explaining that if you bought a home for \$400,000, the old standard only required you to record your monthly payment, but now the standard requires you to put the full value of your home, \$400,000, and then you decrease those payments over the year. Mr. Omisore noted that it is more of a funding mechanism than a true expenses decreasing; unfortunately, when you see it in the financial statements, it's hitting as an expense. He stated that it is difficult to compare apples to apples, but when you do that it looks like the expenses decreased. Mr. Omisore noted that there was also some reduction in budgeted expenses on the General Fund, which goes into that process as well.

Mr. Early encouraged members to read Management's Discussion and Analysis included in the Comprehensive Annual Financial Report (CAFR), noting that it is a very high-level, year-to-year comparison that provides more detail regarding the exact causes for fluctuations in expenditures and revenues.

Mr. Sudler asked what the number one expense is for the City. Responding, Mr. Early stated that payroll is definitely the main expenditure.

The Committee recommended acceptance of the report.

By consent agenda, Mr. Neil moved for approval of the Committee's recommendation, seconded by Mr. Lewis and carried by a unanimous roll call vote.

Presentation - Comprehensive Annual Financial Report (CAFR)

Mrs. Lori Peddicord, Controller/Treasurer, reviewed a presentation entitled "City of Dover, Comprehensive Annual Financial Report, Fiscal Year Ended June 30, 2017".

Staff recommended acceptance of the report.

Mr. Anderson noted that the County Water/Wastewater was favorable by more than \$400,000 and asked what the reason was for this. He asked if the County went down in their cost or if the City had other usage. Responding, Ms. Peddicord stated that the City may have budgeted higher than normal, expecting an increase in their fees. Mrs. Donna Mitchell, City Manager, stated that the City charged the Inflow and Infiltration (I & I) fee which helps offset the County treatment fees and that overage goes to capital projects for fixing the sewer mains. She explained that the City plans on the fact that the fee is going to be higher, noting that it has been budgeted that way for a while, and staff purposely looks for that extra to help pay the capital projects.

Mr. Neil noted that Pump Station #7 (PS #7), located in the Third Council District, is still having problems and being worked on. He asked if the additional costs regarding those problems were yet known and included in these figures. Responding, Ms. Peddicord clarified that the CAFR information was for fiscal year 2017; therefore, those unexpected expenses were not reflected in this report. In response to Mr. Neil, she stated that she did have a budget amendment come through for fiscal year 2018; however, she did not know whether the City had received all of the bills in regard to the problem at PS #7 yet.

The Committee recommended acceptance of the report.

By consent agenda, Mr. Neil moved for approval of the Committee's recommendation, seconded by Mr. Lewis and carried by a unanimous roll call vote.

Proposed Ordinance #2018-03 Amending the Dover Code of Ordinances by Creating a New Chapter 84 - Public Safety Fee (Sponsors: Hare and Neil)

Mrs. Donna Mitchell, City Manager, reviewed a presentation entitled "City of Dover, Public Safety Fee," and provided members with a list of owners of tax-exempt developed property, including the exterior square footage and sample fees and a list regarding public safety calls for 2016 - 2017. She reminded members that during the budget process in May of 2017 there was discussion among Council members regarding a public safety fee and, rather than try to put that into the budget at the last minute last year, she took some time to develop a public safety fee for mid-year consideration. Mrs. Mitchell explained that this would allow time for the Committee to vet the proposed ordinance, and if it is approved by Council, it would go into effect in July. She advised that one (1) of her goals in trying to get this out several months earlier than the budget process was to allow time to notify the entities that this would impact, and she also wanted to provide time to review all of the records and make sure they are reconciled.

Mrs. Mitchell, referring to page 3 of the presentation, explained that the graph depicted the outlay and receipts for public safety expenses and revenues for governmental activities. She stated this graph was included in the budget and included all public safety. Mrs. Mitchell advised that public safety includes code

enforcement, the Fire Marshal's Office, police, and fire. She explained that to help offset that in the past, staff has shown the property taxes going toward these costs in the budget.

Mrs. Mitchell, referring to page 8, Sample Comparison of Fees by Non-Profit Entity, of the presentation, advised that this was only a sample of the entities with the highest calculations and did not include all 95 entities, which is 135 properties. She advised that the presentation did not include information regarding the amounts the City currently receives in payment in lieu of taxes (PILOT) from some entities. Mrs. Mitchell noted that one (1) of the reasons the State of Delaware is not included in the sample and is exempt from the fee is because they make a formula-based PILOT to the City in accordance with State Code. She stated that Luther Towers was not included in the sample because they made a PILOT to the City in the amount of \$31,828 in July 2017. She explained that, for example, based on a \$.02 per square foot public safety fee, Luther Towers would have paid the City approximately \$7,160. Mrs. Mitchell advised that the Delaware State Housing Authority currently pays the City approximately \$13,000 per year and based on a \$.02 per square foot fee they would pay \$2,866. She stated that Dover Housing Authority is budgeted to pay the City \$50,000 this year and based on a \$.02 per square foot fee they would pay \$6,114. Mrs. Mitchell noted that The Milford Housing Development Corporation is budgeted to pay the City \$7,500 this year and they would pay \$1,726, based on a \$.02 per square foot fee. She explained that by using the square footage, the proposed public safety fee would equalize all nonprofits to be paying at the same rate.

Staff recommended adoption of Proposed Ordinance #2018-03.

Mr. Anderson thanked Mrs. Mitchell, noting that he thought that she did a thorough and comprehensive job on this assignment. He asked if the City would lose money if entities stopped making their PILOT and paid a \$.01 per square foot fee. Responding, Mrs. Mitchell stated that yes, at \$.01 per square foot, the City would not make as much as it currently makes based on what the four (4) entities pay in-lieu of taxes.

Mr. Anderson stated that the City had done a lot to encourage economic development and asked if the proposed ordinance would be negative to organizations that had been partnering with the City to help in this regard. Mr. Anderson noted that organizations that provide affordable housing, such as Milford Housing and Habitat for Humanity, have to hold properties at least one (1) year to avoid the transitional cost. He asked if these types of organizations, including the new Dover housing, if it comes about, would pay a fee if they were to buy a property in order to improve it. He noted that these purchases benefit the City and provide a lot more tax money that if they were to pay a fee. Responding, Mrs. Mitchell stated that the fees for organizations, like Habitat, who build and sell houses are based on the Certificate of Occupancy when the house is built and the property assessment is done. She explained that such a property would not be on the records until it is finalized and the assessed value is taken through the Tax Assessor's Office. Mrs. Mitchell advised that the bills are

done quarterly and if they sold the house, they would never see the fee; however, if they have not sold that house, they would have a fee. She stated that the City provides a lot of economic development incentives through impact fee and permit waivers, and quite a few waivers had been provided over the past five (5) years. She explained that these waivers are tracked and the beneficiaries for the most part are NCALL, Habitat, and Milford Housing.

Mr. Sudler asked Mrs. Mitchell whether she had considered a restriction or constraint on the proposed fee. He asked, for example, if she would recommend that the proposed \$.02 or \$.03 not exceed \$.05 or \$.10, which would deter nonprofit or 501(c)(3) organizations from coming to the City. Responding, Mrs. Mitchell stated that Council would decide the rate during the budget process and she was not currently recommending any particular rate, this was only a discussion of the ordinance and fee. She explained that she had used \$.01 and \$.02 as examples, noting that a \$.01 fee would garner \$72,000, while a \$.02 fee would garner \$144,000. Mrs. Mitchell reminded members that the fee would only help the City pay for the costs associated with fire and police capital items; it would not pay for all of those items at these levels. Mr. Sudler suggested that members reach out to their State officials to get some input and see how it may affect constituents or 501(c)(3) business partners.

Mr. Lindell asked what the exact amount of money is that the City offers in total incentives for the various groups. Responding, Mrs. Mitchell stated that in the downtown district the City offered or waived fees in the amount of \$21,811 in FY 17 and \$61,545 in FY 16. She advised that there was also commercial development which amounted to \$39,252 in FY 16 and \$1,000 in FY 17.

In response to Mr. Sudler's suggestion that members reach out to their State legislators, Mr. Hare stated that he had been reaching out to the legislators for the past two (2) to three (3) years and it was obvious to him that the City of Dover was not treated the same as the City of Wilmington at Legislative Hall. He explained that the State distributes \$3M to the three county seats, Georgetown, Dover, and Wilmington, and the City of Dover has approximately \$275M worth of State properties that are exempt and receives \$300,000, while the City of Wilmington has \$175M worth of exempt property and receives \$2.6M. Mr. Hare indicated that there was a caveat that they get more for less property because they have 50,000 people. He noted that the City of Wilmington also has a city wage tax but the State will not approve a wage tax for the City of Dover. Mr. Hare stated that he agrees that everyone should reach out to the legislature because there is obviously discrimination between Wilmington, Dover, Georgetown, and even Newark.

Ms. Judy Diogo, President, Central Delaware Chamber of Commerce (CDCC), stated that, since the public safety fee was announced, the CDCC had received a number of phone calls from nonprofits with concerns that there was a lack of information leading up to the discussion of a public safety fee. She advised that they were trying to figure out if the fee was about equity or need, noting that, from the information

that they had heard at the meeting, it appeared that the reason for the fee was need. Ms. Diogo expressed concern that there were no examples of the rate in the ordinance, leading people to jump to conclusions, and she thanked Mrs. Mitchell for the list of owners of tax-exempt developed property, including the exterior square footage and sample fees, that was provided, which made it clearer and helped a great deal.

Ms. Diogo advised that a lot of nonprofits took hits at Legislative Hall last year and were still anticipating budget cuts. She recommended, on behalf of the CDCC's nonprofits, that the City meet with groups who will be impacted by this particular fee in a huge way. Referring to list of owners of tax-exempt developed property, including the exterior square footage and sample fees, Ms. Diogo noted that the highest fee listed at the \$.01 per square foot rate was approximately \$19,500 and the lowest was \$10.54. She asked if there was a possibility of looking at the situations of organizations with higher fees, such as those ranging from \$1,000 to \$19,500. Ms. Diogo noted that these organizations are already paying fees to the City for water, electricity, etc., and suggested consideration of a different rate for some of the larger users.

Ms. Diogo noted that consideration was being given to implementing the proposed ordinance in April and starting billing in July. She requested, if it absolutely had to be done, that Council set the rate at \$.01 per square foot, with a caveat that this would last for three (3) to five (5) years so that nonprofits can plan their budgets. Ms. Diogo asked that the City hold public workshops after this initial period to find out the fee's impact on nonprofit organizations. She stated that the impact is a missing piece of the puzzle, and she expressed the need to remember that nonprofits are providing services that the government cannot pay for.

Ms. Carolyn Fredericks, Modern Maturity Center (MMC), stated that she had called almost all members of Council and expressed thanks for the calls back that she received. She asked members what they considered the value of the MMC to the City, noting that they have paid \$188,000 in utilities to the City, and do not receive any type of discount for the services they provide to residents. She noted that her counterpart in Newark had advised that the City of Newark provides Newark Senior Center a credit of \$60,000 on their electric bill, which would be really nice for the MMC to receive. Ms. Fredericks stated that the MMC provided 133,000 Meals on Wheels to shut-in residents, just in the Dover area, at a value of \$1.1M. She explained that Meals on Wheels is not all paid for by the State or Federal government and the MMC had to supplement that funding by approximately \$100,000.

Ms. Fredericks informed members that 55-plus communities are tax paying and are locating to Dover in droves. She stated that The Grande, which bought the property adjacent to the MMC and is a big taxpayer, had just added another building. Ms. Fredericks reminded members that years ago the City provided the Senior Surrey for transportation but now the MMC provides transportation.

Ms. Fredericks stated that nonprofits had experienced a 20% cut in State funds and, even with those cuts, worked diligently not to reduce the services that they provide to their clients. She advised that the City had never provided any funding to the MMC, and the organization had not gotten any breaks on building or other fees. She noted that they had not received any breaks on the building permit for their current building program and were just assessed an impact fee of \$6,000 for one (1) hand sink and one (1) floor drain. Ms. Fredericks advised members that the MMC has provided a social environment and services for older adults for almost 50 years, which makes Dover a great place to live and retire.

Mr. Sudler thanked Ms. Fredericks for reaching out to him and educating him about her position and continuing to educate members about the MMC's services and what they have and have not received.

Ms. Jeanine Kleimo, Chair, Dover Interfaith Mission for Housing (DIMH), stated that, in addition to the points that had already been made, DIMH had already submitted proposals for funding for the program year that will begin in July, so they had not had an opportunity to budget for any increase. She noted that costs are rising, but funding is absolutely not rising. Ms. Kleimo informed members that DIMH has brought homeless people off of the streets and made Dover safer as a result. She stated that this should not result in being charged fees for the services that they receive, noting that DIMH is a net contributor to public safety. Ms. Kleimo stated that DIMH puts approximately \$3.5M every year into the local economy in terms of the wages generated by their clients that are hired by local employers, which is more than 10 times their budget and is a part of the economic development of the community of Dover. She asked members to consider the impact of this and other ways to engage with those working with disadvantaged populations to increase public safety in a way that does not cost them more money.

Ms. Mamie Charest, Executive Director, People's Place, requested that members not move forward with the proposed fee. She explained that People's Place had served Delaware's most vulnerable population for over 45 years. Ms. Charest advised that their Whatcoat Program is the largest homeless shelter in Dover and the only one that provides shelter for families. She stated that Whatcoat sheltered 417 adults and children and provided 13,500 nights of shelter in 2017, and the agency serves one-third of the homeless population in the State. Ms. Charest indicated that without their program people would be on the streets, and there would be an impact to the City in other ways. She expressed her belief that this fee would be pushed to the first responders in the City, noting that Whatcoat appreciates these responders very much but wants to work in partnership with them.

Ms. Charest stated that last year was a very hard year for People's Place and they received a 20% cut, which meant that their Whatcoat Program, through which they provide homeless shelter, is running at a large deficit. She explained that they had continued to operate that program as a good faith effort, knowing that they are doing

good in the community. Ms. Charest asked members not to push the proposed ordinance forward.

Mr. Robert Clark II, President, Wesley College, noted that he would not repeat the things that other individuals had stated. He stated that he acknowledged the support and partnership that Wesley College had enjoyed with the City, County, and State. Mr. Clark advised that Wesley College views itself as Dover's, Kent County's, and Delaware's college that shares the privilege of educating and mentoring the future with other institutions of higher learning in this area. He indicated that Wesley is very proud of the education and opportunities they provide their students that will enable them to be catalysts of positive change in the region. Mr. Clark stated that he had been amazed that, since he became a member of the community, he could not go far without finding a Wesley alumnus who had impacted the culture, leadership, and future of the region and State, which he stated was Wesley's worth.

Mr. Clark stated that he thought that the current discussion was not so much about "do we or don't we" but about a coming together of the community and finding a partnership that works for moving it forward. He expressed the need to find something that is informed and collaborative, where various stakeholders work together to find out the short- and long-term implications and possible solutions. Mr. Clark stated that he thought it was important to gain perspective by finding out what other communities do, noting that Dover is not the only city facing this challenge. He advised that Ms. Fredericks had made an excellent point and that the proposal was very focused on tax. Mr. Clark stated that, if members are looking at need and who provides relief, they must look across the board at community service, utilities, water, and the impact if an entity leaves. He indicated that he did not think there had been that type of discussion, noting that he just found out about the proposal a few days ago. Mr. Clark advised that he could not provide a recommendation until he had time to look at the problem and all of the options from an informed standpoint, and come together with a solution. He expressed concern that, in reading the newspaper, he saw things that inferred a lack of contribution by Wesley and others in the room, noting that he knew that was not intended but was how it read. Mr. Clark asked members to look at the jobs that are provided and the monies put forth. He stated that he was unsure whether what the City was trying to do was aligned with 9 Delaware Code, Section 8105. Mr. Clark requested that, before moving forward, everyone get together and perhaps form a group representative of those present, take a look at the realm of possibilities across the board, and find the right equity that will meet the needs for the near and long term. Mr. Clark advised that nonprofits of any sort, whether for education, healthcare, or any of the things that serve the community, are one (1) team and family, with one (1) collective future, and all their voices and efforts are needed to help see this matter through.

Responding to Mr. Anderson, Mr. Clark explained that 9 Delaware Code, Section 8105 addresses some of the things being looked at. He stated that Section 8105

referred to the legalities and expressed the need to focus on potential solutions and make sure there is informed input.

Ms. Valerie Swayze, Delaware Agricultural Museum, stated that she was speaking as a citizen who was born and raised in Dover and her comments did not apply to the Museum. She explained that she, the director, and Museum staff had seen an article in the newspaper regarding the proposed public safety fee earlier in the day. Ms. Swayze advised that the proposed fee would not apply to the Delaware Agricultural Museum; however, this did not mean that it would not in the future. She noted that the Museum leases its property from Delaware State University and when she saw the amount of approximately \$19,000 for the University, she thought that the Museum would have to find a way to come up with the money. Ms. Swayze explained that the Delaware Agricultural Museum is one (1) of the only museums not funded by the State. She noted that they did take a cut like other nonprofits did. Ms. Swayze stated that she asks herself how the Museum can continue to do what they do when they receive a \$4,000 per month gas bill or \$3,000 electric bill. She explained that they see more than 100,000 kids per year from New Castle, New Jersey, Maryland, etc. Ms. Swayze stated that most museums in Delaware are free; however, the Delaware Agricultural Museum charges admission because they have to. She indicated that she had worked in budget and finance and that there have to be other ways, and she asked that everyone work together and look. Ms. Swayze noted that one (1) or two (2) pennies were currently being discussed; however, she guaranteed that before long it would be more.

Ms. Melissa Hopkins, Vice President of Sector Advancement, Delaware Alliance for Nonprofit Advancement (DANA), advised that DANA is a statewide membership organization for nonprofits in Delaware and their goal is to advance the nonprofit sector through advocacy, training, capacity-building, and research. Ms. Hopkins stated that DANA had concerns regarding the legality of the proposed legislation. She stated that, as previously stated, 9 Delaware Code, Section 8105 states "Corporations created for charitable purposes and not held by way of investment that are in existence on July 14, 1988, together with existing and future charitable affiliates of such corporations that are also not held by way of investment, shall not be liable to taxation and assessment for public purposes by any county, municipality, or other political subdivision of this State." Ms. Hopkins stated that charitable nonprofits are exempt from this kind of statute and encouraged members to look into this further. In addition, she advised that the rationale behind the tax is that fire and police resources are insufficient, which she could appreciate; however, she thought there was not enough evidence to link the insufficiency of capacity at the Police and Fire Departments to the actions of nonprofits in the City of Dover. Ms. Hopkins questioned whether there was data showing a link between charitable organizations and insufficiencies in these agencies, because otherwise it felt as though the City was demanding a special payment from nonprofit organizations, which she thought was a question of equality.

Ms. Hopkins noted that nonprofit organizations in the City want to partner with Dover's police and fire organizations and requested consideration of how nonprofits are making it easier for law enforcement to do the job that they are intended to do. She noted that DANA's organizations in the City and statewide are serving homeless populations, feeding the hungry, serving the mentally ill, and serving as community safe spaces for children and teens. Ms. Hopkins cautioned members that the additional expense of one (1) or two (2) pennies being discussed did not seem like much, but does add up and will impact services offered in the City.

Ms. Hopkins expressed concern regarding the fee amount and collection process outlined in the legislation. She stated that the fee amount is not really clear, noting that the proposed ordinance states that, "The public safety fee amount and collection process will be examined by the city manager and city council annually during the budget formulation process...The city council will set and adopt the public safety fee amount..." Ms. Hopkins noted that it indicates that if revenues are insufficient to properly operate the public safety department, Council may need to reevaluate. She expressed concern that the language was shifting and that operational expenses were being discussed, versus capital funds, which she thought the proposed ordinance was really intended to serve, and suggested that this language be clarified. Ms. Hopkins stated that nonprofits in Delaware and in the City really want to be a partner to the City's police and fire organizations, and she expressed her hope that members continue to allow them to do what they do well and serve the City of Dover.

Mr. William Garfinkel, Bicentennial Village, congratulated members for bringing forth the proposed ordinance, stating that it was time for exempt corporations that use City services to pay their fair share, and there should be no more cost-shifting to homeowners and small businesses. He advised that the proposal was not something new, noting that federal credit unions are exempt from income tax but are required to pay county and municipal property taxes by federal law, and they had been paying ever since the credit union movement began. Mr. Garfinkel stated that it was only fair that other exempt properties start paying their fair share. He requested, on behalf of himself as a taxpayer and other taxpayers in the City, that members stay the course and pass the proposed ordinance.

Mr. Sudler moved to recommend that, due to the sentiment of the majority of the individuals present, the City not move forward with Proposed Ordinance #2018-03 until further discussion with the stakeholders and the legality of the matter has been clarified in lieu of evading legal ramifications. The motion was seconded by Mr. Anderson.

Mr. Slavin asked that members not make negative motions because members would be voting yes for the process to close, which had proved very confusing in the past.

Mr. Slavin expressed appreciation for the input received, noting that where members are currently and where they will be when legislation is eventually enacted are two (2) different places, and this is the nature of creating legislation. He advised that he

considered the legislation to be organic and noted that it was not something that Council drummed up but came from numerous meetings that members attend with homeowners and neighborhood associations. Mr. Slavin explained that there had been a clarion call from people who were wondering why their real estate taxes offset services for people who do not pay taxes, and he could not defend it. He indicated that maybe those present and some of the things he had heard could help him create a defensible position; however, there is a principle of fairness that must be addressed. Mr. Slavin explained that, while good, honest, and ethical non-for-profits were currently being represented, there were also not-for-profits who clearly operate outside of their stated mission. He advised that they operate bars, campgrounds, and RV parking lots and sell cars on their property, which is not what they are chartered to do, and he expressed the need to tighten this up.

Mr. Slavin suggested rewording the motion, if the maker was amenable, to have the City Manager provide analysis of some of the ideas that had been heard, continue the dialogue, and bring forward an amended ordinance based on these ideas in one (1) month at the April meeting of the Committee. Mr. Sudler indicated that his intent was to have further discussion with the community before bringing this matter back to Council or the Committee and did not think that one (1) month would allow enough time. Mr. Slavin advised that the one-month suggestion was meant only as a marker so that members would have a report in a month's time.

Mayor Christiansen yielded to Mr. Lindell, noting that this was a meeting of the Council Committee of the Whole. Mr. Lindell stated that he supported the one-month delay proposed by Mr. Slavin, noting that this was an arbitrary number that could be changed. He stated that this time frame would be reasonable to get the conversation started and if the process was not complete the matter could be moved to another agenda, as had been done previously.

Mr. Hare noted that he would not be available for the second Committee meeting in April. Responding to Mr. Hare, Mr. Sudler stated that he would be amenable to amending the motion to state six (6) weeks, and Mr. Anderson concurred stating that one (1) month was not enough time. Mr. Slavin suggested that the motion be withdrawn and restated as a positive motion with a six-week time frame.

Mr. Lindell called the question.

The motion to recommend that, due to the sentiment of the majority of the individuals present, the City not move forward with Proposed Ordinance #2018-03 until further discussion with the stakeholders and the legality of the matter has been clarified in lieu of evading legal ramifications was withdrawn by Mr. Sudler and Mr. Anderson.

Mr. Sudler moved to recommend bringing this matter back for discussion in six (6) weeks, seconded by Mr. Anderson.

Mr. Sudler advised that his original motion had included further discussion with the community. Mr. Hare stated that it would be up to members to go out and talk to people. Mr. Sudler stated that he was more amenable to the City Manager having a meeting with the community.

Mr. Lindell advised that he had called the question on Mr. Sudler's original motion. Mr. Anderson stated, as a point of order, that Mr. Lindell's motion was not recognized and was irrelevant.

Mr. Hare stated that there was a motion and a second and the matter was still open for discussion.

Mayor Christiansen raised a point of order, noting that, as a matter of courtesy, he had yielded to Mr. Lindell. Mayor Christiansen suggested that he and the City Manager meet with those who are interested and bring information back to Council in a timely manner, in the interest of bettering the City's communications. Mr. Hare stated that he would also make himself available if his schedule permitted.

Mr. Anderson stated that he felt the discussion should be held; however, he was unsure if there was a fix because members were ignoring that money is brought in by some of the nonprofits. He explained, for example, that Restoring Central Dover and the National Council on Life and Labor Research (NCALL) had brought in a grant to help with lighting project demonstrations. Mr. Anderson advised that this grant alone was for more than the amount that they would pay for the next 10 years under the proposed ordinance. He stated that Restoring Central Dover grants had amounted to more than \$0.5M for the community and this had to be taken into account.

Mr. Anderson advised that many demolitions that would have cost the City \$15,000 - \$30,000 apiece had been done by Habitat for Humanity, NCALL, and Milford Housing, saving the City well over \$100,000. He stated that nonprofits are bringing in a lot of money through partnering with the City, and he expressed the need to look at the issue comprehensively, not just based on the small amount the City is losing but also on how much the nonprofits are bringing. Mr. Anderson expressed the need to ask questions, such as how much Wesley College's security footprint downtown saves the City. He noted that Wesley's security provides an extra set of eyes not just on campus but from Pear Street through State Street, and the comprehensive picture is a lot more than \$144,000. He noted that he would like to see a legal opinion on this matter before the six-week period is over to see if the proposal is legally defensible and if members should spend time on it.

Mr. Hare informed members that the City has one of the best police departments in the State. He noted that the Dover Fire Department is also one of the best and has an insurance rating of two (2) because, as a non-paid fire department, they are not allowed to be number one (1). Mr. Hare noted that the Dover Fire Department's response time in the past had been quicker than the Wilmington Fire Department's. He advised that, when time, apparatus, etc., are included, the cost every time the

alarm goes off and responders go out the door is a minimum of \$500 to \$1,000. Mr. Hare stated that there is also a cost whenever the police have a call. He advised that there had been 123 fire and police calls to Wesley College in the past two (2) years, 277 fire and police calls to Delaware State University, and 662 police and fire calls to Bayhealth and questioned the cost of these calls. Mr. Hare noted that, as Ms. Fredericks had stated, costs were going up. He questioned if members should advise constituents that their taxes would be raised to cover false alarms.

Mr. Hare suggested the possibility of developing a set run fee for all fire alarms or police calls to a facility, and those who do not use the service would not pay for it. He stated that, as Mr. Anderson had advised, there may be some offsets to the costs; however, he did not think that the costs of close to 1,000 calls in two (2) years would be offset.

Mr. Neil stated that he and many of his neighbors, who own homes in a leased land community and pay a lot rent, appreciate the MMC's facilities and the services they provide. He explained that these same individuals had tried to purchase their homes but could not. Mr. Neil informed members that the company that bought the community's land had decided they wanted more money and raised their rent by \$40. He noted that they are entitled to \$3.52 by the Consumer Price Index for All Urban Consumers (CPI-U). Mr. Neil advised that, while the City is trying to bring in businesses, this money was now leaving Delaware's economy and going to Michigan and, unfortunately, the State was also involved because they guaranteed them a profit and took away all of their risk.

Mr. Neil expressed his belief that the City has an obligation and responsibility to protect students at the colleges as well as people who are in Delaware Housing Authority housing, Dover Housing Authority housing, and at Bayhealth. He expressed his hope that taxpayers who are moving into homes created by Habitat are not subsidizing police and fire protection. Mr. Neil suggested seeing if the nonprofits could come up with some suggestions during the interim period and that having the legal questions answered, noting that by that time members would be ready for a discussion about resolving some of the problems without raising taxpayers' payments. He noted that the PILOT program that Luther Towers had participated in may be an answer.

Responding to Mr. Lindell, Mr. Hare stated that there was a motion on the floor to bring this matter back in six (6) weeks.

Mr. Lindell called the question, seconded by Mr. Sudler and unanimously carried.

The Committee recommended bringing this matter back for discussion in six (6) weeks.

Responding to Mayor Christiansen, Mr. Hare stated that, with the permission of Council, Mayor Christiansen and the City Manager could proceed with speaking to the aggrieved parties.

During the Council meeting, Mr. Sudler asked what the process would be for Mayor Christiansen and Mrs. Donna Mitchell, City Manager, to retrieve and disseminate information in the community within the four (4) week timeline. Responding, Mayor Christiansen stated that a meeting will be held with all of the nonprofits who spoke at the Committee meeting or who have expressed an interest in participating. The meeting will be held either April 6th or April 12th in the Great Hall at St. Andrews Lutheran Church. Mayor Christiansen advised that the comments and suggestions gathered at the meeting will be presented to members of City Council.

Mr. Sudler asked if a letter would be sent to the 95 nonprofit entities advising them of the meeting. Responding, Mayor Christiansen advised that Ms. Judy Diogo of the Central Delaware Chamber of Commerce will contact them to facilitate the meeting.

Mr. Sudler asked if a legal opinion had been sought regarding 9 Delaware Code, Section 8105 for State Corporations Created for Charitable Purposes. Responding, Mrs. Mitchell advised that she had not yet contacted Deputy City Solicitor Pepper for an opinion.

Mr. Anderson asked how much some of the larger charities, such as Bayhealth, Delaware State University, Wesley College, Wilmington College, and Delaware Tech, contribute with a payment in lieu of taxes (PILOT). Responding, Mr. Hare advised that none of the charities that Mr. Anderson mentioned pay or have paid a PILOT to the City.

Mr. Anderson stated that there was some measure of concern, which will probably be discussed. He noted that there are other organizations that have contributed a great deal in partnership with the City and that he hoped that they would find a way of achieving a positive balance that does not punish the nonprofits but finds new ways to build partnerships.

Mr. Hare suggested meeting with the five (5) larger nonprofit organizations and then deciding. He stated that it was his understanding that organizations that receive federal funding are required to give a PILOT, which is why the City receives a PILOT from Milford Housing Authority and Delaware State Housing Authority. Mayor Christiansen advised that they are attempting to facilitate a meeting with the larger nonprofit organizations.

Mr. Hare suggested that the nonprofit organizations should be encouraged to contact their legislators, noting that Wilmington receives significantly more of the State's payment in lieu of taxes (PILOT) allocation than Dover receives, although Wilmington has fewer tax-exempt properties.

Mr. Sudler stated that he thought that all of the nonprofit organizations should have an opportunity to be heard and speaking with only the five (5) larger groups could give the appearance of exclusion.

Mr. Sudler moved for approval of the Committee's recommendation, seconded by Mr. Neil and unanimously carried.

Status of Other Post-Employment Benefits (OPEB) and Pension Funds

The Committee deferred consideration of this item, due to time constraints.

Project Carry-Forward Budget Balances and Proposed Ordinance #2018-02 - FY 2017-2018 Budget Ordinances - First Amendment

The Committee deferred consideration of this item, due to time constraints.

Diversity and Inclusion Study Request for Proposal (RFP)

The Committee deferred consideration of this item, due to time constraints.

Ambulance Services Proposal

Mrs. Donna Mitchell, City Manager, informed members that City staff issued a Request for Proposals (RFP #18-0010CM) on November 15, 2017 for Ambulance Services, with proposals to be received by December 19, 2017. Two (2) proposals were received from Mid-Atlantic Care, LLC and PrimeCare Medical Transport, LLC, the current provider. In completing the review of the current proposals, staff also reviewed their financial statements, the Center for Public Safety Management (CPSM) Report of March 2016, and previous City Council minutes pertaining to the Ambulance Services. She explained that she had several conversations with the City Fire Marshal, Mr. Jason Osika, and Mrs. Kay Sass to help her understand the services provided and the current contract. Mrs. Mitchell advised that her findings indicated that RFP #18-0010CM was not sent to national firms as recommended in the CPSM Report, and staff had not followed through on Council's motion of May 22, 2015.

Mrs. Mitchell explained that staff was requesting to re-issue the RFP with the understanding that the recommendations of the March 2016 Report will be included. She noted that staff would also like to form an Administrative Committee of Medical and Paraprofessionals to assist the City with development and review of Ambulance Service Proposals and future contracts. The Committee would be established by the City Manager and approved by the Safety Advisory and Transportation Committee. The City Manager would be the Committee Chair, and the Emergency Management Coordinator would serve on the Committee as well.

Mrs. Mitchell advised that while the Mid-Atlantic Care, LLC proposal has a lower cost, staff has concerns with their ability to staff crews and provide ambulances with the current contract expiring on March 31. She noted that she did reach out to the CEO and COO to explain her concerns and let them know of the plans to reissue the RFP. Mrs. Mitchell stated that she had negotiated a six-month extension with PrimeCare Medical Transport, LLC, whose contract had a provision for two (2), one-year extensions. She explained that PrimeCare's new proposal contained a rate increase and the City would absorb this increase for six (6) months. Mrs. Mitchell noted that the public safety risk is too great to change a contract without several months' notice. She stated that a revised RFP will be drafted upon Council approval of the six-month extension of the current contract.

Staff recommended authorizing the City Manager to execute a six-month extension of the current contract with PrimeCare Medical Transport, LLC at the rates provided.

Responding to Mr. Lewis, Mrs. Mitchell stated that the current provider's proposed rate had increased from \$40 to \$45. She advised that there had been no rate increase over the three-year contract and she had agreed to absorb the rate increase for six (6) months while another RFP is issued.

The Committee recommended approval of staff's recommendation to authorize the City Manager to execute a six-month extension of the current contract with PrimeCare Medical Transport, LLC at the rates provided, re-issue the RFP with the understanding that the recommendations of the March 2016 Report will be included, and form an Administrative Committee of Medical and Paraprofessionals to assist the City with development and review of Ambulance Service Proposals and future contracts, with the Committee to be established by the City Manager and approved by the Safety Advisory and Transportation Committee.

By consent agenda, Mr. Neil moved for approval of the Committee's recommendation, seconded by Mr. Lewis and carried by a unanimous roll call vote.

UTILITY COMMITTEE

The Utility Committee met with Chairman Cole presiding.

Update - U.S. Route 13 East Pump Station #7 (PS #7) Emergency Response (Requested by Mr. Lewis)

Mrs. Sharon Duca, Public Works Director/City Engineer, provided an update regarding the U.S. Route 13 East Pump Station #7 (PS #7) emergency response in relation to the sanitary sewer overflow that occurred at PS #7 on February 19, 2018.

Mr. Lewis thanked Mrs. Duca and her staff for their due diligence in addressing this matter in an expeditious time frame, and asked if the City had any warranties on any of the related equipment. Responding, Mrs. Duca stated that some of the equipment was outside the time frame of a standard warranty and typical warranties would not cover the occurrence, due to the fact that the failure was related to the corrosive environment.

Mr. Lewis asked if there was a proposed final cost yet. In response, Mrs. Duca explained that based on the costs that she had received so far, which included emergency hauling services, environmental services, bypass pumping, the materials to change out the station, as well as the new pump components which were ordered, they were looking at more than \$200,000. She stated that she was still waiting for some final estimates, and that amount does not include future component change-out that staff would like to do once the air scrubber is in place and the environment is more controlled.

Mr. Lewis noted that the City was collaborating with the County on the air scrubber and asked what the status was in that regard. Responding, Mrs. Duca advised that the air scrubber had been ordered after Council had approved it and, based on the most recent update, the manufacturing of the device was ahead of schedule so staff is hoping that it could be in by the end of April rather than the end of May. She explained that they would install it upon completion of the manufacturing.

Mr. Anderson stated that he knew that there had been samples collected and asked if there was any indication of environmental impact or potential problems. In response, Mrs. Duca advised that, as explained in her memo dated March 6, 2018, because of the sampling results received, staff had to go back and remove all liquid from the stormwater management pond located at the old Berry Van Lines site, and apply lime to help control the area. She explained that Silver Lake involves much more complex chemical analysis due to the nature of the lake and staff is waiting to receive the report from the Department of Natural Resources and Environmental Control (DNREC). Mrs. Duca stated that it did appear as though there may be some kind of effect; however, she could not speak to the analysis in terms of the extent or whether it is within tolerable ranges.

Mr. Anderson asked whether there were anticipated environmental costs related to this and if the City would be solely responsible or if the cost would be split between the City and County. Responding, Mrs. Duca stated that as the City moves forward with the data, further discussions with the County would definitely involve the City Manager. She advised that at this time she could not assess the actual cost of what may have to be done for further clean-up, explaining that it is difficult to surmise what may have to be done in regard to the lake, for example. Mrs. Duca explained that the City is paying for the costs at this point but future arrangements are still up in the air.

Mr. Neil stated that PS #7 is located in his neighborhood and is known as “Big Stinky,” which is why it was planned to have the scrubber clean it out. He noted that the problem was fortunately not affecting water. Mr. Neil advised that this would be a long-term project because the City is tied very closely to the County. He explained that the pipeline extending from Denneys Road to Capital Station will be replaced in two (2) years, which will affect traffic along Route 13. He noted that the current problem is a City problem; however, it is also a City/County problem because of its connection with this pipeline. He advised that he had tried to alert his neighborhood area, which was being affected, and he complimented staff for taking care of the immediate problem.

In response to Mr. Neil’s comments, Mrs. Duca stated that she completely agreed that it is in the City’s best interest for the County to get the line repaired. She explained that the County is planning to re-line it rather than dig it up. Mrs. Duca advised that this project will have a tremendous impact on traffic because the line runs down the median of Route 13, where turn lanes into facilities are located. She stated her understanding that the County’s plans for the project are currently being reviewed

and discussed with the Delaware Department of Transportation (DelDOT). Mrs. Duca indicated that part of the project could hopefully move forward toward the end of this year.

Responding to Mrs. Doyle, Mrs. Duca stated that the City has 44 pump stations, noting that the County owns and operates a few of these stations, such as the stations off Denneys Road and Water Street. She advised that, in the past, an odor could often be experienced coming from the Water Street station, and the County had installed an air scrubber unit at that location. Mrs. Duca explained that the solution for the City's station had been identified through working with the County, based on their experience and research at County stations.

In response to Mrs. Doyle, Mrs. Duca advised that, because of the environment that PS #7 experiences, its wires are cleaned on a regular basis. She stated that, depending on the station, wires may be inspected weekly. Mrs. Duca explained that some things in pump stations are checked daily, but there are some things that operators cannot check without taking the station out of operation, which creates a tremendous issue. She advised that, for this reason, while PS #7 had been down staff had been moving forward with trying to install more corrosive resistant materials, etc., in it. Mrs. Duca stated that all City stations have a regular maintenance schedule, and the amount of flow that goes through them determines the frequency of maintenance, because this, as well as the environment that it's faced with, could factor in the mechanical wear and tear. She noted that some stations have very little flow going through them. Mrs. Duca advised that the overall goal is to get to each station every day, Monday through Friday, noting that this particular station will be monitored seven (7) days a week for some time in the immediate future.

Responding to Mrs. Doyle, Mrs. Duca explained that outflow would have gotten into Silver Lake due to the effects of stormwater management throughout the state. She stated that anywhere that there are roadways, there are ditches to help control the drainage off the roads. Mrs. Duca advised that there may be storm sewers that ultimately run off some properties into these drainage ditches. She stated that the ditches at the location of the pump station along Leipsic Road ultimately go to other ditches that discharge to Silver Lake. Mrs. Duca advised that there are sampling locations at multiple places because of the ultimate discharge location.

In response to Mrs. Doyle, Mrs. Duca stated that the City does not treat its stormwater, noting that this could be a matter of debate based upon current stormwater regulations if bio-filters, etc., could be considered treatment of stormwater. She noted that bio-filters are relatively new and are not everywhere.

Mr. Cole expressed thanks to Mrs. Kay Sass, Public Affairs and Emergency Management Coordinator, who was instrumental in getting the word out to the businesses along the route during the time period of the event, and to Mrs. Duca for the update and her hard work.

Mr. Neil moved for acceptance of the Council Committee of the Whole Report, seconded by Mr. Sudler and unanimously carried.

CITY MANAGER'S ANNOUNCEMENTS

Mrs. Donna Mitchell, City Manager, announced that trash collection delayed the previous week due to the inclement weather had been collected. She noted that there would be no trash collection on Friday, March 30th, due to the Good Friday holiday, and that Friday's trash pickup would be collected on Monday, April 2nd.

Mrs. Mitchell announced that Spring Cleanup would be held from April 9th through April 20th and she provided a flyer with the guidelines for members to share with their constituents, noting that it would also be provided electronically. She noted that the information was posted on the City's Facebook page, as well as the website.

COUNCIL MEMBERS' ANNOUNCEMENTS

Council President Slavin announced that the following day was Councilman Cole's birthday and he wished him a happy birthday.

Mr. Neil, noting that March 30th was the first night of Passover, wished all those of the Jewish faith a very happy Passover and expressed his hope that the freedom that is celebrated at that time affects all people around the world.

Mr. Sudler thanked everyone who came out to the Black Community State of Emergency meeting and thanked Mayor Christiansen, Police Chief Mailey and former Police Chief Hosfelt for participating in that forum. Mr. Sudler noted that it was a very productive meeting and that the next meeting would be held on April 18, 2018 in the Council Chambers at City Hall.

Mr. Lewis wished everybody in the community a happy Easter.

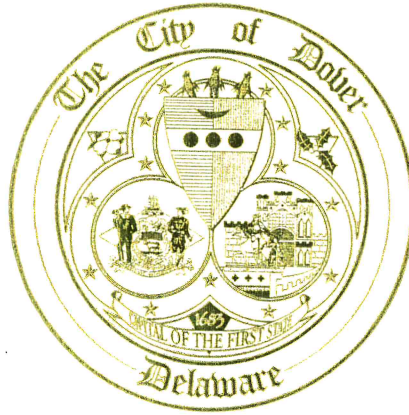
Mr. Sudler moved for adjournment, seconded by Mr. Neil and unanimously carried.

Meeting adjourned at 7:44 p.m.

TRACI A. McDOWELL
CITY CLERK

All ordinances, resolutions, motions, and orders adopted by City Council during their Regular Meeting of March 26, 2018, are hereby approved.

ROBIN R. CHRISTIANSEN
MAYOR



PROCLAMATION

WHEREAS, in 1872, J. Sterling Morton, a Nebraska pioneer, proposed that a special day be set aside for the planting of trees by individuals and civic organizations, resulting in the first celebration of Arbor Day on April 10, 1872, with an estimated one million trees being planted in Nebraska that day. In 1885, Arbor Day was named a legal holiday and has since become a national event promoted by the National Arbor Day Foundation, whose mission is to inspire people to plant, nurture, and celebrate trees; and


WHEREAS, the City of Dover was named a Tree City USA in 2017 for the twenty-eighth consecutive year by the National Arbor Day Foundation in recognition of the City's outstanding urban forestry program, which includes the maintenance of over 2,200 street trees by the Department of Public Works Grounds Division. The City of Dover Planning and Inspections Department's Tree Planting and Preservation Ordinance has caused the planting of thousands of trees in all subdivisions and commercial sites since 1992, and the City has continued to aggressively plant street trees between curbs and sidewalks in almost every available site in the City; and

WHEREAS, the Delaware State champion American Elm on The Green may be the only living witness to Delaware's ratification of the United States Constitution that took place at the Golden Fleece Tavern in 1787, underscoring that planting and caring for trees is a special gift that one generation passes down to the next.

NOW, THEREFORE, I, ROBIN R. CHRISTIANSEN, MAYOR OF THE CITY OF DOVER, DELAWARE, do hereby proclaim April 27th, 2018 as

ARBOR DAY

in the City of Dover, and urge all citizens to support efforts to care for trees along our streets, in our parks, and in our yards. As the City of Dover plants trees on public property, I urge all citizens to plant trees on their properties to enhance the environment and promote the well-being of present and future generations.


ROBIN R. CHRISTIANSEN
MAYOR



PETITION TO AMEND TEXT of
Dover Code of Ordinances and Zoning Ordinance

Report to the Dover City Council for April 9, 2018

Report on Action of Planning Commission with Development Advisory Committee Review Report

Proposed Changes:

Text Amendments to the following:

- *Dover Code of Ordinances*, Chapter 66 – Manufactured Homes
- *Dover Code of Ordinances*, Appendix B: Zoning (*Zoning Ordinance*)
 - Article 3 – District Regulations, Section 8 – Manufactured Housing Zone
 - Article 12 – Definitions
- *Dover Code of Ordinances*, Appendix F – Fees and Fines, Chapter 26 Businesses, Article II – Licenses and Chapter 66 – Manufactured Homes, Mobile Homes, and Land Lease Communities

Summary of Amendment:

The proposed amendment reorganizes and clarifies a portion of the updates to the Dover Code made in August 2016 through Ordinance #2016-16. The proposed amendment also brings the updates into compliance with provisions of the Delaware Code related to manufactured housing and rental housing. The updates affected include requirements for placing and licensing manufactured homes, standards for management and maintenance of land lease communities, taxation, and code enforcement.

Ordinance Number:

Proposed Ordinance #2018-01
(Proposed Staff Amendment #1)

File Number:

MI-18-03

Planning Commission

Action:

Following a public hearing on March 19, 2018 where one (1) member of the public spoke, the Planning Commission voted (8 members yes, 1 member recused) to table the proposed Ordinance #2018-01 until Planning Staff met with interested parties and the City Solicitor to ensure the proposed ordinance complies with State law and that it's not over reaching.

Discussion of the Planning Commission included questions on street conditions; the receipt of input from manufactured home community owners/operators and residents/tenants; permitting; responsibilities and delegation of maintenance of common areas and roadways; the establishment of office hours; the provisions for

receipts for rent payments; and questions regarding the public testimony.

See the included Excerpt of the DRAFT Meeting Minutes of the March 19, 2018 Planning Commission meeting.

Attachments:

- DAC Comments: Department of Public Works, Office of the Fire Marshal and DelDOT
- Excerpt of Draft Minutes from March 19, 2018 Planning Commission Meeting
 - Copy of Handout Submitted during Public Hearing (Copy of Comments and Copy of Supreme Court Case *Cantinca v. Fontana*)
- Ordinance #2018-01

The following Report consists of the Development Advisory Committee Report (of March 9, 2018) on MI-18-03 Text Amendments: Manufactured Housing and Land Lease Communities (Dover Code of Ordinances, Chapter 66 and Zoning Ordinance, Article 3, Section 8 and Article 12). This includes the City Planner's Report on the proposed Text Amendment. This information was provided to the Planning Commission for their March meeting.

Development of the Ordinance

Following the August 8, 2016 adoption of revisions to the *Dover Code of Ordinances*, Chapter 66 – Manufactured Homes, Mobile Homes, and Land Lease Communities; Appendix B, *Zoning Ordinance*, Article 3 Section 8 – Manufactured Housing Zone; and several other sections of the Dover Code, several members of the manufactured housing community, including homeowners and park owners, came forward with concerns about the adopted ordinance. In the process of evaluating these concerns, Planning Staff identified a series of further improvements that could be made principally to Chapter 66 to better organize the section, clarify processes and enforcement, and ensure compliance with State law. Ensuring the code's compliance with the portions of State law related to the legal obligations of landlords and tenants (*Delaware Code*, Title 25, Chapters 53 and 55) and to manufactured homes and manufactured home communities (*Delaware Code*, Title 25, Chapters 70 and 71) in particular were meant to address the community's concerns with the 2016 ordinance. Staff also identified potential changes in the *Zoning Ordinance* to support the main series of changes in Chapter 66 (see further description below).

Current Proposed Ordinance

Key components of proposed Ordinance #2018-01 include the following:

- Reorganization of Chapter 66. The new sections of the Chapter are as follows: 66-1, Purpose Statement; 66-2, Definitions; 66-3, Manufactured and Mobile Homes; 66-4, Land Lease Communities; 66-5, Real Property Taxes; 66-6, Enforcement and Penalties; and 66-7, Exemptions.
- Addition of a Purpose Statement establishing the reasons for regulating Manufactured Homes and Land Lease Communities.
- New definitions for *Land Lease Community Operator* and *Land Lease Community Owner*

in Chapter 66.

- Detailed requirements for placement, inspection, and licensing of Manufactured Homes, as well as moving in or out of the City and use of City utilities.
- Addition of a provision allowing land lease community owners to delegate maintenance responsibility over part of a community to a homeowner or other party through an appropriate legal contract. City Code Enforcement is to work with these parties to resolve maintenance issues where such contracts exist. In the 2016 version of this ordinance, the land lease community owner was held responsible for all maintenance. This contravened Title 25, Chapter 53 of the Delaware Code, which allows landlords and tenants to agree in writing that certain maintenance tasks are to be performed by tenants.
- Reduction of the number of hours during which a land lease community owner is required to have office hours for the residents.
- Allows land lease community owners more time in which to provide a receipt for rent payment to a resident who requests one.
- No change to taxation; manufactured homes placed on permanent foundations will continue to be taxed while manufactured homes not placed on permanent foundations will continue to pay license fees in lieu of taxation. The City will not specify an approved method for a home to attain a permanent foundation.
- For homeowners, detailed penalties for failing to obtain placement permits or manufactured home licenses. For community owners, detailed penalties for failing to perform required maintenance or record-keeping.
- Revision of the Provisional Order to better establish that revoking the business license of a Land Lease Community is a measure of last resort, only imposed when there are cumulative unresolved violations creating a nuisance.
- In *Zoning Ordinance*, Article 3 §8, establishing that both manufactured homes and permanently placed manufactured homes are permitted, but not on the same lot. The purpose of this is to allow land lease communities composed of permanently placed, taxed homes, but prevent communities which include both permanent, taxed homes and impermanent, untaxed homes. In such a community it would be very difficult for the City's Tax Office to track which homes are taxed and which are not.
- In *Zoning Ordinance*, Article 3 §12, adding a definition for *permanently placed manufactured home*.

Action History

City Council Committee of the Whole/Legislative, Finance, and Administration Committee was presented with proposed Ordinance #2018-01 at its February 13, 2018 Meeting. The Committee recommended approval of the proposed Ordinance.

Because text amendments are proposed to the *Zoning Ordinance*, a Public Hearing and Recommendation by the Planning Commission was required. The Planning Commission Public Hearing was held at their meeting of March 19, 2018, after which the Commission acted to table the proposed Ordinance.

City Council is scheduled to conduct a Public Hearing and act on the proposed Ordinance #2018-01 at their meeting of April 9, 2018.

Planning Staff Review and Recommendations (of March 9, 2018)

Planning Staff developed the proposed Ordinance #2018-01 regarding Manufactured Housing and Land Lease Communities and therefore, recommends its adoption. The Planning Office received comments from other Development Advisory Committee (DAC) members and has taken these under review. Based on the comments the Planning Office may offer revisions to the proposed Ordinance. The comments are summarized below.

DAC Agency Review Comment	Ordinance Lines	Proposed Revision	Reason/Notes
Public Works	167	Add stormwater facilities to line 167	This section deals with private utilities, and currently lists water and sewer utilities among others; stormwater should also be mentioned.
Fire Marshal/ Chief Building Inspector	N/A	Possible revisions to conform this update to the 2018 International Residence Code (IRC), Appendix E - Manufactured Housing used as Dwellings	City Staff has initiated the initial research to begin the process to consider adoption of the <i>2018 International Code Council</i> code series. In the future, a cross-check between the provisions of this ordinance and the new IRC will be needed to ensure there are no conflicts.

Proposed Staff Amendment #1

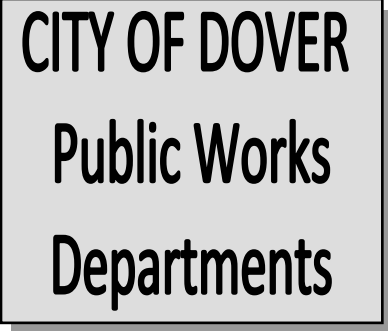
Planning Staff reviewed the current proposed ordinance and the comments received to develop a Staff Amendment to include the additional clarifications and changes based on department/agency concerns. The proposed changes presented as Staff Amendment #1 is outlined below.

- Add “stormwater facilities” to sentence starting on line 167. To read as follows by inserting the text in bold, blue font: All **private** water, sewer, electric, and gas lines and connections **and stormwater facilities** intended to serve common areas or the private property of tenants within the community shall be kept in good repair at all times by the land lease community **owner**.

Planning Commission Review and Action

Following a public hearing on March 19, 2018 where one (1) member of the public spoke, the Planning Commission voted (8 members yes, 1 member recused) to table the proposed Ordinance until Planning Staff met with interested parties and the City Solicitor to ensure the proposed ordinance complies with State law. Although the proposed Ordinance was written with the intention of conforming the City’s manufactured home code provisions to State law, the member of the public who spoke alleged that the proposed Ordinance had yet to achieve this goal and provided detailed comments to that effect. Based on the public comments the Planning Office may offer additional revisions to the proposed Ordinance.

CITY OF DOVER
APPLICATION REVIEW COMMENTARY
FEBRUARY 26, 2018



APPLICATION: Text Amendment Zoning Ordinance, Dover Code of Ordinances Chapter 66 and Article 3 Section 8 and Article 12 for Manufactured Housing and Land Lease Communities

FILE #: MI-18-02

REVIEWING AGENCY: City of Dover Electric and Public Works Departments

CONTACT PERSON: Jason A. Lyon, P.E. – Public Works

CONTACT PHONE #: Public Works – 302-736-7025

THE SUBJECT PROPOSAL HAS BEEN REVIEWED FOR CODE COMPLIANCE, PLAN CONFORMITY AND COMPLETENESS IN ACCORDANCE WITH THIS AGENCY'S AUTHORITY AND AREA OF EXPERTISE.

THE FOLLOWING ITEMS HAVE BEEN IDENTIFIED AS ELEMENTS WHICH NEED TO BE ADDRESSED BY THE APPLICANT:

CITY AND STATE CODE REQUIREMENTS

ELECTRIC

1. No objections to the proposed amendments.

WATER / WASTEWATER

1. None.

STORMWATER

1. Please add stormwater facilities to line 167.

SANITATION / STREETS / GROUNDS

1. None.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

ELECTRIC / WATER / WASTEWATER / STORMWATER / STREETS / SANITATION / GROUNDS / GENERAL

1. None.

ADVISORY COMMENTS TO THE APPLICANT

ELECTRIC / WATER / WASTEWATER / STORMWATER / SANITATION / STREETS / GROUNDS

1. None

IF YOU HAVE ANY QUESTIONS OR NEED TO DISCUSS ANY OF THE ABOVE COMMENTS, PLEASE CALL THE ABOVE CONTACT PERSON AND THE PLANNING DEPARTMENT AS SOON AS POSSIBLE.

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CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: 03/07/18

APPLICATION: Text Amendments: Manufactured Housing and Land Lease Communities

FILE #: MI-18-02 **REVIEWING AGENCY:** City of Dover, Office of the Fire Marshal

CONTACT PERSON: Jason Osika, Fire Marshal

PHONE #: (302) 736-4457

THE SUBJECT PROPOSAL HAS BEEN REVIEWED FOR CODE COMPLIANCE, PLAN CONFORMITY, AND COMPLETENESS IN ACCORDANCE WITH THIS AGENCY’S AUTHORITY AND AREA OF EXPERTISE.

THE FOLLOWING ITEMS HAVE BEEN IDENTIFIED AS ELEMENTS WHICH NEED TO BE ADDRESS BY THE APPLICANT:

ADDITIONAL / SPECIFIC REQUIREMENTS TO OBTAIN APPROVAL:

1. The Fire Marshal’s Office has no comments at this time
2. The Chief Building Inspector has the following comment: Ordinance #2018-01, Chapter 66- Manufactured Homes, Mobile Homes and Land Lease Communities, 2018 Building Code(s) inclusive of Appendix E of the 2018 IRC, The 2018 building code draft ordinance will reference “Chapter 66- Manufactured Homes, Mobil Homes and Land Lease Communities” in addition to “Appendix E Manufactured Housing used as Dwellings” within the 2018 IRC. It is unknown if cross reference has been done between “Chapter 66”, the proposed ordinance(s), “Appendix E” and or other related parts of the building code/life safety code(s) to confirm or deny continuity to those codes/ordinances and as referenced within the same.

APPLICABLE CODES LISTED BELOW (NOT LIMITED TO):

- 2015 NFPA 1 Fire Code (NFPA; National Fire Protection Association)
- 2015NFPA 101 Life Safety Code (NFPA; National Fire Protection Association)
- 2013 NFPA 72 National Fire Alarm and Signaling Code (NFPA; National Fire Protection Association)
- 2013 NFPA 13 Installation of Sprinkler Systems (NFPA; National Fire Protection Association)
- 2009 IBC (International Building Code)
- Latest editions of all other NFPA Codes as defined by the Delaware State Fire Prevention Regulations
- 2015 Delaware State Fire Prevention Regulations
- City of Dover Code of Ordinances

***If you have any questions or need to discuss any of the above comments, please call the above contact person listed.**

CITY OF DOVER
DEVELOPMENT ADVISORY COMMITTEE
APPLICATION REVIEW COMMENTARY
D.A.C. MEETING DATE: February 28, 2018



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APPLICATION: Text Amendment: Manufactured Housing and Land Lease Communities

FILE#: MI-18-02

REVIEWING AGENCY: DeIDOT

CONTACT PERSON: Joshua Schwartz

PHONE#: 760-2768

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THE SUBJECT PROPOSAL HAS BEEN REVIEWED FOR CODE COMPLIANCE, PLAN CONFORMITY AND COMPLETENESS IN ACCORDANCE WITH THIS AGENCY'S AUTHORITY AND AREA OF EXPERTISE.

THE FOLLOWING ITEMS HAVE BEEN IDENTIFIED AS ELEMENTS WHICH NEED TO BE ADDRESSED BY THE APPLICANT:

CITY & STATE CODE REQUIREMENTS:

DeIDOT has no comments regarding city & state code at this time.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:

DeIDOT has no recommendations at this time.

ADVISORY COMMENTS TO THE APPLICANT:

- DeIDOT has no comments.

If you have any questions or need to discuss any of the above comments, please call the above contact person and the planning department as soon as possible.

CITY OF DOVER PLANNING COMMISSION
March 19, 2018
Excerpt from Meeting Minutes – Draft

The Regular Meeting of the City of Dover Planning Commission was held on Monday, March 19, 2018 at 7:00 PM in the City Hall Council Chambers with Chairman Mr. Tolbert presiding. Members present were Mr. Holden, Mr. Roach, Ms. Edwards, Mr. Holt, Mr. Baldwin, Dr. Jones, Mrs. Welch, Ms. Maucher and Mr. Tolbert. Staff members present were Mrs. Dawn Melson-Williams, Mr. Eddie Diaz, Mr. Julian Swierczek, Mr. Jason Lyon, and Mrs. Kristen Mullaney.

MI-18-03 Text Amendments: Manufactured Housing and Land Lease Communities (*Dover Code of Ordinances*, Chapter 66 and *Zoning Ordinance*, Article 3, Section 8 and Article 12) – Public Hearing and Review for Recommendation to City Council on Text Amendments to the *Dover Code of Ordinances*, Chapter 66 - Manufactured Homes, Mobile Homes, and Land Lease Communities; to *Zoning Ordinance*, Article 3, Section 8- Manufactured Housing (MH) Zone; and to *Zoning Ordinance*, Article 12- Definitions. The proposed ordinance reorganizes and clarifies a portion of the updates to the Dover Code made in August 2016 through Ordinance #2016-16. The proposed ordinance also brings the updates into compliance with provisions of the *Delaware Code* related to manufactured housing and rental housing, particularly Title 25, Chapters 53, 55, 70, and 71. The updates affected include requirements for placing and licensing manufactured homes, standards for management and maintenance of land lease communities, taxation, and code enforcement. A distinction is also made between manufactured homes and permanently placed manufactured homes in the *Zoning Ordinance*.

- A copy of the Proposed Ordinance #2018-01 is available on the City's website www.cityofdover.com under the Government Heading: Ordinances, Resolutions & Tributes. <https://www.cityofdover.com/ordinances-and-resolutions>

The Legislative, Finance, and Administration Committee reviewed the proposed Text Amendments on February 13, 2018 and the First Reading before City Council occurred on February 26, 2018. The Public Hearing before the Planning Commission is set for March 19, 2018 and Public Hearing and Final Reading before City Council is on April 9, 2018.

Representative: None

Mr. Tolbert recused himself because he resides in a manufactured home.

Mr. Diaz stated that this is series of Text Amendments to the *Dover Code of Ordinances*. The majority are in Chapter 66 Manufactured Homes, Mobile Homes and Land Lease Communities. A few are also in the *Zoning Ordinance*, Article 3 Section 8 which is the Manufactured Housing Zone and the *Zoning Ordinance*, Article 12 Definitions. We last had a major update to the provisions of the Code dealing with manufactured housing back in August 2016. Following that update and some concerns raised by the manufactured housing community, they recognized the need for additional changes to better conform the Ordinance with State Law and then also to clarify the procedures for enforcing the Ordinance and finally to reorganize Chapter 66 so that it would be easier to navigate and present the information in it in a more straight forward manner. Some of the substantial changes of this Ordinance include adding provisions to let land lease community owners pass on maintenance responsibilities to tenants. There are also revised

provisions for office hours and rent receipts. In the *Zoning Ordinance*, there are provisions establishing that homes which are taxed and homes which only pay manufactured home license fees would not be permitted on the same parcel of land in order to simplify the Tax Assessor's tracking of what is taxed and what isn't.

We received a few comments from the Development Advisory Committee regarding the proposal. One is that stormwater facilities should be added to the list of private utilities a community owner would normally be responsible for. That has resulted in Staff Amendment #1 which can be found at the end of the DAC Report. The other major comment was that the Chief Building Inspector asked us to cross check the proposed changes with the upcoming proposed changes to the Building Code which is being updated from the 2009 version of the International Residential Code to the 2018 version. The 2018 version contains its own provisions for manufactured homes and they were asked to make sure that there would be no conflicts. Tonight, the proposed ordinance updates need either a positive or a negative recommendation from the Commission members. Staff will forward that recommendation to City Council for their approval or denial of the Ordinance.

Mr. Holt stated that he noticed that some of the streets going into the trailer parks need a lot of work done. Some of them have bad holes in the streets and if you are not careful you will end up losing a wheel or something. He questioned if this Ordinance will try to correct this situation in the parks? Responding to Mr. Holt, Mr. Diaz stated that where the streets are the private property of the manufactured housing community, this should create some stronger provisions for enforcing that maintenance.

Ms. Maucher questioned if there has been any input from the manufactured home community owner/operators or residents/tenants? Responding to Ms. Maucher, Mr. Diaz stated that input from the manufactured housing community owners was in large part of what led to these proposed amendments during the second round. Their concern with the original amendment that passed in 2016 was that it might contradict some aspects of State private property laws. The original Ordinance didn't contain allowances for them to by contract, assign maintenance over certain parts of their community to their tenants. For instance, the area immediately surrounding their homes and the landscaping that might be in that. That was the major concern that led to the change, but Staff believes that they have gone further than that in making the Ordinance clearer than it was before.

Dr. Jones stated that her concern would be if the homeowners had benefit of reading or hearing the changes or was the complete confidence placed in Staff and others to make the revisions? She is not uncomfortable; she just senses that there was reference to the concern from the very beginning. Responding to Dr. Jones, Mr. Diaz stated that homeowner representation was mainly led by Councilman Neil who sponsored the Ordinance.

Mr. Holden questioned if Staff could count the changes as being more or less protective of the tenants or provide us some commentary towards that end that gives them a flavor for what the changes are going to impart in the practical sense moving forward. Responding to Mr. Holden, Mr. Diaz stated that the original intent of the Ordinance updates in 2016 was definitely to be protective of the tenants by the provisions for maintenance directed at the community owners,

adding better record keeping requirements, the requirement to post office hours where an onsite representative of the owner would be required to be at the community and things like requiring the owner to provide receipts to homeowners when they made payments for rent. With this latest Ordinance update, they have rolled that back a little bit to make things a bit easier on the community owners because their feedback was that the new provisions were too strict and didn't allow them the flexibility they needed to work with the tenants to share maintenance and responsibilities.

Mr. Holden stated that he found it a little odd that in order to move a manufactured home from its current site the owner has to get a Demolition Permit. Is it just lack of another process that it would account for? He is not sure why a Demolition Permit applies there. Responding to Mr. Holden, Mr. Diaz stated that a Demolition Permit applies because although the house itself may not be disassembled or trashed, there are still things that would have to happen to the site that would potentially be considered demolition like removing the footers of the old house, disconnecting utilities, etc. It is a sort of a misnomer for naming but that is something that has not changed since before the 2016 Ordinance.

Mr. Tolbert stated that Mr. Diaz made a statement that the development owners are responsible for the streets in the communities of manufactured homes or mobile homes. Responding to Mr. Tolbert, Mr. Diaz stated that where the streets are actually on the landowner's property and where they are private street they (the landowners) need to be responsible for the streets.

Mr. Tolbert stated that why he raised that question is because the development in which he lives in, the homes are on a permanent foundation and the streets are owned by the City. The City is responsible for the streets and therefore they pay for street repair and snow removal. Responding to Mr. Tolbert, Mr. Diaz stated that Persimmon Park Place is a manufactured home community that unlike the others in the City is not also a land lease community. There is no overarching land owner who owns all of the land beneath the manufactured homes. The homes and the lots are owned by the individual homeowners and the streets in the development are owned by the City so this amendment would not apply to the streets in that particular development.

Dr. Jones stated that in the 2016 version, the land lease community owner was held responsible for all of the maintenance and she thinks that she read that the responsibility was going to be split or shared. Responding to Dr. Jones, Mr. Diaz stated that what it does is it allows the maintenance to be split or shared. It doesn't say that the land owner must do this or the tenant must do this; it says that the landowner must be responsible for all maintenance unless it is specifically designated to a tenant by a private contract.

Dr. Jones questioned if this change was initiated to be a little easier on the community owner? Responding to Dr. Jones, Mr. Diaz stated yes.

Mr. Holden stated that to the specific point that Dr. Jones was trying to make, in Section 66-4(a)v. Delegation of Maintenance Duties, that seems to allow under appropriate contract the responsibility of maintenance for roads or other to be transferred. The challenge is how do they ensure that that's a process that typically the residents of land lease communities are able to understand and proceed through. It tilts the favor back towards the land lease underlying owner

and he doesn't necessarily know that that is bad or good but it's a challenge that he thinks maybe some more discussion is needed on. Responding to Mr. Holden, Mr. Diaz stated that in terms of the City determining or learning who is responsible for what, it is something that Planning Staff is going to have to work closely with Code Enforcement Staff on who in turn will have to work closely with the community owners and residents. Currently, when routine Code Enforcement issues come up in a lot of the manufactured home parks, for instance, trash left out on the street our Code Enforcement Officers go to the homeowners first. For less routine things like potholes in the road, they will go to the community owners first. He foresees that under the new Ordinance, that will largely continue to be the case. In cases where a land owner or a community owner can furnish proof in the form of the contract in question that responsibility needs to go to a different party then our Code Enforcement Staff can be redirected accordingly.

Mr. Holden stated that other than the correspondence you have had with the owners of these types of properties have you had other entities push for that allowed delegation of maintenance? Responding to Mr. Holden, Mr. Diaz stated no.

Mr. Holden questioned if currently it is the underlying owner that is responsible? Responding to Mr. Holden, Mr. Diaz stated that under the current 2016 Ordinance, the letter of the Code holds the owner responsible but their allegation to Staff is that they could not be held responsible because the language of the Code that is currently in place would go against other laws. The allowance for the delegation of maintenance responsibilities to a different party comes from the *Delaware Code*, Title 25 Chapters 53 and 55 which is the Landlord Tenant Code. Without the addition of this particular provision, they would be going against State Law.

Mr. Holden questioned if the City Solicitor offered that opinion to Staff? Responding to Mr. Holden, Mr. Diaz stated yes, he believes so.

Mr. Holden stated that his concern is that it is easy to pass off responsibility to an HRA or a Homeowner's Association. He knows the wrangle that we have had in the State with getting Homeowner's Associations to take care of their roads and their stormwater ponds and generally it's a process that doesn't work. His concern is that the responsibility gets passed along and then allows these facilities to fall under greater disrepair. Those HOA's are much harder to get called to task to rectify a situation. He personally would love to challenge the City Solicitor to find us a path that can hold the underlying land owner, the person with the means to resolve a lot of these issues more responsible. At the end of the day, that cost likely gets flowed through to the residents but then they ensure as a City that these areas are going to be maintained and not have a negative drain on the City as a whole. He would seek from Staff a path to allow that time. How might the Planning Commission offer a pause to give that a closer look?

Ms. Maucher questioned if there was any requirement that the entity receiving responsibility has the technical expertise or the knowledge or financial ability to carry out those responsibilities? It's kind of vague in that regard and having dealt with failing wastewater systems, it can be unpleasant if they don't have the expertise. Responding to Ms. Maucher, Mr. Diaz stated that from a practical standpoint, he has a hard time foreseeing a circumstance where a land lease community owner would assign a homeowner responsibility for maintaining the whole stormwater pond behind their house. More typically, the sorts of maintenance responsibilities

that are delegated are responsibility over the lot that the house sits on maintaining that lot free of trash or maintaining grass and whatever grass and bushes might be planted around the house. Without this provision, a homeowner could theoretically plant their own landscaping around the house and instead of taking care of it themselves; they could say it was the community owners so they should maintain it.

Mr. Holden stated that there certainly seems that there should be the ability to split out maintenance on the lot which he thinks is the issue with the Landlord Tenant Code and also maintenance of the roadways and/or utilities which are ones that a single resident has no ability to impact. He thinks that we could all agree that HOA's generally are not as adept as the underlying owner at taking care of those. He doesn't know our path and he asks Staff how the Commission can put this back in Staff's laps and give them some time to do what they may do with it? Do they table this action for the evening? He personally doesn't think that putting roads and utilities in an HOA is the right path either for the residents or for the City as a whole. Responding to Mr. Holden, Mrs. Melson-Williams stated that if the Planning Commission has some concerns about a particular section they could certainly in taking their action this evening make the recommendation that certain provisions or topic areas be further addressed or evaluated by Staff to bring additional information back to the Commission. The Commission could certainly do that without making a final recommendation on the entire package. This is subject to public hearing this evening. As with all text amendments, that (notice) was published in the local newspaper so there is that opportunity as well as being posted on these various agendas and the First Reading that occurred at City Council. There is nothing in our Code that requires us to send this proposed Text Amendment to every property owner and/or tenant that it may affect. On the question about how to move forward with this package, if you have concerns about the Text Amendment and would seek additional information you could certainly defer action on it until you receive a specific list of information and it could be brought up for continued discussion at a specific future meeting of the Commission.

Mr. Tolbert stated that in his experience with HOA's they don't seem knowledgeable enough to carry out the duties that they are supposed to carry out in being responsible for the developments that they are overseeing.

Dr. Jones stated that as we possibly defer action she would suggest that there are a couple of other things, in her opinion, that need to be tightened. She is not trying to make things difficult for the community owners. On Page 5 Office Hours (line 185), in her mind this doesn't really give a feeling of assurance to the tenants that there are going to be regular fixed office hours. Maybe she is adding a little bit too much to this and she doesn't want to nit-pick but if this is what people have to live by then we want to make very certain that there is not a lot left for interpretation. In Section 66-4(b)ii Receipt for Lot Payment (line 194), has this not been the case in the past? Responding to Dr. Jones, Mr. Diaz stated that there have been comments from various homeowners that they do not receive receipts for payment of rent so that was one of the things desired in the original 2016 Ordinance that is still here.

Ms. Maucher questioned if the additions comport with the Landlord Tenant Code? Responding to Ms. Maucher, Mr. Diaz stated that the Landlord Tenant Code does include provisions for the provision of receipts. The feedback received on that was that those provisions don't go far

enough so we were asked to make our provisions for rent receipts more strict.

Mr. Tolbert opened a public hearing.

Mr. Michael Morton – First State Manufactured Housing Association

Mr. Morton stated that he is the President of First State Manufactured Housing Association and he also represents many of the community owners in the State of Delaware. He brought with him comments that he would like included in the record (*a copy was provided to the Commission*). He can represent to the Commission as an attorney who has been practicing in Delaware for over 35 years that the parts of Mr. Diaz's presentation that he heard were inconsistent with the law. This proposed Ordinance is a revision of changes that were passed roughly 18 months ago. They were stayed by agreement with the City Executive so that interest holders like himself and his clients could participate in the redrafting. They were told that they would be actively engaged in redrafting and the first notice that we got of a redraft was roughly 10 days ago that it was completed and would be heard this evening. This is quite a surprise to those of us who appeared at a prior time when the first version of this was heard. They have considerable concerns on the concept of pre-emption. He brought with him a case from the Supreme Court of Delaware that says these matters are pre-empted by State Law. That the efforts of the Dover City Council and the Planning Commission; however noble, conflict directly with the expressed provisions in the Manufactured Housing Act and are therefore unenforceable. He has gone through every single line of this Ordinance and he has highlighted roughly twenty-five specific examples where it conflicts with the Manufactured Housing Code. That is why this was stayed by agreement so that they could go through those to discuss them with the Solicitor. The Solicitor is well aware of their concerns about the constitutionality of this Ordinance and the enforceability of the Ordinance. Since he is handing out copies he will not go through every single thing. He will simply point out two very specific things and then a number of examples. The applicable Manufactured Housing Code Section 7001 very specifically says that in reference to the relationship between a landlord and a resident in a manufactured housing community, this Code regulates and determines that legal rights, remedies and obligations of all parties to a rental agreement wherever executed for a lot, a manufactured home and a manufactured home community within the State. The second provision that is in difficulty with this is the State Installation Code. It is very specific that it is the only Code governing installations of manufactured homes. The reason that he points out both of these is that multiple sections of this proposed Ordinance conflict directly with that. The Supreme Court in *Cantina vs. Montana* back in 2005 referring back to a case in 1965 had made it absolutely clear that the prerogative on issues of this nature belong to the House and the Senate not to local entities like cities and counties. The purpose statement for this Ordinance itself clearly conflicts both with the purpose statement of the State Code and with the specific elements. Your purpose statement says that "this subchapter applies to rental agreements for manufactured home lots and regulates and determines legal rights and remedies." It also references obligations for communications and other specific issues on maintenance and the like. All of these are specifically referenced in the State Code under the concept of pre-emption that determines the scope of those. This body is not authorized, empowered or cannot enforce an Ordinance that tramples on the specific language of the Manufactured Housing Code. The Manufactured Housing Code also says that sole enforcement rights of those rights and responsibilities lies with the Attorney General's Office. From the beginning to the end, we have great concerns about this. He has written portions in his

comments by line with specific references to the fact that even the definitions that the City has proposed to use conflict with the long term well recognized definitions in the Manufactured Housing Code. The Manufactured Housing Code which he calls in this response, sets forth extensively the maintenance requirements of land community owners such as Wild Meadows within the City of Dover. It sets forth the responsibilities and the obligations and it also sets forth the remedies for landlords and tenants in this relationship. They are extensive provisions and they distinctly define the rights and responsibilities of each party. Under the concept of pre-emption, you as a City cannot enlarge, decrease or impact of State stated rights and responsibilities however laudable your concerns might be. In the section of this proposed Ordinance, it references maintenance responsibilities. Starting with trees, there is specific contrary language in the State Code that says it does not include any responsibility to do some of the things that the City would define as being a responsibility of the community owner. Section 7006.13 of the Manufactured Housing Code very specifically references trees and that language is contrary to the language that the City is proposing. Section 7006.13L defines what a tree is and the definition is different. Section 7003.24 defines what a utility is and again it conflicts with the language contained in this proposed Ordinance. Section 66-3 of this proposed Ordinance conflicts entirely with the pre-empted language of Title 24 *Delaware Code* Chapter 44 which is the State Manufactured Installation Code. The reason he points that out is that even the inspectors for the City must be licensed and be certified by the State Installation Board. Even the standards are clearly State issued and State controlled that the City's inspectors use to determine if an installation has been done properly. Therefore, the City cannot on their own determine what they think is acceptable or what should be added to the State Code. As he stated earlier, this has multiple difficulties. He would respectfully suggest that this body do what he was promised before by the Director before the current Director came into office, which is table it so that they can have a meaningful discussion as stakeholders on the conflicts so that you don't spend unnecessary time proposing language and attempting to put it in place that will result inevitably in Court conflict. The final comment is regarding the licensing provision for the manufactured housing community he and his clients found in Subsection E – Provisional Order. This section proposes that an unresolved violation issued conceivably by the City as an instant ticket could be deemed to be a nuisance without any definition of what a nuisance is. The license that you are required to have to run the community could be revoked or impacted with no meaningful explanation in the body of this Ordinance as to the need for, the requirement of or the desire to have a deprivation hearing or due process for the community owner when they have been alleged to have had a violation. The definition itself under the provision for provisional orders conflicts directly word for word with the existing State Code. There is absolutely no reason for this to be in conflict. It's contrary to the exclusive authority of the State for enforcement of this type of item and it leads to the impractical result of a community potentially having no license and not being able to operate as a community when they still have several hundred residents there.

They checked every couple of months with the City Executive asking where this stood and the City Executive kept saying "we will get back to you." When Mr. Hugg started working for the City, they checked with him every couple of months, specifically referencing the fact that they had a standstill agreement. No one ever denied that they had a standstill agreement and yet no one ever gave them an opportunity to give the feedback that they are giving tonight which would have been incredibly helpful in a drafting of an Ordinance within the confines of the concept of pre-emption.

Mr. Holden stated that Mr. Morton mentioned some Dover communities that would be impacted by this that he represents. Who are those communities? Responding to Mr. Holden, Mr. Morton stated that he represents Wild Meadows which is an RHP community. It changed ownership a couple of months ago. They are one of the five largest ownership groups in the Country. He has a tentative agreement to represent two of the other three owners, but it's not signed so he can't fully disclose who they are right now. It's certainly a concern both for those owners and for the association which represents all owners within the State of Delaware that this has to be consistent. The reason for pre-emption is so that you don't have vastly different rules and regulations in each community. As you can imagine, his view of the hourly requirements for a manager to be present is considerably different than one that was voiced earlier tonight by one of the other members because there is nothing in the State Code that requires that. He respectfully suggests that he doesn't see any other business where the City requires x number of hours for somebody who represents that business to be present and open and available for questions. Certainly, there is no such requirement for apartment complexes at the State level and they have exactly the same issue of pre-emption with residential apartments.

Mr. Holden stated that City Council held a First Reading of this Ordinance. He asked if Mr. Morton was able to be present for that? Responding to Mr. Holden, Mr. Morton stated that he wasn't even aware that it was going on because they had been told that they would be given notice before there was even a draft. The first notice that they received was received in his office on March 1, 2018 from Mr. Hugg indicating that it has already been drafted and that it has already had a First Reading. He doesn't think that it is fair or equitable to keep telling them that they are going to participate and then not let them participate in the meaningful discussion about the language.

Mr. Holden stated that they (the Planning Commission) had a fair amount of discussion over the concern over maintenance of common areas and the roadways really being the specific one. He asked if Mr. Morton had any commentary regarding that. Responding to Mr. Holden, Mr. Morton stated that the Code (Delaware Code) has specific language in the section that he cited that extensively details what the community owner's responsibilities are including roads which means that it's been addressed by the Code. If you follow the logic of his comments, it would mean that that's what you have. You can't, and he means this in the most respectful way possible, try and impose some additional obligations. That is was pre-emption means.

Mr. Tolbert asked Mr. Morton to state the name of his organization and what his organization does in respect to this type of housing. Responding to Mr. Tolbert, Mr. Morton stated that we are the exclusive industry group for manufactured housing communities in the State of Delaware. It's called First State Manufactured Housing Association. It was founded in 1995 and has represented the communities, retailers, vendors and installers in this industry since that time. They participated in the drafting of the statewide Installation Code. It was approved by the legislature and became part of the regulations. They participated in the drafting of the Manufactured Housing Code. He drafted significant portions of that. He was also a chairperson of the committee that drafted the Residential Landlord Tenant Code. This is not a new era for him; it's an era of specialty for his firm and for him personally. His has absolutely no reservations about the accuracy of his concerns about pre-emption.

Mr. Tolbert stated that Mr. Morton mentioned Wild Meadows and his understanding is that Wild Meadows is a land lease development. The development next door to it is a mobile home development where the homes are permanent, but it's not land lease. Noble's Pond is also a land lease operation. Responding to Mr. Tolbert, Mr. Morton stated that Noble's Pond is not a manufactured housing community. The State Relocation Trust Authority has already decided that Noble's Pond is not a manufactured housing community.

Mr. Tolbert stated that Wild Meadows has asked the State to put a cap on the lease payments that they can pay and he thinks that the State refused to do that and they have had their hands full with that battle. Responding to Mr. Tolbert, Mr. Morton stated that one of the City Councilman is a long-term member of the community at Wild Meadows and has been an advocate for their issues in the legislature for many years. He would probably tell you that he was solely or significantly responsible for the imposition of rent justification in manufactured housing communities. There has been no State imposed limitation on the rent at Wild Meadows and we are half way through the required arbitration procedure for this year's rent with the homeowner's association for Wild Meadows tenants. They have had multiple ones of those and they have been quite successful in the court on those issues.

Dr. Jones stated that Mr. Morton referenced a case. Is it in the information that was provided? Responding to Dr. Jones, Mr. Morton stated that it is attached to the master copy and is specifically referenced and cited in the case. It is also a case that the City Solicitor is well aware of and has been since before this first version was passed eighteen months ago.

Ms. Maucher questioned if there are other stakeholders that should be informed of this process aside from your association such as representing particularly tenants in these types of communities? Responding to Ms. Maucher, Mr. Morton stated that he is fairly certain that Councilman Neil has notified all tenant advocacy groups of this pending Ordinance. He can tell you that the board of the First State Manufactured Housing Association is aware and all four owners of the communities located within the City limits are aware of it. The Association itself is considering the possibility of funding any litigation if we can't have something worked out that will benefit everyone. They want to be at the table to discuss this. That is what they thought the deal was from the very beginning.

Mr. Tolbert closed the public hearing.

Mr. Holden stated that he thinks they had landed at some concerns that they aren't quite able to address without the City Solicitor's input to understand the legality of the path forward and the legality of trying to assure that their concerns will be addressed. Further, they are faced with a legal opinion shared that contravenes what the Ordinance is trying to get done. It seems like tabling the Ordinance to allow Staff and the City Solicitor time to give these comments some thought and address them. It seems like a reasonable path forward.

Ms. Maucher moved to table MI-18-03 Text Amendments: Manufactured Housing and Land Lease Communities (Dover Code of Ordinances, Chapter 66 and Zoning Ordinance, Article 3, Section 8 and Article 12) in order to meet with the interested parties and the City Solicitor to ensure that it complies with the State Law and it's not over reaching, seconded by Mr. Holt and

the motion was carried 8-0 by roll call vote with Mr. Tolbert recused. Mr. Holden voting yes; due to the large number of outstanding questions. Mr. Roach voting yes. Ms. Edwards voting yes; for the reasons previously stated. Mr. Holt voting yes; to try to address all of our concerns before we tackle this problem again. Mr. Baldwin voting yes; for all of the reasons stated. Dr. Jones voting yes; for all of the reasons stated and to make sure that we are in compliance. Mrs. Welsh voting yes; due to all of the outstanding issues and in order to ensure that the issues are addressed before the application is brought back to the Planning Commission. Ms. Maucher voting yes; to ensure that there is sufficient input into the City Ordinance.

• Handout from
Public Testimony at
Planning Commission
Meeting 3/19/2018

To: Dover Planning Commission

Date: March 19, 2018

RE: Proposed ordinance #2018-01

Chapter 66-Manufactured Homes, Mobile Homes and Land Lease Communities

Including Appendix B-Zoning, Article 3, District Regulations, Section 8 Manufactured Housing.

From: Michael P. Morton, President of First State Manufactured Housing Association and Counsel to Wild Meadows MHC, LLC the owner of Wild Meadows.

This proposed ordinance, #2018-01 is a revision to the changes adopted, roughly 18 months ago, but stayed by an agreement between the then City Director, to allow the Community owners, as stakeholders, to have an opportunity to participate in the redrafting of the ordinance to ensure that it would not conflict with the preemptive language of Title 25, Chapter 70 which is known as Manufactured Homes and Manufactured Home Communities, Subchapter 1. Manufactured Home Owners and Community Owner Act. (Hereinafter "the Manufactured Home Act") City Council members and this Planning Commission must also consider if the proposed language conflicts with the preemptive language of the Statewide Manufactured Home Installation Code (hereinafter the Installation Code") which is found at Title 24, Chapter 44.

Note: The community owners were in fact never given the opportunity to participate in the redrafting of the ordinance and as a result, many of the conflicts with state law, and with the legal premise of preemption have not been addressed by the revisions now before the Planning Commission.

The relevant provisions of the Statewide Manufactured Home Act are found at:

25 Del. C. §7001 *et seq.* In terms of relative importance the very first section of the Code clearly states that the Manufactured Home Act shall control all areas of responsibility on the part of residents, and community owners and reads in relevant part:

§ 7001 Purposes and policies; enforceability.

(b) This subchapter applies to all rental agreements for manufactured home lots and regulates and **determines the legal rights, remedies and obligations of all parties to a rental agreement, wherever executed, for a lot for a manufactured home in a manufactured home community within this State.** A provision of a rental agreement which conflicts with a provision of this subchapter and is not expressly authorized herein is unenforceable. The unenforceability of a provision does not affect the enforceability of other provisions of a rental agreement which can be given effect without the unenforceable provision. **(Emphasis added)**

The relevant provisions of the Statewide Manufactured Home Installation Code are found at:

24 Del. C. §4401 *et seq.* This section of the code at §4402 Scope reads in relevant part:

This chapter **governs the installation of manufactured homes wherever situated in the State of Delaware**, and shall apply to single section, multiple section or expandable homes for use as a permanent dwelling. **(Emphasis added)**

ANALYSIS OF THE ORDINANCE

The concept of State preemption is clearly detailed in the Delaware Supreme Court case of *Cantinea vs. Fontana*, which was decided October 5, 2005. In that case the Supreme Court ruled that “the State and its political subdivisions are permitted to enact similar provisions and regulations, so long as the two regulations do not conflict”. But “where a conflict exists between a state statute and a municipal ordinance, *the Statute must always prevail*” “The predominant test for conflict in a preemption analysis is whether the State statute was intended to be exclusive.” *Poynter v. Walling*, 54 Del. 40, 177 A2d 641 (Del. Super. Ct. 1962). Both the Manufactured Home Act and the Installation Code by the language contained therein make it clear that the legislature intended to expressly make the state statute exclusive of any regulation of the same subject matter by a political subdivision.

I will now go through the proposed ordinance to see how it conflicts with the preemptive language of these two operative statewide code sections.

Section 66-1 Purpose Statement. This is new language, show in the proposal as blue. At lines 21-23 the proposed ordinance conflicts with the manufactured home act in that it states as a purpose that it is designed to clarify areas of “responsibility on the part of residents, (community) owners with regard to maintenance, communications...” As clearly described in the text of §7001 “This subchapter applies to all rental agreements for manufactured home lots and regulates and **determines the legal rights, remedies and obligations of all parties to a rental agreement, wherever executed, for a lot for a manufactured home in a manufactured home community within this State.**” Under preemption a city cannot overwrite or contravene the language of the State Code.

Even a cursory review of the Manufactured Home Act shows that it spends significant language and attention to setting forth the rights of all the parties to a rental agreement as well as defining and describing the methods of communication that will be required and it provides remedies for each party if they allege their rights have been violated.

The Act establishes what Courts have jurisdiction over “any action or proceeding **for the enforcement of an obligation or right arising under this subchapter**” **See** § 7002.

It defines in §7003 all of the relevant definitions for the Act, some of which conflict with the definitions under the proposed ordinance. Line 46-47 of the ordinance conflict with the State definition. The definitions of Manufactured Home and Mobile Home, on lines 49-57 both conflict with the definitions found in §7003. All such conflict could be resolved by simply incorporating the definitions contained in the Act.

The Act sets forth extensively what provisions must be in a rental agreement as well as what provisions may not be in a rental agreement in §7006. It sets forth the **obligations/responsibilities** of the tenant in ¶ 14. It sets forth the **obligations/responsibilities** of the landlord in ¶ 13. In so doing it sets forth 12 separate paragraphs of items for which the landlord is responsible. These state statutory provisions extensively and succinctly define the obligation/responsibilities of each party. Since this section of the Manufactured Home Act, clearly establishes what those responsibilities are the ordinance in question simply cannot add or subtract to those responsibilities between the parties without violating the preemption by the Statewide Act. Section 66-4 which has purports to establish maintenance obligations

for community owners, has multiple conflicts with §7006 (13) including attempting to change the responsibility for trees, which is contrary to the language of §7006(13) (l), which only requires trees as defined by the act to be maintained. It also conflicts with §7006(13) (i) which specifies community owners responsibility for roads. In addition it conflicts with both §7006(13) (f) and §7008... Utility rates, for how utilities are to be handled. The definition contained in the ordinance for what a utility is defined to be also conflicts with the definition found in §7003 (24).

Section 66-3. This section in its entirety conflicts with the preemptive language of the title 24 Del. C. Chapter 44, the State Manufactured Home Installation code. The State code even requires the city inspectors to be trained by the state and do inspections consistent with the State Code and regulations.

Section 66-4 Paragraph v. Delegation of maintenance duties, should contain language like the residential landlord tenant code that says “In the event of any conflict between the requirements of this ordinance and the State Manufactured Home Owners and Community Owners Act, the language of the State act shall control. The current language does not define what an appropriate legal contract is meant to mean. If the drafter was trying to reference rental agreements, then the ordinance should say exactly that. If the drafter was trying to refer to property management contracts then that should be referenced.

66-4 (b). While this section is described as reporting, record-keeping, and license requirements, in actuality it contains multiple community obligations that conflict with the Act, under the guise of those categories.

Sub-Paragraph i. requires the community operator to be on site during fixed office hours. I challenge the counsel to tell me what other businesses have minimum hours. There is absolutely no such requirement in the Act and an ordinance simply cannot impose such a costly obligation in contravention of the terms of the contracts between the parties.

Sub-paragraph ii. Requires the community owner to provide a written receipt for lot payment either made in cash or by other methods. These obligations are in conflict with §7015A which does not contain any reference to receipts for these type of payments.

Sub-paragraph iii. This section attempts to create an obligation to produce for review private contracts between parties for review by the city planner. §7006 (a) clearly sets forth what must be contained in a rental agreement in writing for production to the tenant. Nothing in the Act authorizes a community owner to make private contracts available for review by a local government. The names of occupants of manufactured homes cannot be compelled to be disclosed by the community owner. This provision completely destroys the tenant’s right to privacy.

Sec. 66-6 enforcement and penalties. Subparagraph (b) lines 281-287, is completely unenforceable given its conflict with the very specific maintenance responsibilities set forth in the Act. In addition, the language of lines 289-292 is flawed for the same reasons previously set forth in reference to lines 172-178. Those reasons are incorporated herein by reference. Without reference to the preemptive power of the State Act, this section is flawed.

Sub-paragraph (c) (i) (ii) and (iii) the same arguments raised above in reference to record keeping apply to any efforts at enforcement of those requirements. They conflict with the Act and are not therefore enforceable.

Sub-paragraph (e) provisional order. This section is the most disturbing section of the proposed ordinance. The undefined, unresolved violation, which allegedly constitute a nuisance, without any definition of a nuisance. The penalty would be the possible suspension of the license to operate a

community containing hundreds of residents, who could then no longer legally live in the community since it does not have a license. There is no clear explanation of whether there would be a deprivation hearing held with due process for the community owner, or whether instant tickets could qualify.

In addition, it conflicts with the State act that gives exclusive authority for enforcement of the obligations and responsibilities of community owners under the act to the Consumer Protection unit of the Attorney General's office, SEE §7025.

Cantinca v. Fontana

Supreme Court of Delaware

September 14, 2005, Submitted ; October 5, 2005, Decided

No. 209,2005

Reporter

884 A.2d 468 *; 2005 Del. LEXIS 385 **

VICTORIA NAVA CANTINCA, OSCAR GONZALES, husband and wife, and FERNANDO LADRILLERO FLORES, Plaintiffs Below, Appellants, v. GENNARINO FONTANA, Defendant Below, Appellee.

Prior History: **[**1]** Court Below: Superior Court of the State of Delaware in and for New Castle County. C. A. No. 04C-03-220.

Disposition: REVERSED.

Counsel: Timothy E. Lengkeek, Esquire, of Young Conaway Stargatt & Taylor, Wilmington, Delaware, for Appellants.

Robert K. Pearce and Thomas R. Riggs, Esquires, of Ferry, Joseph & Pearce, P.A., Wilmington, Delaware, for Appellee.

Judges: Before STEELE, Chief Justice, BERGER and JACOBS, Justices.

Opinion by: JACOBS

Opinion

[*469] JACOBS, Justice:

The plaintiffs-below appellants, Victoria Nava Cantinca, Oscar Gonzales and

Fernando Ladrillero Flores, appeal from an order of the Superior Court granting defendant's motion for summary judgment and dismissing this action. The sole issue, which is one of statutory interpretation and of first impression, is whether in a civil action for negligence, 16 *Del. C.* § 6636 bars evidence of conduct that is claimed to constitute a violation of a county ordinance and, as a consequence, negligence *per se*. In a bench ruling, the Superior Court held that Section 6636 barred **[**2]** all evidence relating to a landlord-owner's failure to install and maintain smoke detectors, including evidence that such conduct **[*470]** violated the New Castle County Code. Without such evidence, the plaintiffs could not establish a *prima facie* case. The plaintiffs appealed the grant of summary judgment. Because we conclude that summary judgment was erroneously granted to the defendant, we reverse.

Facts

On April 8, 2002, the plaintiffs were seriously injured after being forced to jump out of a second story window to escape a fire in their apartment building that was owned by the defendant-below appellee, Gennarino Fontana. Besides losing all their

personal property in the fire, plaintiffs Cantinca and Gonzales were forced to drop their infant daughter from a second floor window into the arms of onlookers below.

The fire broke out in the basement/common area of the building where the defendant admittedly failed to install a smoke detector. The fire spread to the upper levels where two residential apartments were located. The smoke detector on the first floor activated, alerting the first floor residents, but the second floor alarm did not. The defendant admitted that neither [**3] he nor his son, who assisted him in maintaining the property, had ever changed the batteries in any of the smoke detectors installed in the building.

The plaintiffs filed a Superior Court action against defendant Fontana, alleging negligence and grossly and wantonly reckless conduct, including: (1) failure to install and maintain smoke detectors on any level of the apartment building; (2) failure to install and maintain fire prevention materials; (3) failure to adequately maintain the common area of the building (thereby allowing household items and debris to accumulate near the heating units); and (4) failure to provide adequate security (especially in the lower level common area to prevent intruders). In support of their case, the plaintiffs offered expert testimony that the property contained defective, insufficient and inactive fire alarm devices, and that the defendant had failed to install and maintain smoke detectors-all of which conduct, the expert opined, violated New Castle County Ordinance 16.02.001.

The Superior Court Ruling

After hearing oral argument on the motion for summary judgment, the Superior Court ruled from the bench in favor of Fontana. The trial [**4] court correctly noted that there were no material issues of fact and that the issue was purely one of law, namely the proper construction of 16 *Del. C.* § 6636 and its application to New Castle County Ordinance 16.02.001.¹

The Superior Court held that "the plain meaning of 6636 was intended [*sic*] by the General Assembly to exclude evidence of any violation of smoke detectors laws set forth in Chapter 66 either as evidence coming in or as a standard of care,"² and also determined that Section 6636 preempted the New Castle County Ordinance that was allegedly violated by the defendant's conduct. The Superior Court found that Section 6636 was intended to bar *any* evidence of failure to install or maintain smoke detectors in *any* civil action, even if such failure violated the New Castle County Code, because "to allow individual counties or individual municipalities to set their own standards of care and their own criteria of admissibility [**5] . . . would eviscerate the ends of the General Assembly in prohibiting 'in civil suits' smoke detector non-compliance as evidence substantially or establishing a [*471] standard of care."³ To rule otherwise, the trial court explained

¹ Tr. of Summ. J. Mot. at 21-30.

² *Id.* at 23.

³ *Id.* at 25.

". . . would be allowing in the back door [what] the General Assembly sought to prohibit by section 6636. . . . The Court will not allow that." ⁴

Analysis

This Court reviews a grant of summary judgment *de novo*. ⁵ The inquiry is two-fold: "whether the record shows that there is no genuine, material issue of fact and [whether] the moving party is entitled to judgment as a matter of law." ⁶

[**6] Under the Superior Court's interpretation of Section 6636, plaintiffs would have no provable claim. They would be barred from presenting a negligence *per se* claim predicated on a violation of the New Castle County Code. They would also be barred from introducing evidence of the defendant's failure to install or maintain smoke detectors to support a claim based on common law negligence.

The plaintiffs contend that the Superior Court reversibly erred by interpreting Section 6636 to have so broad a preclusive effect. The plaintiffs argue that: (1) the explicit language of Section 6636 makes it plain that the statute operates only to exclude evidence of a landlord or property owner's failure to comply with the provisions of Subchapter II of Title 16, Chapter 66, and (2) nothing in Subchapter II

⁴ *Id.* at 27-28.

⁵ *Williams v. Geier*, 671 A.2d 1368, 1375 (Del. 1996).

⁶ *Id.* (quoting *Arnold v. Society for Sav. Bancorp.*, 650 A.2d 1270, 1276 (Del. 1994)).

supports a legislative intent to preempt the New Castle County Code provisions that govern smoke detectors, or that otherwise apply to negligence *per se* claims.

The Plain Meaning of Section 6636

16 *Del. C.* § 6636 provides:

*Failure to comply with this subchapter shall not be considered as evidence of either comparative or contributory [**7] negligence in any civil suitor insurance claim adjudication arising out of any injury or death arising from a fire or the direct consequences of a fire; nor shall failure to comply with this subchapter be admissible as evidence in any trial of any civil action or insurance claim adjudication.*

(italics added). "This subchapter" refers to Subchapter II, which regulates the installation and maintenance of smoke detectors, confers upon the State Fire Marshal enforcement power, and establishes the jurisdiction of the Justice of the Peace Court over subchapter violations. ⁷

This Court has held that in construing a statute, the plain meaning of the statutory language controls. ⁸ [**8] "In particular, 'the courts may not engraft upon a statute language which has been clearly excluded therefrom by the Legislature.'" ⁹ It is within

⁷ 16 *Del. C.* § 6631, *et. seq.*

⁸ *State Farm Mut. Auto. Ins. Co. v. Mundorf*, 659 A.2d 215, 220 (Del. 1995).

⁹ *Id.* See also *Eliason v. Englehart*, 733 A.2d 944, 946 (Del. 1999) ("If a statute is unambiguous, there is no need for judicial interpretation, and the plain meaning of the statutory language

this framework that the Court must construe the statutory text.¹⁰

[*472] Each side argues that the plain meaning of the statute supports its position. The plaintiffs emphasize the clause "under this subchapter," as establishing the legislative intent that only violations of "this subchapter" may be barred as evidence of negligence or contributory negligence. To buttress their position, the plaintiffs point to other provisions of the Delaware Code where the General Assembly has explicitly declared specific underlying conduct to be inadmissible in a civil action. For example, failure to wear a seat belt,¹¹ failure to wear a child passenger restraint system,¹² and failure to wear a bicycle helmet¹³ are made inadmissible, by statute, [*9] as evidence of negligence in a civil suit. The statutes that so provide bar not only evidence that specific conduct constitutes a violation of the statute, but also evidence of the specific underlying conduct itself. The plaintiffs contend that because the General Assembly did not use similar language prohibiting evidence of the underlying conduct in 16 *Del. C.* § 6636, the statutory intent was to exclude only evidence that the underlying

controls.").

¹⁰ Neither party in this case, nor the Superior Court, was able to locate any legislative history regarding the General Assembly's intent in enacting 16 *Del. C.* § 6636.

¹¹ 21 *Del. C.* § 4802(i) (2004) ("Failure to wear or use an occupant protection system shall not be considered as evidence. . .").

¹² 21 *Del. C.* § 4803(d) (2004) ("A violation of this section shall not be considered as evidence

. . . nor shall failure to wear a child passenger restraint system. . .").

¹³ 21 *Del. C.* § 4198K(e) (2004) ("Failure to wear a bicycle helmet as herein described shall not be considered evidence. . .").

conduct amounts to a violation of one or more of the provisions found in Subchapter II of Title 16, as distinguished from evidence of the underlying conduct itself.

[**10] The defendant argues that the statutory language, a "failure to comply with this subchapter," must be read to exclude evidence of both a violation of the subchapter, and of the underlying conduct constituting the violation. Otherwise, the defendant urges, the "very same conduct which is inadmissible under the state code would be admissible under a county code. This would lead to a patchwork of inconsistent results, and obviously was not what the General Assembly intended."¹⁴

The difficulty with this argument, and with the Superior Court's holding, is that they do not give effect to the statute's clear language. The plain meaning of Section 6636 is that a violation of "this subchapter" cannot serve as a basis for a negligence claim.¹⁵ To interpret Section 6636 as the Superior Court did, would overly broaden its reach, and would read the statute as if it mandated that: "failure to comply with the provisions of this subchapter, *and the ordinances of any county* [*11] *or subdivision of this State*, shall not be considered as evidence." That (italicized) meaning simply does not appear, expressly or by implication, anywhere within the statute's four corners. By its own terms,

¹⁴ Appellee's Am. Answering Brief at 6.

¹⁵ See *Norfleet v. Mid-Atlantic Realty Co.*, Civ. A. No. 95C-11-008, 2001 Del. Super. LEXIS 357, 2001 WL 695547, at *2 (Del. Super. Ct. Apr. 20, 2001) (holding that a plaintiff could not base a claim on a violation of 16 *Del. C.* § 6634 because of the exclusionary provision in Section 6636, which is clear from the text of the statute).

Section 6636 expressly bars only the introduction of evidence in a civil action that a party's conduct constituted a violation of Subchapter II. It does not expressly bar evidence of the underlying conduct, or evidence that such conduct constitutes a violation of a legal provision, ordinance or other regulation that is not found in Subchapter II.¹⁶

[12] Preemption of the County Code**

[*473] The Superior Court also held that Section 6636 preempts the counterpart New Castle County Code provision,¹⁷ because Section 6636 (a state statute) and the counterpart County Code provision conflict. Those provisions conflict, the trial court ruled, because the County Code permits the admission of smoke detector violation evidence but Section 6636 precludes it. That ruling, the plaintiffs urge, is erroneous, because the Delaware Constitution authorizes New Castle County to adopt ordinances, laws or rules regulating buildings and other structures, and unless the state statute on its face purports to be

¹⁶

The plaintiffs cite two cases to support their position that Section 6636 should preclude evidence of only a violation of "this subchapter" while allowing evidence of the underlying conduct: *Reed v. Phillips*, 192 W. Va. 392, 452 S.E.2d 708 (W.Va. 1994) and *Dixon v. Stewart*, 658 P.2d 591 (Utah 1982). In both cases, the statutory language specifically prohibited evidence of "a violation of this section" (*Reed*, 452 S.E.2d at 395) and "the record of conviction" (*Dixon*, 658 P.2d at 599). Both courts excluded only the record of violation or conviction, but held that evidence of the underlying conduct remained admissible to prove fault.

¹⁷New Castle County Code § 16.02.001(1998) (articulating the requisite location, audibility and maintenance of smoke detectors in a residential building).

exclusive or the substance of the state and county regulatory provisions is inconsistent, there is no conflict that justifies preemption.

In Delaware, the State and its political subdivisions are permitted [****13**] to enact similar provisions and regulations, so long as the two regulations do not conflict.¹⁸ But "where [a] conflict exists between a state statute and a municipal ordinance, the statute must always prevail."¹⁹ [****14**] The predominant test for conflict in a preemption analysis is whether the state statute was intended to be exclusive.²⁰

Legislative intent to make a state statute exclusive of any regulation of the same subject matter by a political subdivision may be express or implied.²¹ [****15**] Express exclusivity intent exists where the statutory text or legislative history explicitly

¹⁸

Poynter v. Walling, 54 Del. 409, 177 A.2d 641, 646, 4 Storey 409 (Del. Super. Ct. 1962). See *Firemen's Ins. Co. of Washington, D.C. v. Washington*, 157 U.S. App. D.C. 320, 483 F.2d 1323, 1328 (D.C. Cir. 1973) ("Statutory and local regulation may coexist in identical are as although the latter, not inconsistently with the former, exacts additional requirements, or imposes additional penalties."). "The test of concurrent authority . . . is the absence of conflict with the legislative will." *Id.* See also *City of Des Moines v. Reiter*, 251 Iowa 1206, 102 N.W.2d 363, 365-66 (Iowa 1960); *Miller v. Fabius Tp. Bd., St. Joseph County*, 366 Mich. 250, 114 N.W.2d 205, 208 (Mich. 1962).

¹⁹*State v. Putnam*, 552 A.2d 1247, 1249 (Del. Super. Ct. 1998).

²⁰

Poynter, 177 A.2d at 646. See 56 AM. JUR. 2d *Municipal Corporations, Etc.* § 329 (2005).

²¹See *Fogle v. H & G Restaurant, Inc.*, 337 Md. 441, 654 A.2d 449, 460 (Md. 1995) ("A state law may preempt a local law or regulation in one of three ways: 1) by conflict, 2) expressly, or 3) by implication."). The Court of Appeals of Maryland defined implied preemption as "when the legislature . . . so forcibly expresses its intent to occupy a specific field of regulation that the acceptance of the doctrine of pre-emption by implication is compelled." *Id.*

provides or demonstrates that the state statute is intended to replace or prevail over any pre-existing laws or ordinances that govern the same subject matter.²² Implied exclusivity intent may be found where the two regulations are inconsistent; for example, where a state statute prohibits an act that is permitted by a local ordinance.²³ To be inconsistent by implication [*474], however, the local ordinance must hinder the objectives of the state statute.²⁴

No exclusivity intent, express or implied, can be found in Section 6636. No express language in that statute suggests that the General Assembly intended that provision to be the exclusive vehicle for regulating smoke detectors. To the contrary, Section 6633(b), which governs the installation of smoke detectors, provides that: "where [**16] there is a conflict between installation requirements, this section shall be interpreted to require the more strict of the installation specifications for a particular occupancy."²⁵ Although Section 6633(b) addresses a conflict between the State Fire Prevention Regulations and local building codes, it signals that the General Assembly

²² See, e.g., *Goodell v. Humboldt County*, 575 N.W.2d 486, 493 (Iowa 1988).

²³ See *Hayward v. Gaston*, 542 A.2d 760, 767 (Del. 1988) (holding that the Kent County Zoning Ordinance was not preempted by Chapter 90 of the Delaware Code because they were not inconsistent). See also *Goodell*, 575 N.W.2d at 493 ("Implied preemption may also occur when the legislature has 'covered a subject by statutes in such a manner as to demonstrate a legislative intention that the field is preempted by state law.'").

²⁴ *Hayward*, 542 A.2d at 767 (The two sets of regulations were not inconsistent because the county zoning authority in no way hindered the objectives of Chapter 90.).

²⁵ 16 Del. C. § 6633(b).

did not intend for the statute to be the exclusive body of law regulating smoke detectors. Thus, unless there is an implied intent that the state statute be exclusive, there is no preemption. The Court next addresses that inquiry.

The New Castle County Code and Section 6636 are not implicitly inconsistent. Although both provisions regulate the placement and maintenance of smoke detectors in rental apartments, concurrent regulation of the same subject matter, without more, does not create a preemption justifying conflict.²⁶ To be inconsistent, the county ordinance must hinder the objectives of the state statute. [**17]²⁷

The trial court found the two provisions to be inconsistent, because Section 6636 precluded the admission of evidence of noncompliance with smoke detector regulations while the County Code permitted it. The flaw in the trial court's reasoning stems from its overbroad reading of the statute.

As we have held, Section 6636 does not preclude the admission of all evidence of noncompliance with smoke detector regulations. Rather, it bars only evidence that the defendant's conduct constitutes a violation of Subchapter II. The County Code does not hinder the objectives of Section 6636, because its regulatory commands do not derive from, nor are they part of, Subchapter II. Persuasive evidence that Section 6636 is not inconsistent with

²⁶ *Poynter*, 177 A.2d at 646

²⁷ *Hayward*, 542 A.2d at 767.

the County ordinances by implication is that Section 6633(b) explicitly defers to the stricter regulation in the event of a conflict between installation requirements. The [**18] conflicts clause of the counterpart County Code provision similarly states that "in a conflict between this Section and any other applicable State or County statute, ordinance or regulation, the more restrictive provisions shall prevail."²⁸ Therefore, Section 6636 and the counterpart provision of the New Castle County Code are consistent and there remains no express or implied preemption-justifying conflict as between these two regulatory provisions.

Conclusion

The judgment of the Superior Court is reversed, and the case is remanded to the Superior Court for proceedings consistent with this Opinion.

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²⁸ New Castle County Code § 16.02.001(F).

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CITY OF DOVER PROPOSED ORDINANCE #2018-01

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

3
4 That Chapter 66 - Manufactured Homes, Mobile Homes, and Land Lease Communities be amended by
5 inserting the text indicated in bold, blue font and deleting the text indicated in red strikeout as follows:
6

7 **Chapter 66 - Manufactured Homes, Mobile Homes, and Land Lease Communities**

8
9 **Sec. 66-1. – Purpose Statement.**

10
11 **The City of Dover recognizes that manufactured homes are a unique housing type with their own**
12 **history of placement and ownership traditions arising from their origins as mobile homes. A**
13 **modern manufactured home does not resemble a vehicle, and once placed is rarely moved.**
14 **However, most manufactured homes are owned as if they were vehicles, separate from the land**
15 **they are placed on, and may theoretically be moved at any time. Because of this the city recognizes**
16 **that consistent standards are needed for placement, licensing, and tracking of manufactured**
17 **homes, in order to ensure the homes’ orderly movement into, out of, and around the city.**

18
19 **The city further recognizes that land lease communities, which may give ground lease to**
20 **manufactured homes or other types of housing, typify a use of land which does not align perfectly**
21 **with either apartments or residential subdivisions. Because of this, areas of responsibility on the**
22 **part of residents, owners, and the city with regard to maintenance, communication, and taxation**
23 **can be unclear without the adoption of consistent standards governing these areas of**
24 **responsibility. The city recognizes that where responsibility is not clearly claimed detrimental**
25 **conditions can arise for residents.**

26
27 **This chapter therefore lays out the consistent standards needed for manufactured homes and land**
28 **lease communities, while updating and consolidating earlier regulations regarding mobile homes**
29 **and mobile home parks. The standards are intended to be applicable to all land lease communities**
30 **currently in the city or which may be established in the future. They are also intended to cover**
31 **both manufactured homes and permanently placed manufactured homes, and the issues unique to**
32 **each.**

33
34 **Sec. ~~66-166-2.~~ - Definitions.**

35
36 The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed
37 to them in this section, except where the context clearly indicates a different meaning:
38

39 *Land lease community* means a residential development typified by single ownership of the land
40 within the development, with the landowner retaining the rights of ownership. Home sites or individual
41 lots within the community are leased to individual homeowners, who retain customary leasehold rights.
42

43 *Land lease community operator* means any person designated by contractual arrangement with
44 the land lease community owner to supervise or maintain a land lease community and interact
45 with its residents.

46 *Land lease community owner means the owner of the underlying fee interest in the land where*
47 *a land lease community is sited.*
48

49 *Manufactured home* means a factory-built housing unit designed and constructed to meet the
50 Manufactured Home Construction and Safety Standards of the U.S. Department of Housing and Urban
51 Development (HUD) Code. A manufactured home is built on a chassis that supports the structural
52 integrity of the home and to allow transport to the site. Factory-built units built to meet the HUD Code
53 and constructed after the code took effect on June 15, 1976 are classified as "manufactured homes."
54

55 *Mobile home* means a factory-built housing unit constructed on a chassis and completed before June
56 15, 1976. Prior to the HUD code, mobile homes were not subject to uniform construction or safety
57 standards.
58

59 *Owner of a manufactured home or mobile home* means the person designated in the vehicle title of
60 the manufactured home or mobile home, whether the title is issued by this state or by some other state.
61

62 *Owner of a permanently placed manufactured home* means the person designated in the vehicle or
63 real property title of the permanently placed manufactured home, whether the title is issued by this state
64 or by some other state.
65

66 *Permanently placed manufactured home* means a factory-built housing unit designed and
67 constructed to meet the Manufactured Home Construction and Safety Standards of the U.S. Department
68 of Housing and Urban Development (HUD) Code, and that has also been placed upon a permanent,
69 unmovable foundation.
70

71 (Ord. of 2-23-1970, § 2; Code 1981, § 12-1; Ord. of 11-10-1986, § 1; Ord. No. [2016-16](#), 8-8-2016)
72

73 **Sec. ~~66-266-3~~. - ~~Licenses~~. Manufactured and mobile homes.**
74

- 75 (a) *Placement permit.* Every owner of a manufactured home shall apply for and obtain from
76 the city planner or his/her authorized agent a placement permit for such manufactured
77 home prior to placement of the home within the city. The owner of the manufactured
78 home shall pay a fee for such permit as provided for in Appendix F-Fees and Fines. No
79 certificate of occupancy shall be issued for a newly placed manufactured home that has
80 not also been issued a placement permit.
81
- 82 (b) *Inspection.* Prior to the issuance of a certificate of occupancy for any manufactured home,
83 the home shall pass inspection by the building inspector. The owner of the manufactured
84 home shall cause the home to be firmly attached to the ground by means of a permanent
85 foundation or anchors, and cause any open space beneath the unit to be skirted or
86 enclosed with material approved by the building inspector.
87
- 88 (c) *License.* The owner of any mobile home or manufactured home that is not placed on a
89 permanent foundation shall obtain an annual license for it. The owner of the mobile
90 home or manufactured home shall pay an annual fee for such license as provided for in
91 Appendix F-Fees and Fines. If such manufactured home is newly moved into the city, the

owner of the manufactured home shall obtain the license and shall pay the license fee within seven days of issuance of a certificate of occupancy for the home. Payment of the license fee shall be prorated on a quarterly basis for each fractional part of a year during which the manufactured home is in the city.

(d) *Conditions for license.* No license for a new manufactured home shall be issued until the home has passed inspection and received a certificate of occupancy as required by this section.

(e) *Moving within or out of city.* When the owner of a mobile home or manufactured home removes the home from its current site or lot, the owner shall obtain a demolition permit for the removal.

(f) *Use of city utilities.* Owners of all types of manufactured homes shall coordinate with city departments during the permitting and licensing process regarding the appropriate times to transfer responsibility for utilities and activate service.

~~(a) *Required fee.* The owner of a mobile home or manufactured home that is not to be permanently placed shall obtain an annual license for it and shall pay a fee for such license as provided for in Appendix F—Fees and Fines.~~

~~(b) *Payment; penalties.* Such license shall be obtained and the license fee paid by August 1 of each year and if such fee is not paid before September 1 of such year, then, in addition to any penalty incurred pursuant to Appendix F—Fees and Fines, a penalty fee of ten percent per month shall accrue on the unpaid balance of the license fee.~~

~~(c) *Moving into city.* Upon the moving of a manufactured home into the city, if the manufactured home requires a license it shall be obtained and the license fee paid within seven days. Payment of such license fee shall be prorated on a quarterly basis for each fractional part of a year during which the manufactured home is in the city.~~

~~(d) *Required fee for landowners.* The owner of any land leased out as part of a land lease community shall obtain an annual land lease community operator business license under the provisions of Chapter 26—Businesses.~~

(Ord. of 2-23-1970, § 2; Ord. of 5-24-1976; Ord. of 3-27-1980; Code 1981, § 12-2; Ord. of 8-8-1988; Ord. of 3-22-1993; Ord. No. 2009-09, 6-22-2009; Ord. No. [2016-16](#), 8-8-2016)

~~Sec. 66-3.—Real property taxes.~~

~~A permanently placed manufactured home as defined in section 66-1, and the lot upon which it is located shall be considered as being real property for purposes of valuation, assessment and taxation in accordance with section 47 of the Charter.~~

(Code 1981, § 12-2.1; Ord. of 11-10-1986, § 2; Ord. No. [2016-16](#), 8-8-2016)

138 **Sec. 66-4. Placement permit.**
139

140 ~~—Every owner of a manufactured home, shall apply for and obtain from the city planner or his/her~~
141 ~~authorized agent a placement permit for such manufactured home. The city planner or his/her authorized~~
142 ~~agent shall issue no placement permit until the license fee required in this chapter is paid in full.~~
143

144 (Ord. of 2-23-1970, §§ 3, 6; Ord. of 5-24-1976; Code 1981, § 12-3; Ord. No. [2016-16](#), 8-8-2016)
145

146 **Sec. ~~66-566-4.~~ -Duties of land lease community owners and operators** Land lease communities.
147

148 (a) The following regulations shall apply to ~~owners and operators of all land lease communities:~~**the**
149 **maintenance of land lease communities:**
150

- 151 i. *Private road access.* It shall be the responsibility of land lease community owners ~~and~~
152 ~~operators~~ to maintain all private streets, driveway access to such streets, access to fire
153 hydrants, and access to central mailboxes so as to be clear from obstructions, including but
154 not limited to potholes, snow piles, and debris.
155
- 156 ii. *Debris clearance.* It shall be the responsibility of land lease community owners ~~and operators~~
157 to ensure that all facilities and common areas within the community are kept in good repair
158 and maintained in such a manner as to prevent the accumulation of materials which could
159 cause a fire hazard or would cause insect or rodent breeding and harborage.
160
- 161 iii. *Landscaping.* All trees, shrubbery, lawns, and other landscaping features within the
162 community shall be maintained by the land lease community ~~operator~~**owner** to be in healthy
163 condition at all times.
164
- 165 iv. *Utilities.* All **private** water, sewer, electric, and gas lines and connections intended to serve
166 common areas or the private property of tenants within the community shall be kept in good
167 repair at all times by the land lease community ~~operator~~**owner**. Stormwater management
168 facilities shall be maintained so as to be free of blockage and to prevent the accumulation of
169 standing water **that does not dissipate within 48 hours, except in facilities approved for**
170 **retention of water**. Community owners shall coordinate with the City of Dover regarding
171 utility services and equipment.
172
- 173 v. *Delegation of maintenance duties.* **Maintenance responsibilities detailed in subsections i.**
174 **through iv. of Section 66-4(a) may be delegated by the land lease community owner to**
175 **leaseholders, a land lease community operator, or other parties, provided that the**
176 **delegated party's specific responsibilities are detailed in an appropriate legal contract.**
177 **All maintenance responsibilities not delegated shall be retained by the land lease**
178 **community owner.**
179

180 (b) **The following regulations shall be the reporting, record-keeping, and licensing**
181 **requirements of land lease communities:**
182

183 ~~vi. Office hours. The land lease community operator shall be present on site at a minimum~~
184 ~~during regular business hours, so as to facilitate communication between tenants of the~~
185 ~~community and the owner, and a 24-hour emergency contact shall be available to residents.~~
186 **To facilitate communication between tenants of the community and the owner, the**
187 **land lease community owner or operator shall be present on site during fixed hours to**
188 **be communicated to residents and posted at the office. The office hours shall be no**
189 **less than 20 hours per week and shall not be between the hours of midnight and 7am.**
190 **A 24-hour emergency contact shall also be available to residents.**

191
192 ~~vii. Receipt for lot payment. The land lease community owner or operator shall provide a~~
193 ~~written receipt or electronic receipt at the time a cash payment for rent payment has been~~
194 ~~made, regardless of the form of payment. If a land lease community owner accepts a~~
195 ~~form of payment other than cash, the community owner shall, within 2 days, give to~~
196 ~~the tenant a receipt for that payment. The community owner or operator shall, for a~~
197 ~~period of 3 years, maintain a record of all cash receipts for rent.~~
198 **vii. Receipt for lot payment. The land lease community owner or operator shall provide a**
199 **written receipt or electronic receipt at the time a cash payment for rent payment has been**
200 **made, regardless of the form of payment. If a land lease community owner accepts a**
201 **form of payment other than cash, the community owner shall, within 2 days, give to**
202 **the tenant a receipt for that payment. The community owner or operator shall, for a**
203 **period of 3 years, maintain a record of all cash receipts for rent.**

204
205 ~~iii. Lease record; report. To assist in keeping city license records and tax records up to~~
206 ~~date, land lease community owners who lease land to two or more persons for home~~
207 ~~sites shall maintain a lease record, which shall be open for inspection at all reasonable~~
208 ~~times by the city planner. Before July 1 of each year, the land lease community owner~~
209 ~~shall report to the city planner the names and addresses of all persons having homes~~
210 ~~on his land.~~
211 **iii. Lease record; report. To assist in keeping city license records and tax records up to**
212 **date, land lease community owners who lease land to two or more persons for home**
213 **sites shall maintain a lease record, which shall be open for inspection at all reasonable**
214 **times by the city planner. Before July 1 of each year, the land lease community owner**
215 **shall report to the city planner the names and addresses of all persons having homes**
216 **on his land.**

217
218 ~~iv. Required license for landowners. The owner of any land leased out as part of a land~~
219 ~~lease community shall obtain an annual land lease community operator business~~
220 ~~license under the provisions of Chapter 26—Businesses, or direct the land lease~~
221 ~~community operator to obtain this license. Only one business license shall be required~~
222 ~~per land lease community. The fee for such license shall be based on the total number~~
223 ~~of lots or home sites in the community, including both vacant and occupied lots and~~
224 ~~sites.~~
225 **iv. Required license for landowners. The owner of any land leased out as part of a land**
226 **lease community shall obtain an annual land lease community operator business**
227 **license under the provisions of Chapter 26—Businesses, or direct the land lease**
228 **community operator to obtain this license. Only one business license shall be required**
per land lease community. The fee for such license shall be based on the total number
of lots or home sites in the community, including both vacant and occupied lots and
sites.

229 ~~(b) The following regulations shall additionally apply to owners and operators of land lease~~
230 ~~communities leasing land to manufactured homes:~~

231 ~~i. Documents to manufactured home owners. Copies of this chapter and placement permit~~
232 ~~application forms shall be furnished to each land lease community owner, who shall give a copy~~
233 ~~of the same to every manufactured home owner who moves a manufactured home into the~~
234 ~~community, before the 15th day of the next succeeding month after placement of the~~
235 ~~manufactured home.~~
236 **i. Documents to manufactured home owners. Copies of this chapter and placement permit**
237 **application forms shall be furnished to each land lease community owner, who shall give a copy**
238 **of the same to every manufactured home owner who moves a manufactured home into the**
239 **community, before the 15th day of the next succeeding month after placement of the**
240 **manufactured home.**

241 ~~ii. Enforcement. It shall be the responsibility of land lease community owners and operators to~~
242 ~~ensure that all mobile homes and manufactured homes placed on their land maintain a current~~
243 ~~license under section 66-2.~~
244 **ii. Enforcement. It shall be the responsibility of land lease community owners and operators to**
245 **ensure that all mobile homes and manufactured homes placed on their land maintain a current**
246 **license under section 66-2.**

247 ~~iii. Lease record; report. Land lease community owners who lease land to two or more persons~~
248 ~~for siting manufactured homes shall maintain a lease record, which shall be open for inspection~~

~~at all reasonable times by the city planner. Before June 1 of each year, the land lease community owner shall report to the city planner the names and addresses of all persons having manufactured homes on his land.~~

~~iv. Sale of home. Before a home is sold by the homeowner, home owner's estate, foreclosure, eviction or other means, the City of Dover must be notified and all delinquent taxes, fees, or other charges must be paid.~~

~~v. The land lease community owner must notify the City of Dover if the community is placed for sale.~~

~~(c) The following shall be considered appropriate methods of redress if the duties outlined in this section are not fulfilled:~~

~~i. Any land lease community owner found to be in violation of the provisions of this section, regardless of corrective actions taken, shall be assessed a fine as provided for in Appendix F-Fees and Fines. Any such fine shall be in addition to any charges imposed upon the violator in accordance with subsection (c)(ii) below.~~

~~ii. If required, the City of Dover may perform maintenance in the owner's stead following official notice, and place a lien on the property to recover costs, including a 15 percent administrative charge.~~

~~iii. Repeated failure to perform the required duties shall be cause to take action upon an owner's land lease community operator license in accordance with the provisions of Chapter 26-Businesses, Article II, Section 26-59.~~

Sec. 66-5. - Real property taxes.

A permanently placed manufactured home as defined in section 66-2-Definitions, and the lot upon which it is located shall be considered as being real property for purposes of valuation, assessment and taxation in accordance with section 47 of the Charter. Manufactured homes that are not permanently placed shall not be taxed but shall pay the annual license fee required by this chapter in lieu of taxes.

Sec. 66-6. – Enforcement and penalties.

(a) Licenses and permits. Enforcement of licensing and permitting requirements shall be as follows:

i. Obtaining manufactured home licenses. If the owner of a mobile home or manufactured home not permanently placed fails to obtain or renew the annual license required by this chapter, a fine pursuant to Appendix F-Fees and Fines may be assessed on the owner of the home, if the home has not been removed from the city.

ii. Obtaining placement permits. An owner of a manufactured home who places their home without obtaining a placement permit to do so shall have the standard penalties

- 275 imposed for failure to obtain a building permit as outlined in Chapter 22 - Buildings
276 and Building Regulations of the Dover Code.
- 277 iii. *Obtaining land lease community operator business licenses.* A land lease community
278 owner who does not obtain an annual business license as required by this chapter
279 shall have the standard penalties imposed for failure to obtain a business license as
280 outlined in Chapter 26 - Businesses of the Dover Code.
- 281 (b) *Land lease community maintenance requirements.* Enforcement of community maintenance
282 requirements shall be as follows:
- 283 i. *Violations and penalties.* Any land lease community owner found to be in violation of the
284 provisions of Section 66-4(a) may be assessed a fine pursuant to Appendix F-Fees and
285 Fines. If required, the City of Dover may perform maintenance to correct the violation
286 in the owner's stead, and add the cost of maintenance, including a 15 percent
287 administrative charge, to the fine to be assessed.
- 288
- 289 ii. *Delegation of responsibilities.* If a land lease community owner has via contractual
290 agreement delegated maintenance responsibilities over the portion of the property in
291 violation to the owner of a manufactured home, any fines assessed pursuant to
292 subsections (b)(i) and (b)(ii) above shall be imposed on the owner of the home.
- 293
- 294 (c) *Reporting and record-keeping requirements.* Enforcement of reporting and record-keeping
295 requirements shall be as follows:
- 296
- 297 i. *Provision of lease records.* If the owner of a land-lease community fails to provide a lease
298 record before July 1 of the year, a fine pursuant to Appendix F-Fees and Fines may be
299 assessed on the owner of the land lease community.
- 300
- 301 ii. *Provision of office hours.* The City of Dover may inspect the office of a land lease
302 community, and upon finding that hours are not posted, or a representative is not on
303 site during posted office hours, assess a fine pursuant to Appendix F-Fees and Fines. A
304 finding that a land lease community's 24-hour emergency line is not functioning may
305 also be cause to assess the same fine.
- 306
- 307 iii. *Provision of receipts.* If the owner of a manufactured home requests a receipt for
308 payment of rent from a land lease community owner or operator and does not receive
309 one within 2 days, the owner of the manufactured home may ask the City of Dover to
310 request the same. If a receipt is not provided to the city within an additional 7 days, a
311 fine pursuant to Appendix F-Fees and Fines may be assessed on the owner of the land
312 lease community.
- 313
- 314 (d) *Official notice.* As part of any fine assessed pursuant to Section 66-6, the City of Dover shall
315 give official notice to the violator. Policy and procedures for timing of official notices and
316 fines shall be developed by the planning and inspections department.
- 317
- 318 (e) *Provisional order.* When cumulative unresolved violations in a land lease community are
319 inimical to the public health, safety and general welfare so as to constitute a nuisance, and

320 the land lease community owner has not taken action to resolve the violations or cause the
321 appropriate parties to resolve the violations, the city may take action upon an owner's land
322 lease community operator license in accordance with the provisions of Chapter 26—
323 Businesses, Article II, Sections 26-59 through 26-65.
324
325

326 (Ord. No. [2016-16](#), 8-8-2016)
327

328 **Editor's note**— Ord. No. [2016-16](#), adopted August 8, 2016, in effect repealed § 66-5 and enacted a
329 new § 66-5 as set out herein. Former § 66-5 pertained to duties of mobile home park owners and derived
330 from Ord. of 2-23-1970 and the Code of 1981.
331

332 ~~**Sec. 66-6.—Anchoring and skirting.**~~
333

334 ~~—Prior to the issuance of a certificate of occupancy for any manufactured home not placed on a~~
335 ~~permanent foundation, the manufactured home shall be firmly anchored to the ground and the open~~
336 ~~space beneath the unit shall be skirted with approved material in accordance with the requirements of the~~
337 ~~building inspector.~~
338

339 (Ord. of 9-13-1976; Code 1981, § 12-5; Ord. No. [2016-16](#), 8-8-2016)
340

341 ~~**Sec. 66-7.—Use of city utilities.**~~
342

343 ~~—The owner or occupant of any mobile home or manufactured home shall not be entitled to receive~~
344 ~~city utilities until the license fee required in this chapter is paid in full, and city personnel shall refuse to~~
345 ~~provide sewage, water and electricity to the mobile home or manufactured home until satisfactory proof~~
346 ~~is furnished that such license fee has been paid.~~
347

348 (Ord. of 7-28-1975; Code 1981, § 12-6; Ord. No. [2016-16](#), 8-8-2016)
349

350 ~~**Sec. 66-8**~~**66-7. - Exemptions.**
351

352 This chapter shall not apply to:
353

- 354 (1) *Dealers*. Unoccupied manufactured homes located on a dealer's display lot; or
355
356 (2) *Manufactured homes in transit*-. Unoccupied manufactured homes temporarily occupying the
357 public right-of-way prior to placement on a lot or home site.
358

359 (Ord. of 2-23-1970, § 8; Code 1981, § 12-7; Ord. No. [2016-16](#), 8-8-2016)
360

361 **BE IT FURTHER ORDAINED:**
362

363 That Appendix B - Zoning, Article 3 - District Regulations, Section 8 - Manufactured housing (MH)
364 zone, be amended by inserting the text indicated in bold, blue font and deleting the text indicated in red
365 strikeout as follows:

366 **Section 8. - Manufactured housing (MH) zone.**^[2]
367

368 8.1 *Uses permitted.* In a manufactured housing zone, no building or premises shall be used, and no
369 building shall be erected, which is arranged, intended or designed to be used, in whole or in
370 part, for any uses, except the following:

371
372 8.11 Manufactured homes on individual lots, held in any type of ownership.

373
374 8.12 Multiple manufactured homes on a lot, provided that:

375
376 (a) The lot is operated as a condominium, **including but not limited to condominiums**
377 **formed pursuant to 25 Del Code, Chapter 71;** or

378
379 (b) The lot is operated as a land lease community; and

380
381 (c) There are at least 15 manufactured homes on the lot, or else sufficient home sites for
382 rent or sale on the lot to accommodate 15 manufactured homes. Such home sites
383 need not be expressly delineated but must be improved so as to be complete and
384 ready for occupancy by a manufactured home. **There shall be no mixing of**
385 **manufactured homes and permanently placed manufactured homes on one lot.**

386
387 **8.13 Permanently placed manufactured homes on individual lots, provided that the home**
388 **and the lot are under common ownership.**

389
390 **8.14 Multiple permanently placed manufactured homes on a lot, provided that:**

391
392 (a) **The lot is operated as a condominium including but not limited to**
393 **condominiums formed pursuant to 25 Del Code, Chapter 71;** or

394
395 (b) **The lot is operated as a land lease community; and**

396
397 (c) **There are at least 15 permanently placed manufactured homes on the lot, or**
398 **else sufficient home sites for rent or sale on the lot to accommodate 15**
399 **permanently placed manufactured homes. Such home sites need not be**
400 **expressly delineated but must be improved so as to be complete and ready for**
401 **occupancy by a permanently placed manufactured home. There shall be no**
402 **mixing of manufactured homes and permanently placed manufactured homes**
403 **on one lot.**

404
405 ~~8.13~~**15** One-family detached homes on individual lots, held in any type of ownership.

406
407 8.2 *Conditional uses*-. Conditional uses shall be consistent with those conditionally permitted in
408 the one-family residence zones.

409
410 8.3 *Accessory uses*-. Accessory uses shall be consistent with those permitted in the one-family
411 residence zones, with the following additions and exceptions:

- 412 8.31 *Management facilities*. The following shall be permitted accessory to lots providing home
413 sites for multiple manufactured homes:
414
- 415 (a) Management offices with rooms for the usual office furniture and supplies, limited
416 to one per lot;
417
 - 418 (b) Storage space for utility connection supplies in quantity, manufactured home
419 accessories and maintenance materials and equipment;
420
 - 421 (c) Laundry facilities equipped with washing machines and dryers;
422
 - 423 (d) Community building facilities, including indoor recreation areas;
424
 - 425 (e) Commercial establishments consistent with uses permitted in the C-1 neighborhood
426 commercial zone, limited to one such establishment per lot;
427
 - 428 (f) One-family detached homes intended for the use of a manager or caretaker, limited
429 to one such dwelling per lot.
430
- 431 8.32 Accessory home occupations. Accessory home occupations shall be permitted consistent
432 with the conditions outlined for home occupations in the one-family residence zones,
433 with the exception that no home occupation shall be permitted if not also permitted by the
434 owner of the lot on which the home is sited.
435
- 436 8.4 *Uses prohibited*-. The following uses are specifically prohibited:
437
- 438 8.41 Mobile homes, house trailers, and recreational vehicles as principal uses on a lot. Any
439 such structures or vehicles located within the zone and being used as dwellings shall upon
440 the effective date of this ordinance be deemed non-conforming uses in accordance with
441 article 7.
442
 - 443 8.42 Any other kind of factory-built housing that does not meet the Manufactured Home
444 Construction and Safety Standards of the U.S. Department of Housing and Urban
445 Development (HUD) Code as approved June 15, 1976, unless it can be demonstrated that
446 such housing is constructed to the standards of the Dover Code of Ordinances, Chapter
447 22, Buildings and Building Regulations. Any such housing located within the zone and
448 being used as dwellings shall upon the effective date of this ordinance be deemed non-
449 conforming uses in accordance with article 7.
450
- 451 8.5 *Minimum occupation length*-. No lot or home site within the manufactured housing zone
452 reserved for occupation by a manufactured home shall be leased or occupied for residential use
453 except for periods of 30 consecutive days or more.
454
- 455 8.6 *Land lease communities*-. The following regulations shall apply to land lease communities
456 within the MH zone:
457

- 458 8.61 *Ownership*. The entire land area occupied by a land lease community, regardless of the
459 number of home sites or individual lots therein, shall be maintained in single ownership,
460 or if in multiple ownership, under the provisions of the laws of the state dealing with unit
461 properties and condominiums.
462
- 463 8.62 *Changes to site plan*. After initial site development plan approval of a land lease
464 community, reapproval for the entire community shall not be required prior to the
465 issuance of building permits for alterations to individual manufactured homes, or their
466 accessory buildings such as storage areas and patios, which, in the judgement of the city
467 planner, do not materially alter the site development plan approval by the planning
468 commission and are requested as adjustments to the individual manufactured home sites
469 or lots leased by an individual family and designed for the convenience and comfort of
470 the individual lessee.
471
- 472 8.7 *Performance Standards*-. All uses are subject to performance standards as set forth in article 5,
473 section 8.
474
- 475 8.8 *Site development plan approval*-. Site development plan approval in accordance with article 10,
476 section 2 hereof shall be required prior to the issuance of building permits for the erection or
477 enlargement of all structures and related accessory structures. Such approval shall also be
478 required prior to the issuance of certificates of occupancy for a change of use.
479
- 480 8.81 For purposes of preparing a site development plan for approval by the planning
481 commission, and all subsequent improvements, alterations or additions, the applicant
482 shall conform to current submission requirements and site development standards as set
483 forth by the National Fire Protection Association publication 501A,"Standard for Fire
484 Safety Criteria for Manufactured Home Installations, Sites, and Communities." Where
485 applicable, the approving authority shall be the fire marshal's office.
486
- 487 8.82 No site development plan proposing the siting of a manufactured home outside of a land
488 lease community shall be approved unless the plan shows the manufactured home is to be
489 permanently placed, as defined in the Dover Code of Ordinances, Chapter 66—
490 Manufactured Homes, Mobile Homes, and Land Lease Communities.
491
- 492 8.9 *Maximum density*-. The gross residential density in an MH zone shall not exceed six
493 dwelling units per acre.
494
- 495 8.10 *Signs*-. Signs shall meet the regulations found in Article 5—Supplementary Regulations,
496 Section 4—Supplementary Sign Regulations.
497

498 (Ord. No. [2016-16](#), 8-8-2016)
499

500 Footnotes:

501 --- (2) ---
502

503 **Editor's note**— Ord. No. [2016-16](#), adopted August 8, 2016, in effect, repealed § 8 and enacted a new §
 504 8 as set out herein. Former § 8 pertained to similar subject matter and derived from Ord. of 10-13-1981;
 505 Ord. of 3-20-1983; Ord. of 3-24-1986; Ord. of 7-10-2000; Ord. of 2-12-2001; Ord. of 4-28-2008(2); and
 506 Ord. No. 2010-29, adopted January 10, 2011.

507
 508 **BE IT FURTHER ORDAINED:**

509
 510 That Appendix B - Zoning, Article 12 - Definitions, be amended by inserting the following definition in
 511 its correct alphabetical order:

512
 513 *Permanently placed manufactured home means a factory-built housing unit designed and*
 514 *constructed to meet the Manufactured Home Construction and Safety Standards of the U.S.*
 515 *Department of Housing and Urban Development (HUD) Code, and that has also been placed upon*
 516 *a permanent, unmovable foundation.*

517
 518 **BE IT FURTHER ORDAINED:**

519
 520 That Appendix F - Fees and Fines, be amended by inserting the text indicated in bold, blue font and
 521 deleting the text indicated in red strikethrough as follows:

522
 523 **Chapter 66. - Manufactured Homes, Mobile Homes, and Land Lease Communities**

524

Chapter 66. Manufactured Homes, Mobile Homes, and Land Lease Communities	Fees and Fines
Sec. 66-2. Licenses Sec. 66-3. Manufactured and mobile homes	
Subsec. (a) Required fee Placement permit	\$45.00 each license \$50.00 each one-time placement permit
Subsec. (b) Payment; penalties	A fine of not less than \$50.00 and a penalty fee of ten percent per month shall accrue on the unpaid balance of the license fee
Subsec. (c) License	\$45.00 each license annually
Sec. 66-5. Duties of Land Lease Community Owners and Operators	
Subsec. (c)(i) Failure to perform required duties	A fine of not less than \$50.00 in addition to any charges imposed to cover cost of maintenance by the City
Subsec. 66-5 (c)(ii) Cost of maintenance by the city	\$75.00 per hour for such work

	that must be done to render the property in compliance with this article, plus a 15% administrative charge
Sec. 66-6 Enforcement and penalties	
Subsec. (a) Licenses and permits	
Subsec. (i) Obtaining manufactured home licenses	A fine of not less than \$25.00
Subsec. (b) Land lease community maintenance requirements	
Subsec. (i) Violations and penalties	A fine of not less than \$25.00 in addition to any charges imposed to cover the cost of maintenance by the City at \$75.00 per hour for such work that must be done to render the property in compliance with Chapter 66, Section 66-4, plus a 15% administrative charge
Subsec. (c) Reporting and record-keeping requirements	
Subsec. (i) Provision of lease records	A fine of not less than \$25.00 and a penalty fee of ten percent per month shall accrue for each month the lease record is not provided
Subsec. (ii) Provision of office hours	A fine of not less than \$25.00; the fine may be applied cumulatively or per violation instance
Subsec. (iii) Provision of receipts	A fine of not less than \$25.00; the fine may be applied cumulatively or per violation instance

525

526 (Ord. No. [2016-16](#), 8-8-2016)

527

528 **ADOPTED:** *

529 S:\ORDINANCES\2018\ORDINANCE #2018-01 CH 66, APPX B-ARTS 3 AND 12, AND APPX F\ORDINANCE #2018-01.wpd

530

531

SYNOPSIS

532

The proposed ordinance reorganizes and clarifies a portion of the updates to the Dover Code made in August 2016 through Ordinance #2016-16. The proposed ordinance also brings the updates into compliance with provisions of the Delaware Code related to manufactured housing and rental housing,

533

534

535 particularly Title 25, Chapters 53, 55, 70, and 71. The updates affected include requirements for placing
536 and licensing manufactured homes, standards for management and maintenance of land lease
537 communities, taxation, and code enforcement. A distinction is also made between manufactured homes
538 and permanently placed manufactured homes in the *Zoning Ordinance*.

539

540

(SPONSORS: NEIL AND HUGG)

541

542

Actions History

543

02/26/2018 - Scheduled for First Reading - City Council

544

02/13/2018 - Introduced - Council Committee of the Whole/Legislative, Finance, and Administration Committee

545

COUNCIL COMMITTEE OF THE WHOLE

The Council Committee of the Whole met on March 27, 2018 at 6:00 p.m., with Council President Slavin presiding (departed at 6:45 p.m. and returned at 6:47 p.m.). Members of Council present were Mr. Anderson (departed at 7:13 p.m. and returned at 7:15 p.m.), Mr. Sudler (arrived at 6:02 p.m.), Mr. Neil, Mr. Lewis (departed at 7:11 p.m. and returned at 7:13 p.m.), Mr. Cole (departed at 6:47 p.m. and returned at 6:48 p.m.), Mr. Polce (arrived at 6:04 p.m., departed at 7:02 p.m., returned at 7:04 p.m., departed at 7:52 p.m., and returned at 7:53p.m.), and Mr. Hare. Mr. Lindell was absent. Mayor Christiansen was also present (departed at 7:49 p.m.). Civilian members present for their Committee meetings were Mr. Garfinkel and Mr. Shelton (*Safety Advisory and Transportation*), Mrs. Doyle and Ms. Scarborough (*Utility*), and Mr. Shevock and Dr. Stewart (*Legislative, Finance, and Administration*).

SAFETY ADVISORY AND TRANSPORTATION COMMITTEE

The Safety Advisory and Transportation Committee met with Chairman Lewis presiding.

AGENDA ADDITIONS/DELETIONS

Mr. Neil moved for approval of the agenda, seconded by Mr. Cole and unanimously carried.

Presentation by the Dover/Kent County Metropolitan Planning Organization (MPO) - Final Report of the Downtown Dover Parking Study

Mr. James Galvin, Principal Planner, Dover/Kent County Metropolitan Planning Organization (MPO), advised that completing the parking study had been a two-year process. He stated that it was a very involved process and he thought that they had come up with a good product.

Mr. Spencer Finch, Project Manager and Sustainability Leader, Langan Engineering & Environmental Services, Inc., reviewed a presentation entitled "Downtown Dover Parking Study", dated March 27, 2018, (**Attachment #1**). Referring to slide 32, Potential On-Street Parking Zone, he indicated that Loockerman Street, Zone 1, should probably have the highest parking rates because it is the prime real estate directly in front of the retail and most destinations. Mr. Finch explained that the blue areas, Zone 2, are the side streets which would provide slightly cheaper parking, and then the green areas, Zone 3, would be areas that are protected for residential. He stated that the Zone 3 areas would have no cost but there would need to be some caretaking to make sure that residents have those parking spots near the residential locations.

Mr. Polce thanked Mr. Finch for providing members with a very thorough presentation. He expressed concern regarding the public survey, noting that six (6) to eight (8) responses was not a statistically sound sample size. Mr. Polce asked Mr. Finch to explain the methodology used to engage the public and gather feedback. Responding, Mr. Finch noted that they were disappointed in the response they received to the electronic survey as well. He advised that they held three (3) public meetings and the records of those meetings were also included in the report. Mr. Finch stated that, on average, there were typically between 20 - 40 people in attendance at those meeting and he thought that they did the best job they could in trying to reach out to as many people as they could. He advised that this was in addition to the stakeholder engagement that they did, noting that they reached out to every business within the project area, and others outside as well.

Mr. Anderson thanked Mr. Finch for the study and asked how he reconciles the idea that there is not a parking problem if there are 16% violations during the peak of the day, explaining that he thought that this indicated that there was a problem with parking in the areas where people want to be. In response, Mr. Finch clarified that the 16% violation was an issue that they spotted related to the parking surfers, explaining that at least 16% of the people parking on peak hours are exceeding the two-hour limits or parking where they're not supposed to, which creates the problem. He indicated that people say that there is no parking downtown and that is because a lot of the parking is dedicated to permit parking, the parking lots where there is available public parking do not have clear directional signage so people do not know how to get there, and there are parking surfers taking up all the on-street parking instead of parking in a parking lot.

Mr. Anderson stated that he was surprised that a parking app was not part of the recommendation. He noted that it would give people a picture of where the parking is and could be developed later on to include payments, and could even be connected to a calendar to show people upcoming events. Responding, Mr. Finch advised that they had looked at that idea and he thought that it was definitely something that the City and others could look at in the future. He stated that he thought that the cost of apps was coming down, and they had seen other communities take them on as a solution or an additional measure to enhance their parking situation. Mr. Finch advised that, right now, the clear message that they want to pass on is that there is some obvious low-hanging fruit that needs to be taken care of first. He explained that if a parking app were instituted now, it would not solve some of the other issues, like the parking surfer problem.

Mr. Anderson noted that when Mr. Finch referred to short-term recommendations, it seemed obvious that those are items that could be implemented right away. He asked what Mr. Finch's definitions are for medium- and long-term. In response, Mr. Finch indicated that Langan works with communities all over the mid-Atlantic and they know that funding, resources, and capacity are limited. He stated that their recommendation would be that short-term items are those that are really critical and should be addressed within a year if possible, medium-term might be one (1) to three (3) years, and long-term more than that. Mr. Finch advised that they realize that due to funding and capacity needs there may not be capacity to implement all of them, and there might be other reasons as well, for instance the community might have issues with one or another. He stated that they would suggest that the City pick three (3) short-term, three (3) medium-term, and three (3) long-term, maybe based on what the community and/or stakeholders want and try to focus on those.

Mr. Anderson noted that discussions regarding permit parking and moving people around had always created a great deal of interest among stakeholders in the past. He indicated that some of the parking spaces are contractual, like E-ZPass, and asked if they were part of the discussion and had provided input. Responding, Mr. Finch stated that they definitely were, noting that they reached out and talked to all of them. He advised that they know that no one wants to pay more and that is the first gut reaction that most people have. Mr. Finch explained that if you go someplace and purchase your seat in advance, you might pay \$100 and the person whom you sit next to might have paid \$1,000, and you get the free benefits as a part of that. He stated that one (1) of the things that they noticed during the outreach is that the public is willing to have that kind of graduated payment in regard to different parking rates, and their short-term recommendation is to start looking at that from the permit parking perspective.

Mr. Finch advised that they know that this is a difficult issue and that there are some permits that are locked into long-term lease agreements; however, he suggested that they could start talking to E-ZPass and others who have lease agreements, and maybe they would be willing to shift some of their needs to a farther lot. He stated that when they performed the traffic counts they noticed that many of the permit parking lots sit vacant, explaining that although the permits are paid for, the lots are not being used to full capacity. Mr. Finch indicated that if the City started adjusting the pricing strategy, the lease holders would pay more for those who need to be there every day, and they may not use as many spaces, which would release capacity for others. He stated that there is a price distortion because everything is so cheap, explaining that it's easier for somebody to just buy the permit, even if they're not using it, and it's easier for a parking surfer to move their car around in off-street parking every two (2) hours because it's free. Mr. Finch noted, however, that it has created a huge cost on the retailers on Loockerman Street because when people drive down Loockerman Street and cannot find parking, they drive away and never come back. He stated that these behaviors are creating a huge disadvantage for downtown Dover.

Mr. Neil stated that he believes in synergy. Referring to the gateways and signage, he indicated that the City has an opportunity for synergy not only with the Downtown Dover Partnership (DDP), which has control of certain parking lots, but also with Kent County Tourism, of which he is pleased to sit on the board. Mr. Neil stated that these groups were looking at the same things and he thought they need to be linked. He noted that Expedia, the travel website, had recommended Dover as a weekend getaway because of the efforts of Kent County Tourism, and the signage that affects parking affects the people coming from out of the state and the people who live here. Mr. Neil stated that he thought that the report was terrific. He noted that there is a need to get all of the players involved to make this work for Dover and continue to build the city.

Mr. Garfinkel stated that he thought it was an excellent report. He noted that it is not really a predictive study; however, it mentions growth and, as he understood it, while there was not a current need for a vertical parking garage yet, there may be in the future if the recommendations are implemented. He asked if Mr. Finch was saying that if the City follows the recommendations, they will draw more consumers to downtown, which would then draw more people who want to develop downtown. Responding, Mr. Finch confirmed that this was one (1) of the messages from the report.

Mr. Slavin, referring to slide 5 depicting the available parking downtown, recalled that Mr. Finch had apologized for the confusion on this slide. He thanked Mr. Finch for his work and stated that he did not mean to demean it; however, this slide portrayed the exact problem, which is that it does not make sense to anyone. Mr. Slavin advised that we can count spaces and do a tabletop exercise, and move this checker here and that one there, but at the end of the day we end up with that. He stated that, although it wasn't within the purview of the study, he thought it was really critical that some of the most valuable real estate from an economical development perspective is being dedicated to surface parking, which is sometimes achieving 60% in capacity. Mr. Slavin stated that if the City built a vertical parking garage as the solution, as he believes the City should, it could open those properties for development and attract the new businesses that require new spaces. He stated that the benefit would be more ratable property downtown, and the parking garage would pay for itself in the long term probably two (2) times over on a payback period. Mr. Slavin noted that members would continue to hear him ask for a parking garage downtown until one is built, explaining that he thought it was an obligation of the city government to provide this for the infrastructure downtown, just like building libraries and police stations.

Mr. Sudler asked if the respondent pool of 20 or 40 people was strictly from the City of Dover, Kent County, or outside of the City limits and whether they had live data to support it. Responding, Mr. Finch advised that if members review the sign-in sheets, most of the individuals that responded are either residents or work in downtown Dover. He stated that there were only one (1) or two (2) people from outside the area that they noted at each of the three (3) public outreach meetings.

Mr. Sudler asked whether the majority worked or lived in Dover. In response, Mr. Finch stated that he thought that there was a good mix. He advised that some public meetings had more people who worked in Dover and some had more who resided in Dover.

Mr. Sudler asked what perplexities may arise in relation to the largest sized parking lot presented in the study from the perspectives of the Delaware Department of Transportation (DelDOT), future plans, or economic growth for the City of Dover. Responding, Mr. Finch stated that what they looked at in each of the scenarios was really what would happen to traffic patterns downtown if you located bigger public destination parking at different lots. He advised that they looked at opening up some of the capacity to public parking on North and Loockerman Streets and expanding the Bradford Street lot or building a parking garage there. Mr. Finch stated that if the development was on Bradford Street or Governors Avenue, some of the traffic patterns would be simplified because they are easier to reach from Loockerman Street and different directions. He noted that there are larger capacity streets, this was only a schematic analysis, and they just looked at traffic patterns in general and did not do specific counts.

In response to Mr. Sudler, Mr. Finch advised that they did not cross-reference with DelDOT when they looked at the traffic patterns. He stated that this would be done if the decision was made to further develop a parking lot or other facilities.

Mr. Sudler asked, in regard to the Langan psychological assessment, what the overall reasons were that people feel uncomfortable about parking on New Street, and whether their concerns were related to lighting, the element of people who live on that street, visible or alleged drug or criminal activity, or the past reputation or stigma associated with that street. He asked if these concerns also applied to connecting streets, such as Reed, Kirkwood, and Queen Streets. Responding, Mr. Finch advised that they had heard all of these concerns from all stakeholders and the public. He noted that, while doing a field review, they personally witnessed police activity on New Street, and there was constant mention of issues with the liquor store when they were there. Mr. Finch stated that he thought that a lot of concerns related to perception, noting that younger individuals may be more comfortable walking to their cars even at night, while others who might need a little assistance, have a disability, or may not be walking to their cars in a group, have issues with walking longer distances, especially to the Governors Avenue lot.

Mayor Christiansen commended Mr. Finch on the work done and expressed appreciation. He indicated that he shared the opinion expressed by Mr. Slavin that a parking garage was the ultimate solution. Mayor Christiansen stated that he was not an expert but had memories that parking was an issue in downtown Dover when he was five (5) years old and when he was first elected to Council at the age of 32, and he noted that it is still an issue. He advised that he concurred that the City would have to be unique and dynamic in its solution. Mayor Christiansen advised that Bayhealth Medical Center had issues with parking and had grabbed the bull by the horns. He stated that Bayhealth's parking issues seemed to disappear and the garage was working out very well, although

they still have quite a bit of surface parking. Mayor Christiansen indicated that he agreed that signage could be better; however, he stated that, looking toward the future of downtown Dover and the City of Dover, he would rather expend money for a parking garage and affordable parking than signs.

Mr. Finch stated that he thought the City was looking at a chicken and egg problem regarding what would come first to attract development downtown, noting that they would be glad to look at where members feel the threshold is. He stated that, in the case of Bayhealth, they had a demand and it made sense to build the garage. Mr. Finch advised that if the demand showed up, a garage was definitely something that could be looked at. Mayor Christiansen stated that if we build it, they will come.

Mr. Lewis commended Mr. Finch on the report. Responding to Mr. Lewis, Mr. Finch stated that enforcement should also be looked at. He noted that if any of the rules for parking change, such as wayfinding, rates, or better enforcement of current regulations, enforcement will be required to change behavior. Mr. Finch stated that parking surfers are currently skirting the rules and are not getting caught often enough. He stated that they had talked to the police and resources were limited, noting that there were ways to use resources better. Mr. Finch suggested implementing changes, educating, and then enforcing to make sure that the changes are sticking.

Mr. Neil noted that members would certainly have more to consider regarding the report and how they will proceed; however, he recommended acceptance of the report.

Mr. Neil moved to recommend acceptance of the final report from the MPO, seconded by Mr. Anderson and unanimously carried.

Briefing on Dover/Kent County Metropolitan Planning Organization (MPO) Projects

Mr. James Galvin, Principal Planner, Dover/Kent County Metropolitan Planning Organization (MPO), introduced Mr. Reed Macmillan, Executive Director of the MPO. Mr. Macmillan stated that this was his 150th day in his new capacity as Executive Director. He informed members that he had worked from 1999-2002 for Kent County Levy Court in their Planning Services Department and recently retired from New Castle County.

Mr. Galvin informed members that the MPO was currently preparing its Transportation Improvement Program (TIP) for 2019-2022 and several projects located in Dover were included in the State Capital Transportation Program (CTP), including a proposal to look at the intersection of Forest Street (SR8) and Saulsbury Road (SR15). He expressed his belief that this project had been contracted out, with funding for preliminary engineering and right-of-way for the coming fiscal year and construction in 2021, and noted that there would be changes at that intersection fairly soon. Mr. Galvin advised that they were studying the expansion of Saulsbury Road to two (2) lanes in each direction from Forrest Avenue to College Road or beyond, depending on study results. He advised that, although this project did not currently show up in the CTP, it may come up.

Mr. Galvin explained that the Loockerman Street/Forest Street Improvements project was in the CTP and progressing, with preliminary engineering this year, right-of-way next year, and construction in 2021. He stated that the Route 13 expansion to three (3) lanes in each direction from

Puncheon Run to Lochmeath Way, just below the Lowe's store, would go to construction in 2021 to 2022. Mr. Galvin noted that the other portion of this project, from Lochmeath to Woodside, is a year or two (2) behind and, although that area is not in the City, it would be an important change.

Mr. Galvin stated that new projects that are important to the City had been put in the CTP this year. He noted that there was a proposal to build a Dunkin Donuts and other office space on Forrest Avenue across from the Modern Maturity Center. Mr. Galvin explained that the MPO's Delaware 8 Concept Plan and Operations Study, which was released in 2008, included a proposal for a small connector road, probably a local road, connecting Route 8 to Commerce Way at the Beiser Boulevard warehouse buildings and to Food Lion at Gateway West. He stated that this project was in the CTP for the out-years, with preliminary engineering in 2021 and 2022. Mr. Galvin explained that because there would be construction at the Dunkin Donuts site, the State's hand had been forced and they would be looking at this project in the near future.

Mr. Galvin stated that Scarborough Road C-D Roads project would extend behind Dover Mall and connect to Dover Downs, Leipsic Road, and the exit from Route 1. He explained that this would be an alternative way to get from the Route 1 exit to Dover Mall and Dover Downs without having to go on Route 13. Mr. Galvin indicated that the State would be looking at this project and doing preliminary engineering in 2021 or 2022, with more intensive looks, right-of-way, and construction occurring in the years beyond.

Mr. Galvin advised that College Road reconstruction was included in the CTP; however, there were no items in the time period of the TIP. He explained that the MPO's TIP goes out to 2022 and the CTP goes out to 2024 and the CTP included funding in the out-years for College Road. Mr. Galvin noted that the MPO had done a bike study, which was an important part of College Road. He advised that College Road does not have any sidewalks on the portion from Kenton Road to McKee Road and expressed his belief that this area will receive the same treatment that Walker Road previously received.

Mr. Galvin stated that there was funding for the Crawford Carroll Road Extension behind Lowe's, noting that the road would extend to parking lots of the commercial enterprises along Route 13 but not all the way to Delaware State University. He indicated that right-of-way acquisition was planned for this year and next year, with construction in 2021 and 2022. Mr. Galvin stated that the West Dover Connector was complete and the State was currently studying Kenton Road. He advised that at the latest public workshop for Kenton Road, they were looking at a roundabout at the corner of Chestnut Grove Road and Kenton Road instead of a stop sign, to avoid delays. Mr. Galvin explained that a large amount of traffic comes from out of town on Kenton Road in the morning, and a roundabout would be a way to keep traffic moving.

Mr. Galvin advised that the State was looking at West Street from New Burton Road to North Street, explaining that there are no sidewalks on this stretch and there is a need for bike lanes. He noted that there would be preliminary engineering for this project in 2021 and 2022, with right-of-way acquisition in 2022.

Mr. Anderson noted that not having an interchange off Route 1 for the Garrison Oak Technology Park had cost the City a fair number of jobs and asked if there were any thoughts on this. Mr. Galvin stated that he had not seen anything to indicate that the Delaware Department of

Transportation (DelDOT) was looking at this. He noted that there is currently a partial interchange at Route 8, and DelDOT would be hard pressed to have another interchange essentially one (1) major street north of that. Mr. Galvin stated that the MPO had looked at the possibility of running some kind of road behind, from Leipsic down to White Oak. He stated his belief that there had always been a proposal to run a connector road from Route 8 somewhere along the right-of-way of Route 1 to get to White Oak Road, so that there would be a connection from the highway to the industrial park. He indicated that he had not heard about this in quite a while and suggested making sure that DelDOT knows that the City is interested in an interchange, if this is the case.

Update - Safety Issues at the Library

Mr. Lewis suggested deferring this matter since Mr. Lindell had requested it and was unfortunately unable to attend the meeting.

Mr. Neil moved to defer consideration of this matter, seconded by Mr. Anderson.

Mr. Polce noted that library staff was present and suggested that they be allowed the opportunity to provide an update.

Mr. Lewis asked the library staff if they could email members a written update regarding safety issues at the library. As a point of order, Mr. Sudler suggested that the motion to defer be rescinded. Mr. Neil agreed to rescind the motion; however, Mr. Anderson stated that he was not willing to rescind.

The motion to defer consideration of this matter carried by a roll call vote of six (6) yes (Anderson, Neil, Lewis, Slavin, Garfinkel, and Shelton), four (4) no (Sudler, Cole, Polce, and Hare), and one (1) absent (Lindell).

Mr. Sudler moved for adjournment of the Safety Advisory and Transportation Committee meeting, seconded by Mr. Neil and unanimously carried.

Meeting adjourned at 7:08 p.m.

UTILITY COMMITTEE

The Utility Committee met with Chairman Cole presiding.

AGENDA ADDITIONS/DELETIONS

Mr. Sudler moved for approval of the agenda, seconded by Mr. Lewis and unanimously carried.

Presentation - Electric Rate Design and Cost of Services Study

Mrs. Donna Mitchell, City Manager, reminded members Burns & McDonnell did the City's rate design and cost of services study for years; however, this study was done by a new firm, NewGen Strategies & Solutions, given the concerns of the City's electric rates with some of the customers for next fiscal year. She advised that this was a preliminary report which would be finalized and

brought back with the rates at the budget hearings. Mrs. Mitchell noted that there would also be discussions with the City's customers regarding the study.

Mr. Joe Mancinelli, General Manager, Energy Practice, NewGen Strategies & Solutions, reviewed a presentation entitled "City of Dover - Cost of Service and Rate Design Study", dated March 27, 2018 (**Attachment #2**).

Mr. Slavin thanked Mr. Mancinelli for the presentation and cautioned members to heed Mr. Mancinelli's words about the difference between using percentages and raw dollars at times. Mr. Slavin explained that someone could walk away thinking that their electric bill is going up 5% this year, when that person's electric bill will go up \$12 over the course of the year if they're a low user. He advised that members need to make sure their messaging is as synced up as the rest of this study and that they know what their talking points are as they roll this out.

Responding to Mr. Anderson, Mr. Mancinelli confirmed that they are looking at averaging this over a five-year time period.

Mr. Anderson asked what year the 2% change in residential rates would take effect. In response, Mr. Mancinelli explained that the amounts listed under the proposed column on each slide depict the rates that would become effective this year. He advised that the Power Cost Adjustment (PCA) that is in there, the .0038 for the Purchase Power Agreement (PPA), is an average amount that the City can afford to give back based on the forecast to the extent that it is different. Mr. Mancinelli explained that the current PCA is much higher and, to the extent that it is different in July, members would see a different effective increase. He stated that the Phase 2 and Phase 3 rates are not included in the presentation. Mr. Mancinelli noted that he thought that the proposal would be to eventually ask for approval of just Phase 1 and then see how the future plays out. He advised that the cost of service is based on the cost of serving the customer class over the entire five (5) years and is the same for every class.

Mr. Sudler asked, in regard to the residential class, if there were any concerns regarding the City's infrastructure impeding the positive outcome of the City's profit rate that can be addressed in the short term. Responding, Mr. Mancinelli stated that the design of the system does impact the cost; however, they have not looked at the design to determine if it could be different or should be different. He advised that it is serving its purpose now, and they only looked at the cost.

Rojan Meadows Sanitary Sewer Territory Transference

Members were advised that, in 2003, the Rojan Meadows subdivision was proposed within the City of Dover. The development went through the City's Development Advisory Committee (DAC) and received initial approval from the Planning Commission. The original intent of this development was to install gravity sanitary sewer mains and a pump station that would be dedicated to the City of Dover. The project was tabled in 2010 and Rojan Meadows did not receive final approval from the City of Dover. The developer has revived this project and is intent on obtaining final approval for the Rojan Meadows development and one (1) aspect of the final approval is to provide sanitary sewer service to all proposed lots. The proposal is to transfer the sanitary sewer territory of the Rojan Meadows subdivision, and any adjacent lots to be served by this system, to Kent County for

ownership and maintenance. Mrs. Sharon Duca, Public Works Director/City Engineer, reviewed the background and analysis for this item.

Staff recommended granting conditional approval to transfer the Rojan Meadows sanitary sewer territory to Kent County pending the developer's ability to obtain all necessary approvals and authorizations as required by the City.

Mr. Hare moved to recommend granting conditional approval to transfer the Rojan Meadows sanitary sewer territory to Kent County pending the developer's ability to obtain all necessary approvals and authorizations as required by the City, as recommended by staff. The motion was seconded by Mr. Lewis.

Mr. Anderson asked if the User Agreement modification should be based on Kent County standards since the county has everything to do with this, including running and maintaining the pump station, or if it has to be run on the standards for the City system. Responding, Mrs. Duca explained that the changes that have to be made to the User Agreement specifically relate to how flow is determined at the Dover East Pump Station since part of the City flow still goes into there. She stated that currently there is only a deduction for the mobile homes that the County flows into the Dover East Pump Station, and the agreement would have to allow for appropriate calculations for single-family residences to go through, so that the City would be receiving the appropriate deduction from the total flow from the station which determines what will be charged. Mr. Anderson asked if that requirement would be based on the County or City requirements. In response, Mrs. Duca advised that the County code specifically identifies what an equivalent dwelling unit (EDU) is for a mobile home versus a single-family and the City only references the equivalent of a single-family; however, they do coincide with each other.

In response to Mr. Neil, Mrs. Duca advised that if there are any costs related to the transference of the Certificate of Public Convenience and Necessity (CPCN), they would have to be borne by the developer.

The motion to recommend granting conditional approval to transfer the Rojan Meadows sanitary sewer territory to Kent County pending the developer's ability to obtain all necessary approvals and authorizations as required by the City, as recommended by staff, was unanimously carried.

Mr. Sudler moved for adjournment of the Utility Committee meeting. The motion was seconded by Mr. Neil and unanimously carried.

Meeting adjourned at 7:59 p.m.

LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE

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

AGENDA ADDITIONS/DELETIONS

Mr. Neil moved for approval of the agenda, seconded by Mr. Lewis and unanimously carried.

Status of Other Post-Employment Benefits (OPEB) and Pension Funds

Due to time constraints, this item was deferred during the meeting of March 13, 2018.

Mrs. Donna Mitchell, City Manager, reviewed the General Pension, Other Post-Employment Benefits (OPEB) - Retirement Health Insurance, and Police Pensions Post Retirement Benefit Liabilities as of July 1, 2017 for the Plan Year June 30, 2019. She stated that the General Pension unfunded liability total is down to \$20M and is funded at 67.1% in total, noting that in FY 16 it was funded at 60.7%, so it is up 7% in funding, which is very good.

Mrs. Mitchell advised that the report also included the percentages that have to be put into payroll to put the actuarially determined contribution into the plans each year. Referring to the General Fund, she advised that the normal cost is 4.21% in total, the amortization of the unfunded liability and the interest cost is 44.05%, for a total of 48.26%, which she separated out so members could see how much the unfunded liability is costing the City each year as a percentage of payroll. Mrs. Mitchell noted that, in total, the percentage of payroll for the General Fund is 58% versus 29% for the Electric Fund, explaining that the City is more fully funded with the Electric Fund than the General Fund.

Mrs. Mitchell stated that the OPEB - Retirement Health Insurance is 41.9% funded in liability, which has improved from FY 16 when it was funded at 33.7%. She advised that the City had a lot of help in the last year with the market improving the investments. Mrs. Mitchell noted that the actuarially determined contribution for OPEB is 13.7% for the General Fund, 2.20% for the Water/Wastewater Fund, and 2.00% for the Electric Fund, for a total of 6.4%. She explained that a lot of that percentage is driven by the police because they can retire earlier.

Mrs. Mitchell advised members that the City has to put a flat lump sum amount into the City of Dover Police Pension Plan and the City is also part of the State of Delaware Police Pension Plan. She noted that the City of Dover Police Pension Plan had improved 10% from last year, increasing from 63% to 73% funded. Mrs. Mitchell advised that the Police Pension percentage of payroll is 16.68%.

Project Carry-Forward Budget Balances and Proposed Ordinance #2018-02 - FY 2017-2018 Budget Ordinances - First Amendment

Due to time constraints, this item was deferred during the meeting of March 13, 2018.

Mrs. Donna Mitchell, City Manager, reviewed the background and analysis for the project carry-forward budget balances and Proposed Ordinance #2018-02 - FY 2017-2018 Budget Ordinances - First Amendment. She explained that the proposed budget amendments bring forward the carry-forward balances from last fiscal year as well as projects carried forward, and any other adjustments that have been made during the year.

Staff recommended approval of the proposed budget amendments for Fiscal Year 2018 and adoption of Ordinance #2018-02.

In response to Mr. Sudler, Mrs. Mitchell repeated that the transfer to the Parkland Reserve included \$2,809 from Mr. Sudler's Parkland Revitalization fundraising.

Mr. Neil, referring to Proposed Ordinance #2018-02 - FY 2017-2018 Budget Ordinances - First Amendment, page 1, General Fund, Cash Receipt Summary for 2017-2018, asked for additional details regarding how the \$1.47M increase from the original budget to the revised budget happened. Responding, Mrs. Mitchell explained that \$214,000 was revenues that came in over budget, \$1.1M was the departmental expenses, more than \$600,000 of which was from attrition for vacant positions, wages and benefits, there were also materials and supplies, and all of the other expenses came in under budget. She stated, for example, that the Customer Service Department was \$204,000, reminding members that Council approved additional staff; however, it took a while to get those additional employees onboard. Mrs. Mitchell advised that some of the larger amounts included Grounds Maintenance at \$159,000 and Streets at \$126,000, \$80,000 of which she put back in next year. She explained that it was pretty much the attrition and savings in the departments' expenses. Mr. Slavin stated that he did not believe that Mrs. Mitchell had answered Mr. Neil's question, indicating that the answer was because the City and members are good at what they do now, Mrs. Mitchell is good at what she does, and the Finance Department is good at what they do. He noted that they are also transparent and there is a higher degree of trust among all of them as colleagues than there had been at any time that he had been on Council, so the numbers they were hearing are true numbers that they can rely on.

Mr. Lewis moved to recommend approval of the proposed budget amendments for Fiscal Year 2018 and adoption of Ordinance #2018-02, as recommended by staff. The motion was seconded by Mr. Shevock and unanimously carried.

Grant Application Procedure Revisions

Ms. Lori Peddicord, Controller/Treasurer, advised members that during a recent US Department of Justice (USDOJ) grant monitoring visit regarding Police Department grants, the City was requested to revise City of Dover Grant Application Procedure No. 317 and the Police Department General Order 17 Budget & Purchasing Procedures to add some additional controls and procedures to monitor sub awards and subrecipient grant funding. Ms. Peddicord reviewed the proposed procedure revisions (**Attachment #3**).

Staff recommended approval of the procedure revisions as requested.

Mr. Neil moved to recommend approval of staff's recommendation, seconded by Mr. Anderson and unanimously carried.

Diversity and Inclusion Study Request for Proposal (RFP)

Due to time constraints, this item was deferred during the meeting of March 13, 2018.

A Request for Proposal (RFP) for Diversity and Inclusion was issued on October 31, 2017 with a bid opening on November 29, 2017. Five (5) submissions were received. After the closing, the University of Delaware was contacted to determine their interest in the project. Following discussions with the University, they submitted their response on February 8, 2018. Mrs. Donna Mitchell, City Manager, advised members Mrs. Kim Hawkins, Human Resources Director, had reviewed all of the proposals and all of them had come in over budget. Mrs. Mitchell stated that she had moved money in Proposed Ordinance #2018-02 - FY 2017-2018 Budget Ordinances - First Amendment to cover this expense if Council desires to move forward with the

study. She stated that she felt that Kaleidoscope Group from Chicago was the best and most qualified and their proposal, in the amount of \$97,400, would cover the City's needs.

Staff recommended authorizing funding up to \$97,400 to support the full scope of the RFP.

Mr. Sudler moved to recommend approval of staff's recommendation, seconded by Mr. Slavin and unanimously carried.

Mr. Neil moved for adjournment of the Legislative, Finance, and Administration Committee meeting. The motion was seconded by Mr. Shevock and unanimously carried.

Meeting adjourned at 8:14 p.m.

Mr. Anderson moved for adjournment of the Council Committee of the Whole meeting. The motion was seconded by Mr. Sudler and unanimously carried.

Meeting adjourned at 8:14 p.m.

Timothy A. Slavin
Council President

TAS/TM/dd

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Attachments

- Attachment #1 - A presentation entitled "Downtown Dover Parking Study", dated March 27, 2018, provided by Mr. Spencer Finch, Project Manager and Sustainability Leader, Langan Engineering & Environmental Services, Inc.
- Attachment #2 - A presentation entitled "City of Dover - Cost of Service and Rate Design Study", dated March 27, 2018, provided by Mr. Joe Mancinelli, General Manager, Energy Practice, NewGen Strategies & Solutions
- Attachment #3 - Revised City of Dover Grant Application Procedure No. 317 and Police Department General Order 17 Budget & Purchasing Procedures

Downtown Dover Parking Study

Presented to the Dover City Council

March 27, 2018

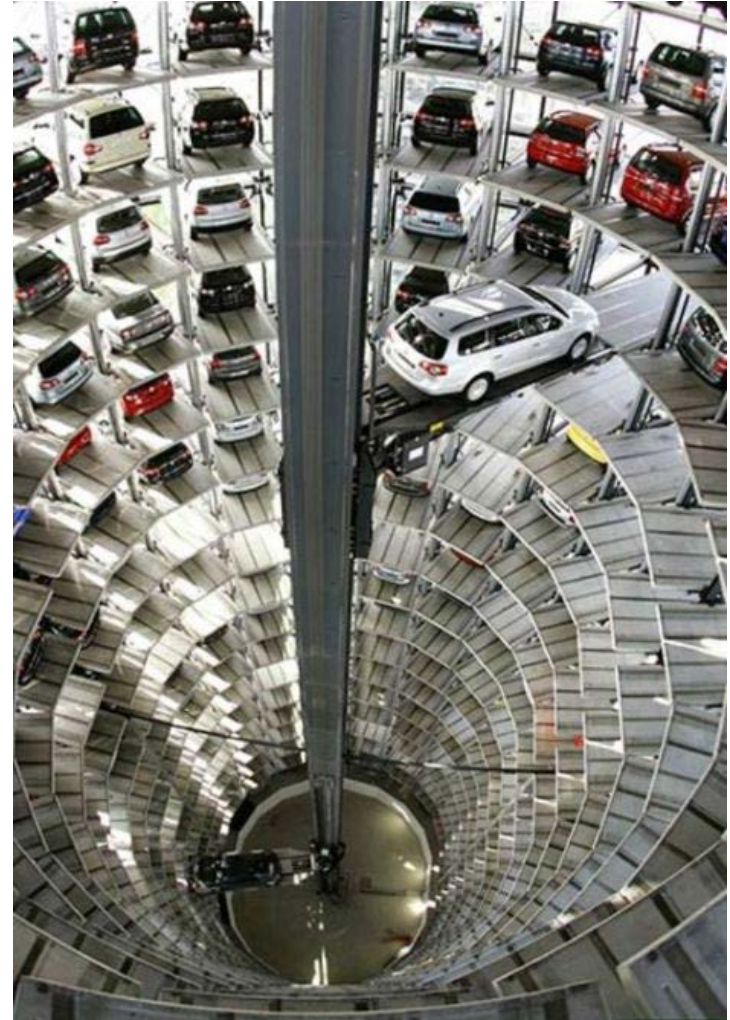


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Downtown Dover Parking Study

DOWNTOWN DOVER PARKING STUDY FOCUS AREAS

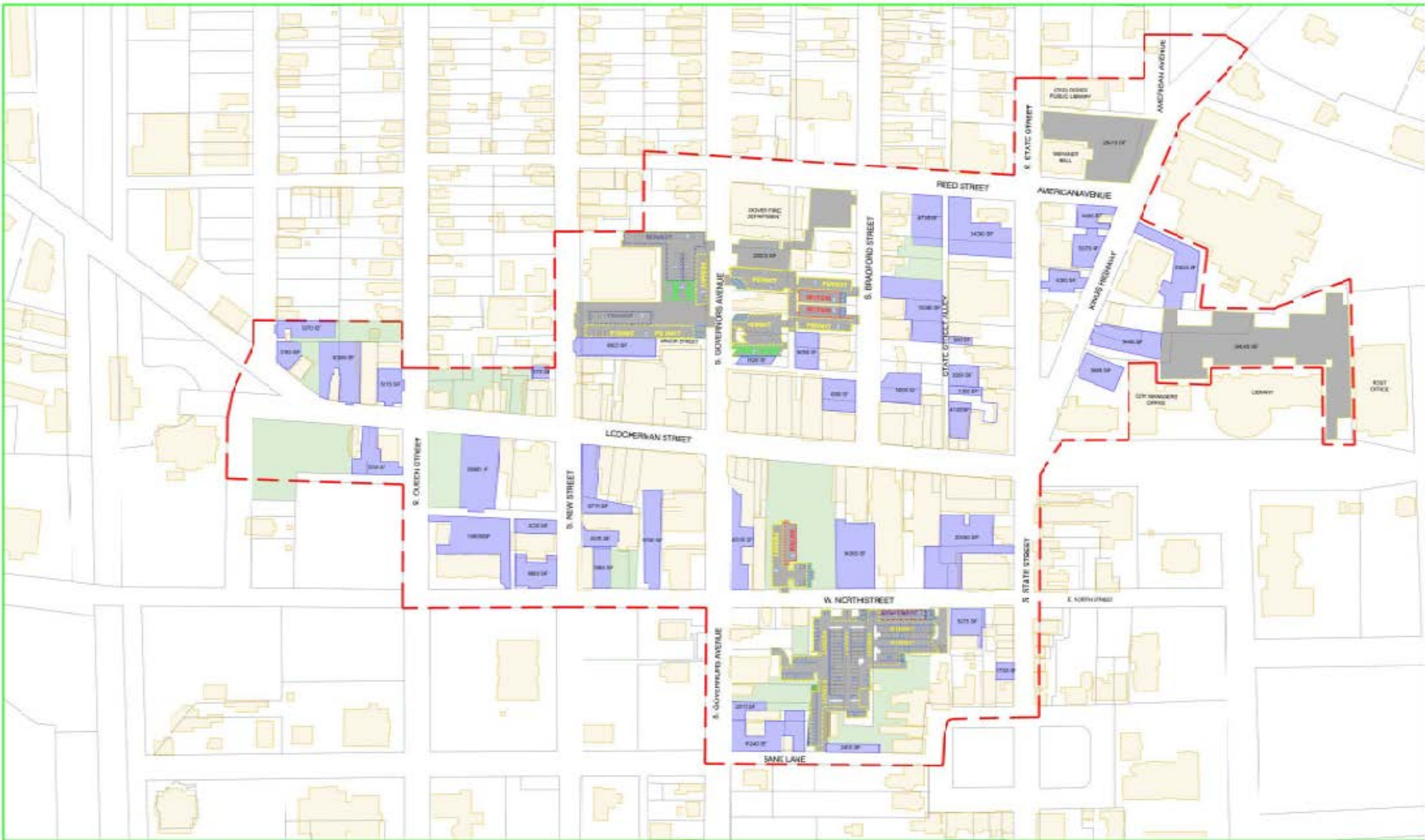


- "Too much?"
- "Too little?"
- "Too pricy?"
- "Too cheap?"
- "Easy to Understand?"
- "Convenient to where I want to go?"



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Private Off-Street Parking
 Public Off-Street Parking
 Open Space

Existing Surface Area
 264,255 SF = approximately 6.5 acres

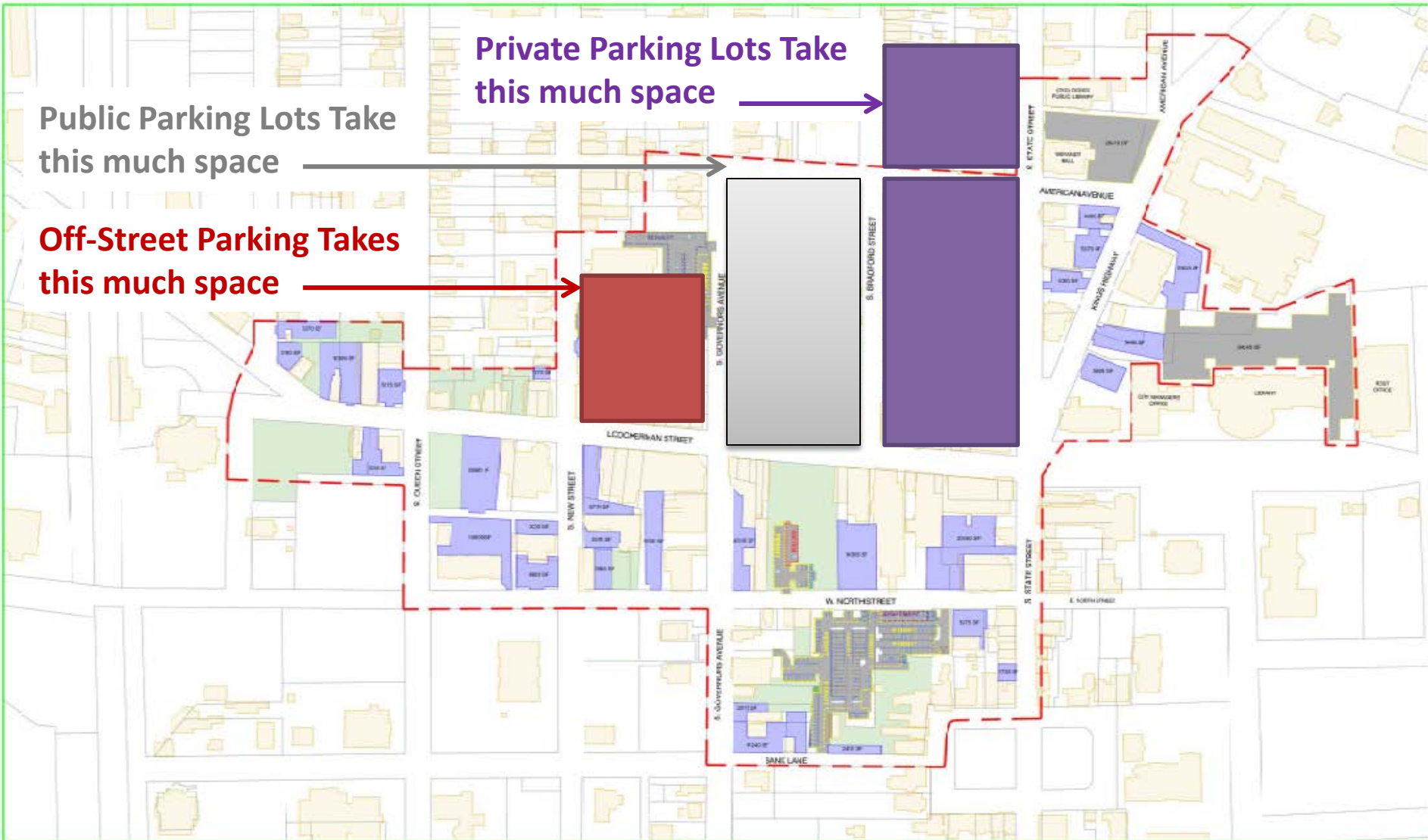
Surface Parking Areas
 March 2017
Cover Downtown Parking Study
 Dover, DE



Public Parking Lots Take this much space

Off-Street Parking Takes this much space

Private Parking Lots Take this much space



- Private Off-Street Parking
- Public Off-Street Parking
- Open Space

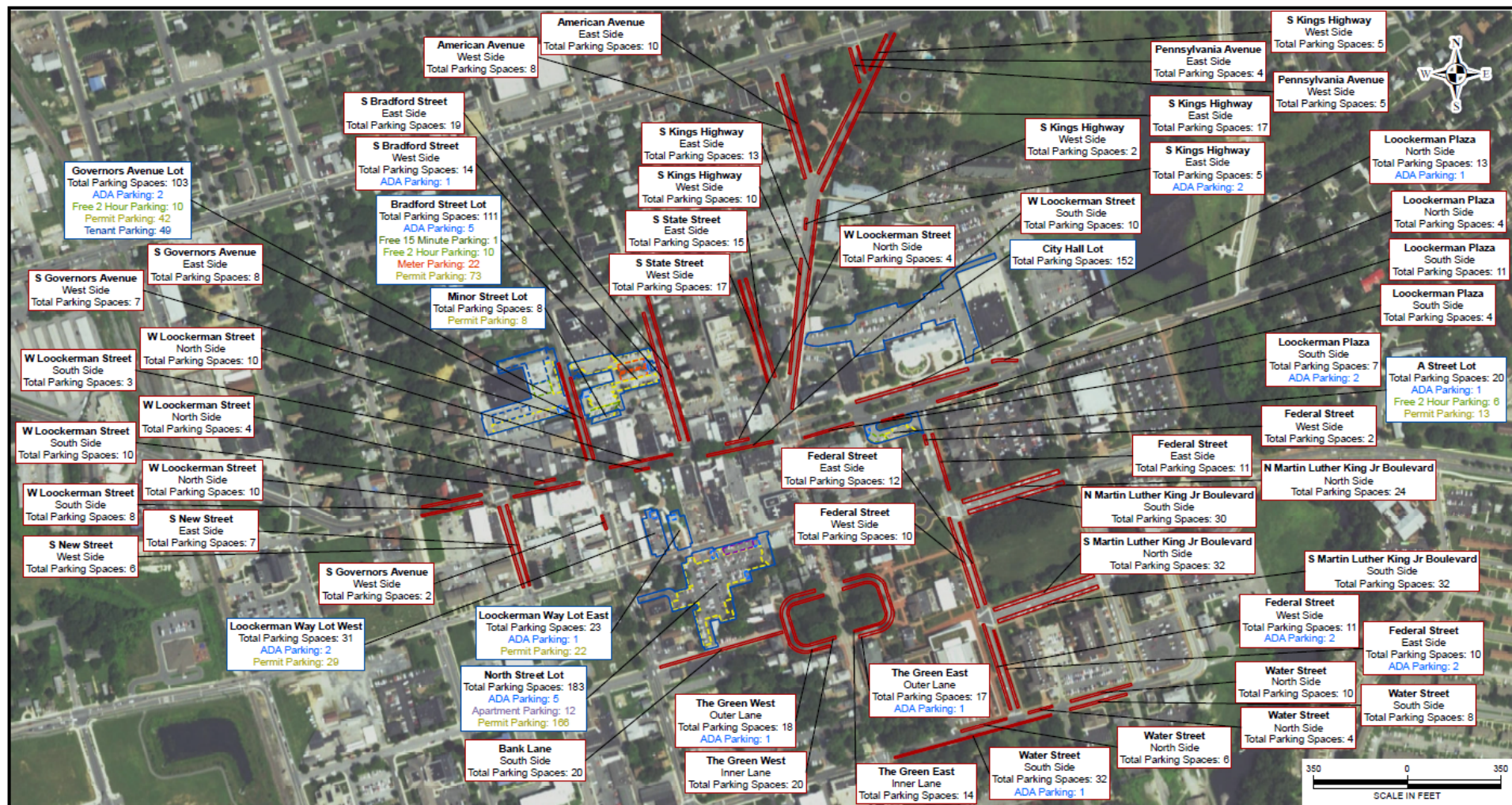
Existing Surface Area
264,255 SF = approximately 6.5 acres

Surface Parking Areas

March 2017

Cover Downtown Parking Study
Dover, DE





Legend

Parking Type	Parking Spot Type	
 Street Parking	 ADA Parking	 Free 2 Hour Parking
 Parking Lot	 Apartment Parking	 Meter Parking
	 Free 15 Minute Parking	 Permit Parking
		 Tenant Parking

Notes:
World aerial imagery base map is provided through Langan's Esri ArcGIS software licensing and ArcGIS online. Source of aerial imagery is USDA FSA from 7/11/2015. Credits: Esri, DigitalGlobe, GeoEye, i-cubed, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, and the GIS User Community

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Langan Engineering & Environmental Services, Inc.
 Langan Engineering, Environmental, Surveying and
 Landscape Architecture, D.P.C.
 Langan International LLC
 Collectively known as Langan

Project
DOVER PARKING STUDY
 DOVER
 KENT COUNTY DELAWARE

Drawing Title
PARKING TYPE

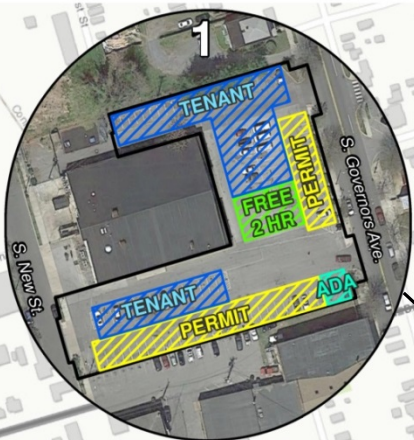
Project No. 220100701	Figure X
Date 3/3/2017	
Scale 1"=350'	
Drawn By MMK	
Submission Date 3/3/2017	Sheet 001 of 001

Parking Count Findings

- 1,762 total parking spaces
- On-Street Parking (607 spaces)
 - Peak Hour – 12:30 to 1:30 pm
 - Peak Occupancy Rate – 75%
 - Peak Violation Rate – 16%
- Off-Street Public Parking (459 spaces)
 - Peak Hour – 11 am – Noon
 - Peak Occupancy Rate – 63%



Peak Occupancy Per Lot



1. GOVERNORS AVENUE LOT

21%

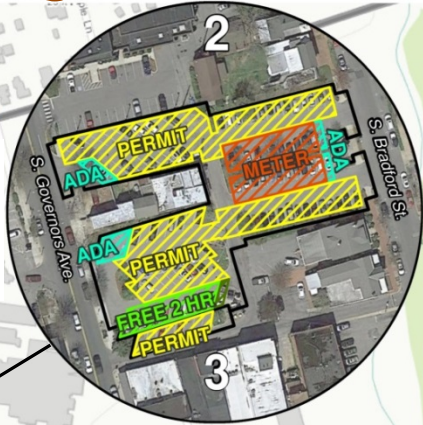


5. LOCKERMAN WAY LOT

83%

2. BRADFORD STREET LOT

63%



3. MINOR STREET LOT

62%

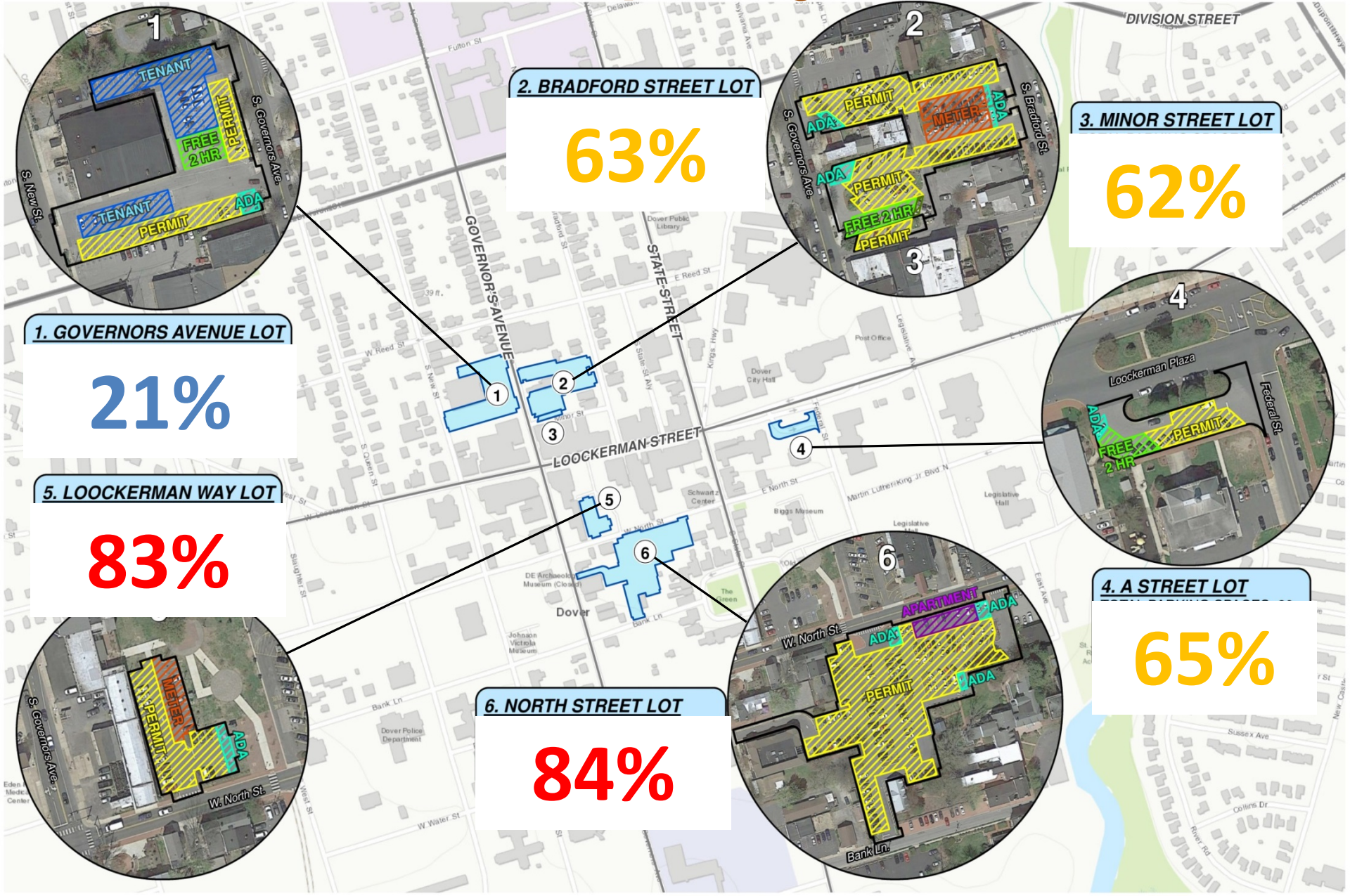
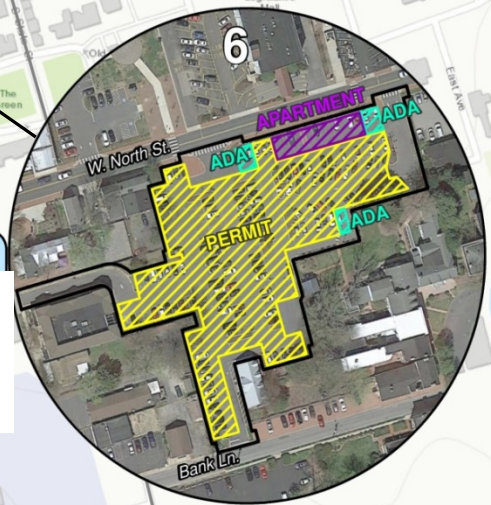


4. A STREET LOT

65%

6. NORTH STREET LOT

84%



ISSUES

- *Not easy to understand*
- *Cost of Parking*
- *Perception of Safety*
- *Sense of Place*

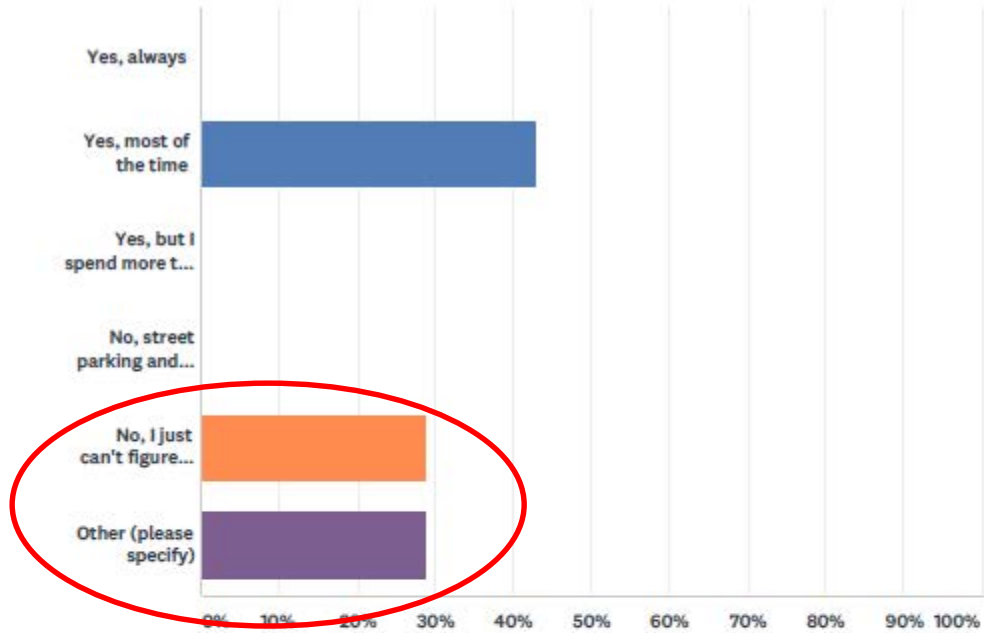


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Q14 Is it easy to find parking?

Answered: 7 Skipped: 1



ANSWER CHOICES	RESPONSES
Yes, always	0.00% 0
Yes, most of the time	42.86% 3
Yes, but I spend more than 10 minutes looking for parking	0.00% 0
No, street parking and parking lots are always full	0.00% 0
No, I just can't figure out where to go to find parking	28.57% 2
Other (please specify)	28.57% 2
TOTAL	7

#	OTHER (PLEASE SPECIFY)	DATE
1	permit holders have taken up much of the parking in lots. The parking lot on North street is dedicated to the EZ pass staff.	8/31/2017 8:08 AM
2	Need handicapped parking, after driving around lots looking for a spot, I gave up	8/30/2017 5:18 PM

Cost of Parking:

(Per Hour /
On Street)

DOVER



Wilmington



Newark



Annapolis, MD



Media, PA



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Cost of Parking:

(Per Day /
Public Lots)

DOVER



Wilmington

12 x



Newark

8 x



Annapolis, MD

13 x



Media, PA



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Current Cost of Parking DAILY:

DOVER



(Per Day / Public Lots)



(For 2 Hours / On-Street)



Current Cost of Parking DAILY:

Newark



(Per Day / Public Lots)



(Per Hour / On-Street)

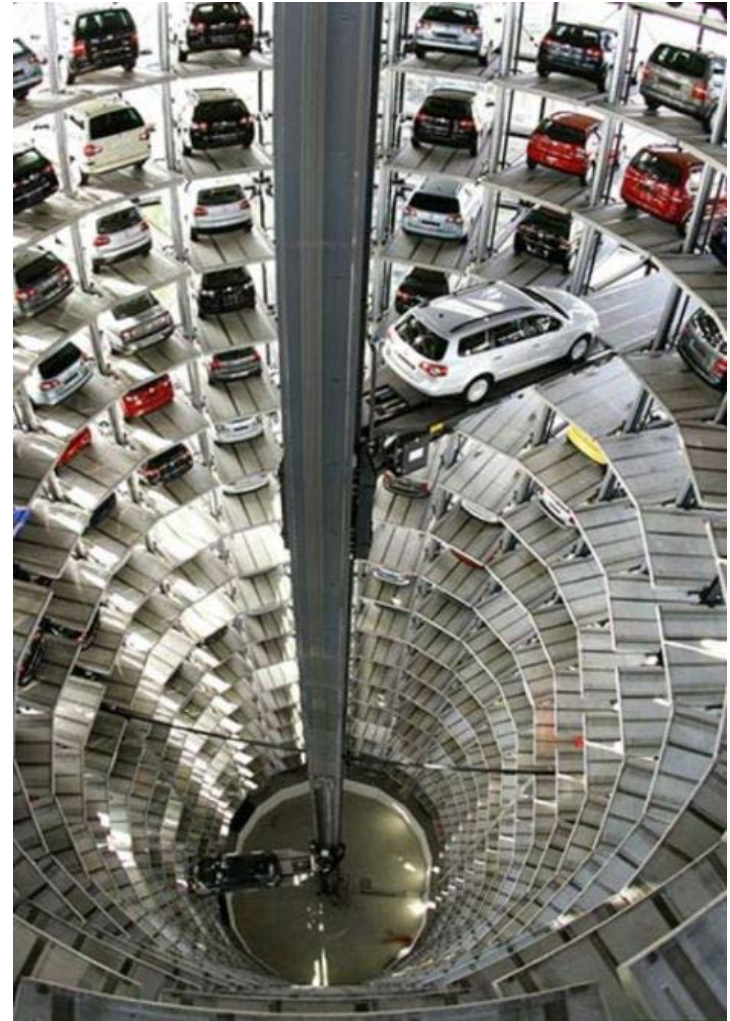


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PUBLIC OUTREACH

- *3 Public Meetings*
- *Newspaper Coverage*
- *Online Survey*



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Questions from Public Outreach: How Would You Spend Your ?

Quick Errand
to Downtown
Dover



, but 20 mins only



/ hr, Off-Street

Day-long Stay



All day, Off-Street



All day, On-Street,
but moving car every 2 hours



All day, On-Street

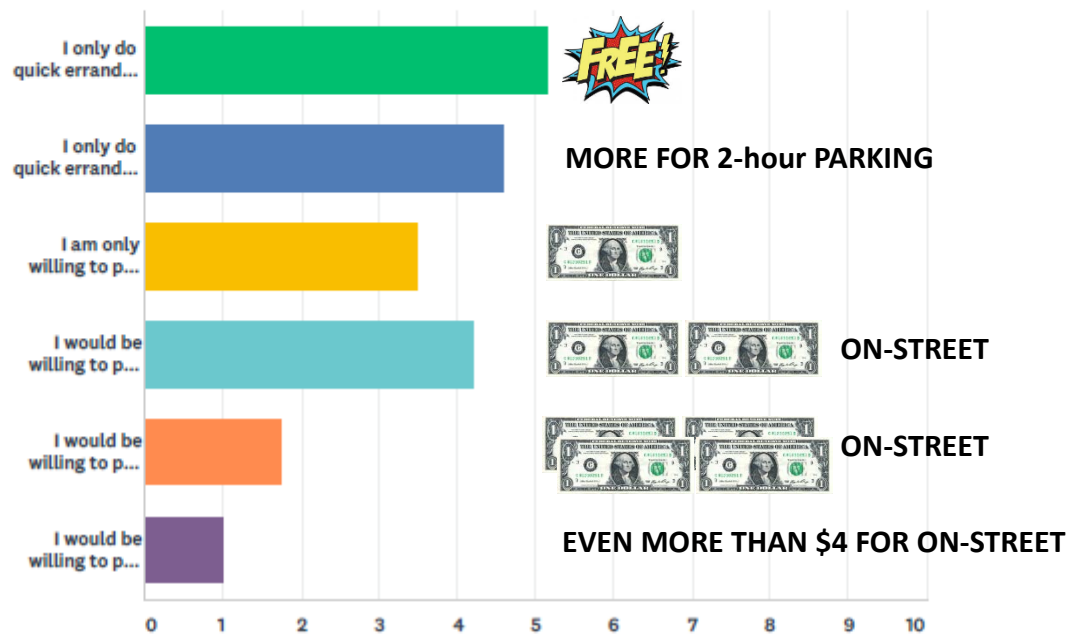


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Q27 How much are you willing to pay for HOURLY AND DAILY PARKING downtown? (Please rank your preferred options below)

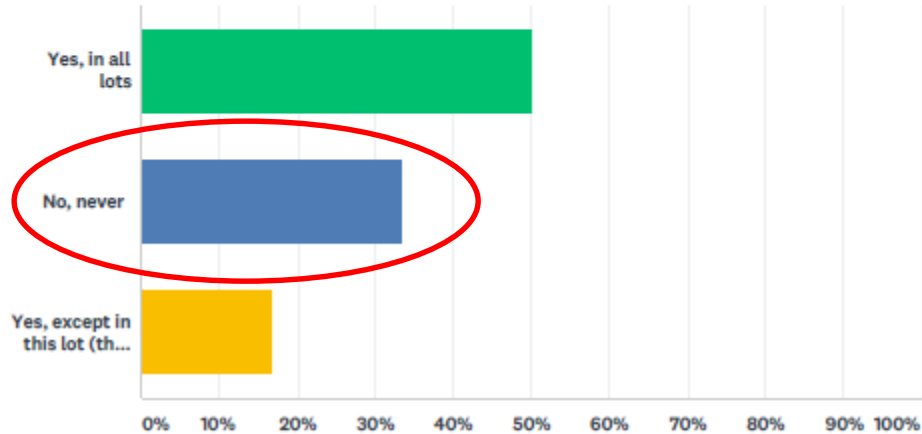
Answered: 6 Skipped: 2



	1	2	3	4	5	6	TOTAL	SCORE
I only do quick errands, so I would only use FREE 15-minute or 2-hour parking	66.67% 4	0.00% 0	16.67% 1	16.67% 1	0.00% 0	0.00% 0	6	5.17
I only do quick errands, but I would be willing to pay for more convenient and available 2-hour parking	0.00% 0	80.00% 4	0.00% 0	20.00% 1	0.00% 0	0.00% 0	5	4.60
I am only willing to pay the current 25 cents per hour, up to \$1 daily - no matter if on-street or off-street	0.00% 0	0.00% 0	75.00% 3	0.00% 0	25.00% 1	0.00% 0	4	3.50
I would be willing to pay \$2 daily for a more convenient on-street spot	40.00% 2	0.00% 0	0.00% 0	60.00% 3	0.00% 0	0.00% 0	5	4.20
I would be willing to pay \$4 daily for a more convenient on-street spot	0.00% 0	0.00% 0	0.00% 0	0.00% 0	75.00% 3	25.00% 1	4	1.75
I would be willing to pay even more for a more convenient OFF-street spot	0.00% 0	0.00% 0	0.00% 0	0.00% 0	0.00% 0	100.00% 3	3	1.00

Q23 Do you feel safe at Dover's municipal parking lots?

Answered: 6 Skipped: 2

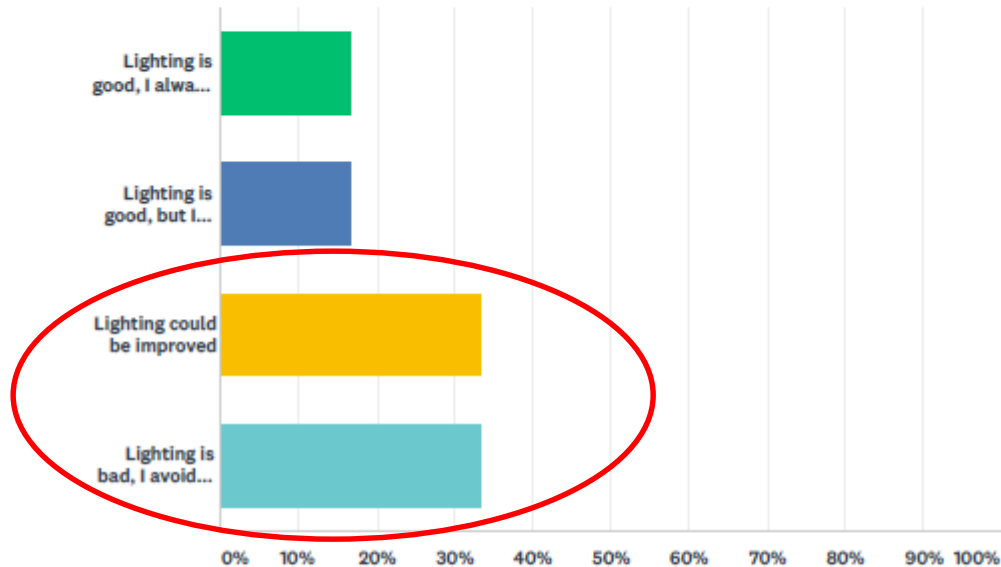


ANSWER CHOICES	RESPONSES
Yes, in all lots	50.00% 3
No, never	33.33% 2
Yes, except in this lot (these lots):	16.67% 1
TOTAL	6

#	YES, EXCEPT IN THIS LOT (THESE LOTS):	DATE
1	Anything off state street at night	9/2/2017 9:00 AM

Q24 If you park at night, how would you rate lighting around Downtown Dover?

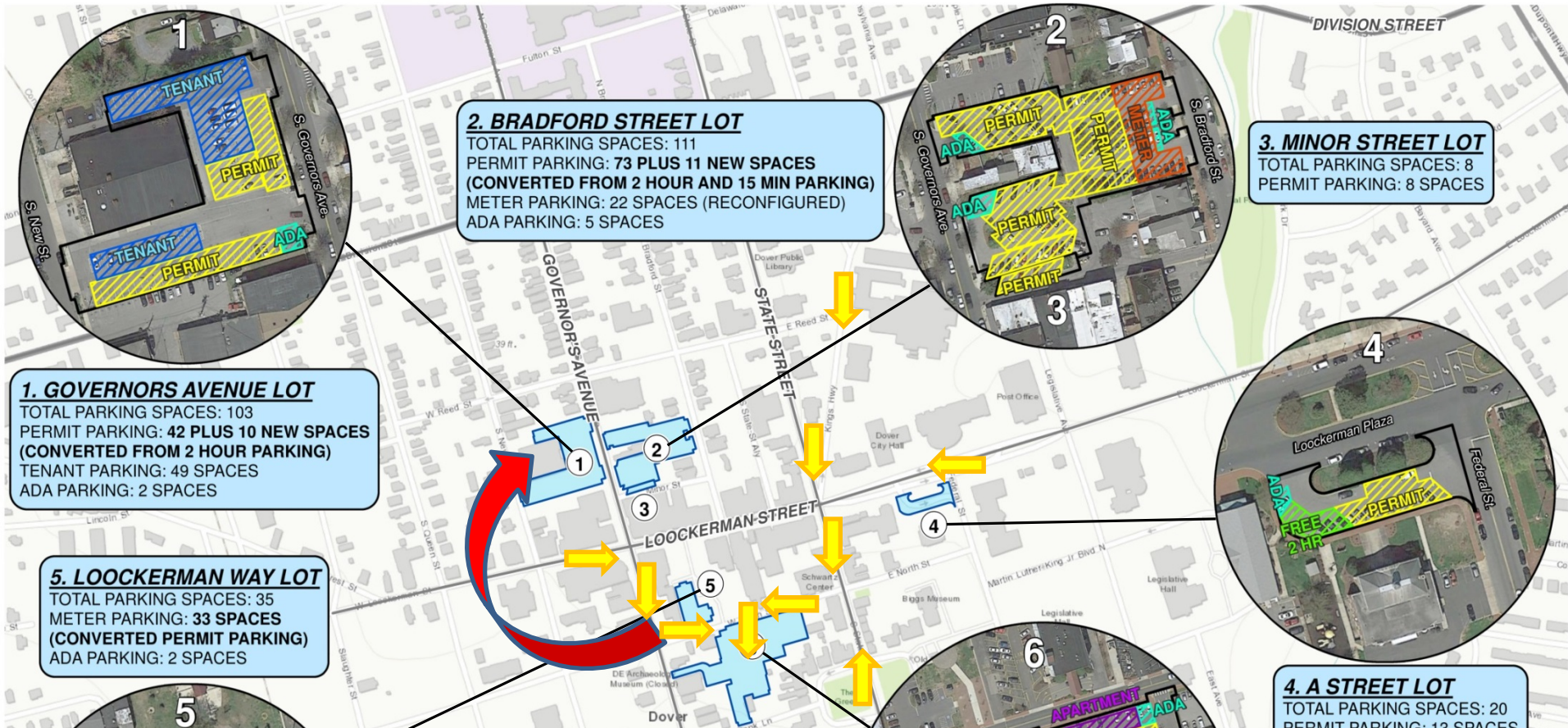
Answered: 6 Skipped: 2



ANSWER CHOICES	RESPONSES	
Lighting is good, I always feel safe and can easily get to my destination	16.67%	1
Lighting is good, but I still don't feel safe	16.67%	1
Lighting could be improved	33.33%	2
Lighting is bad, I avoid Downtown Dover at night because of it	33.33%	2
TOTAL		6

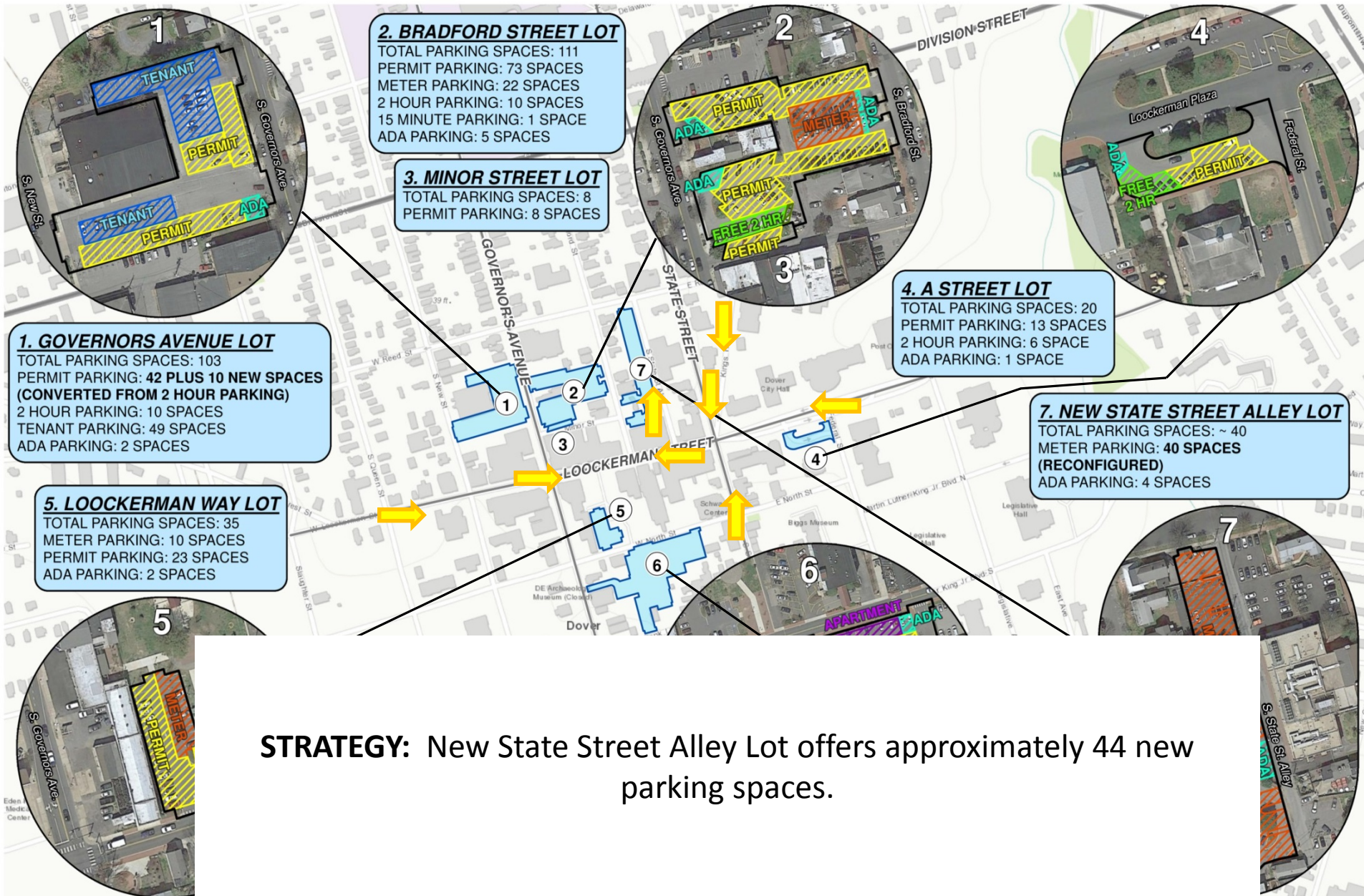
#	LIGHTING IS GOOD, EXCEPT AT THIS (THESE) LOCATION(S):	DATE
1	Anything off state street	9/2/2017 9:00 AM

Potential Improvement Scenario 1

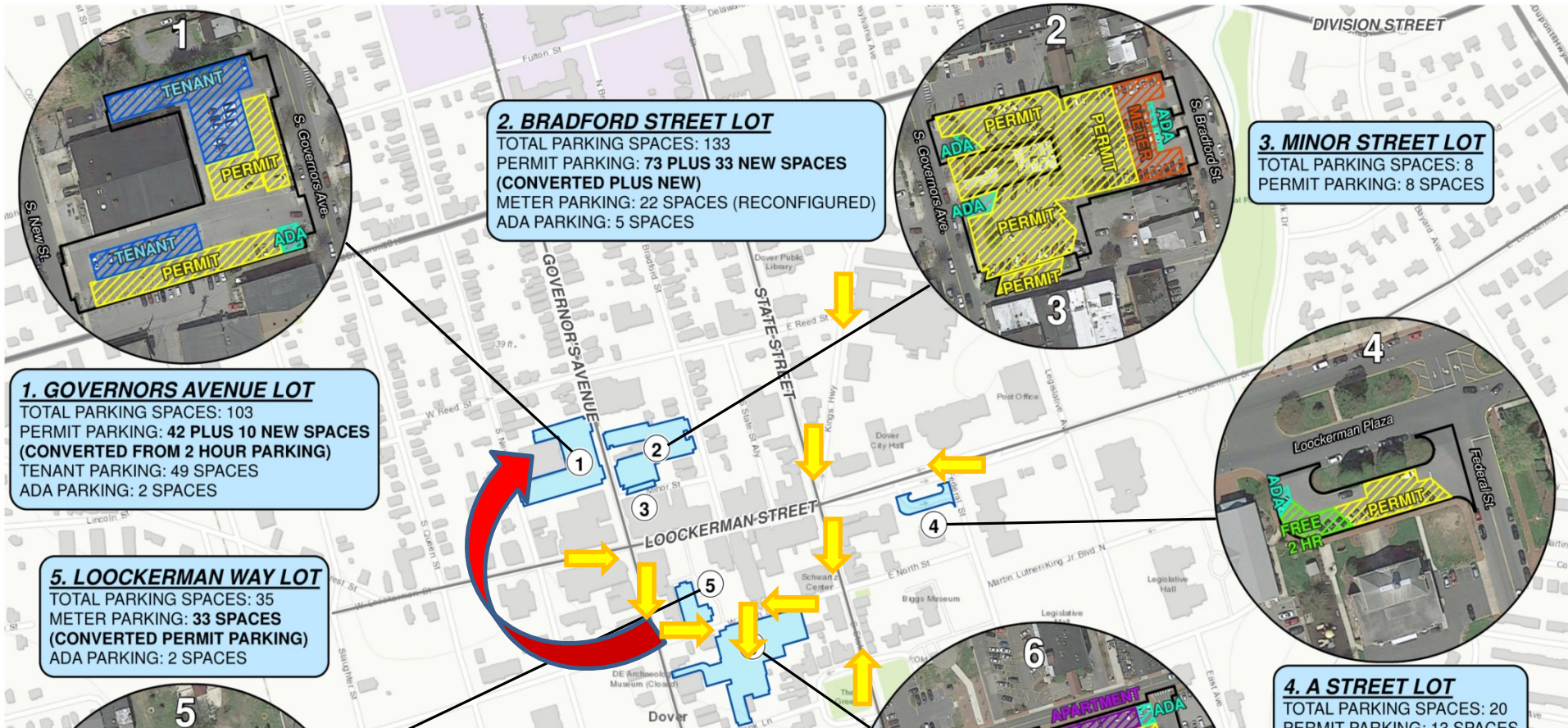


STRATEGY: Shift some permit parking to Bradford and Governor's Avenue Lots, Open Up Lockerman Way (or North Street) Lot to public parking

Potential Improvement Scenario 2

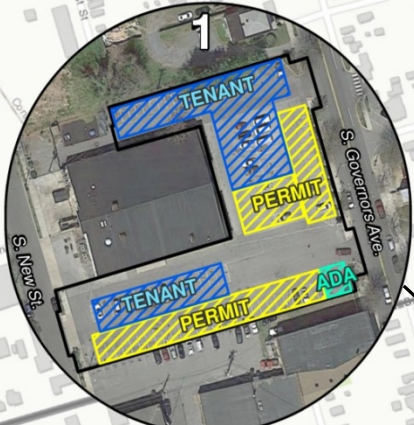
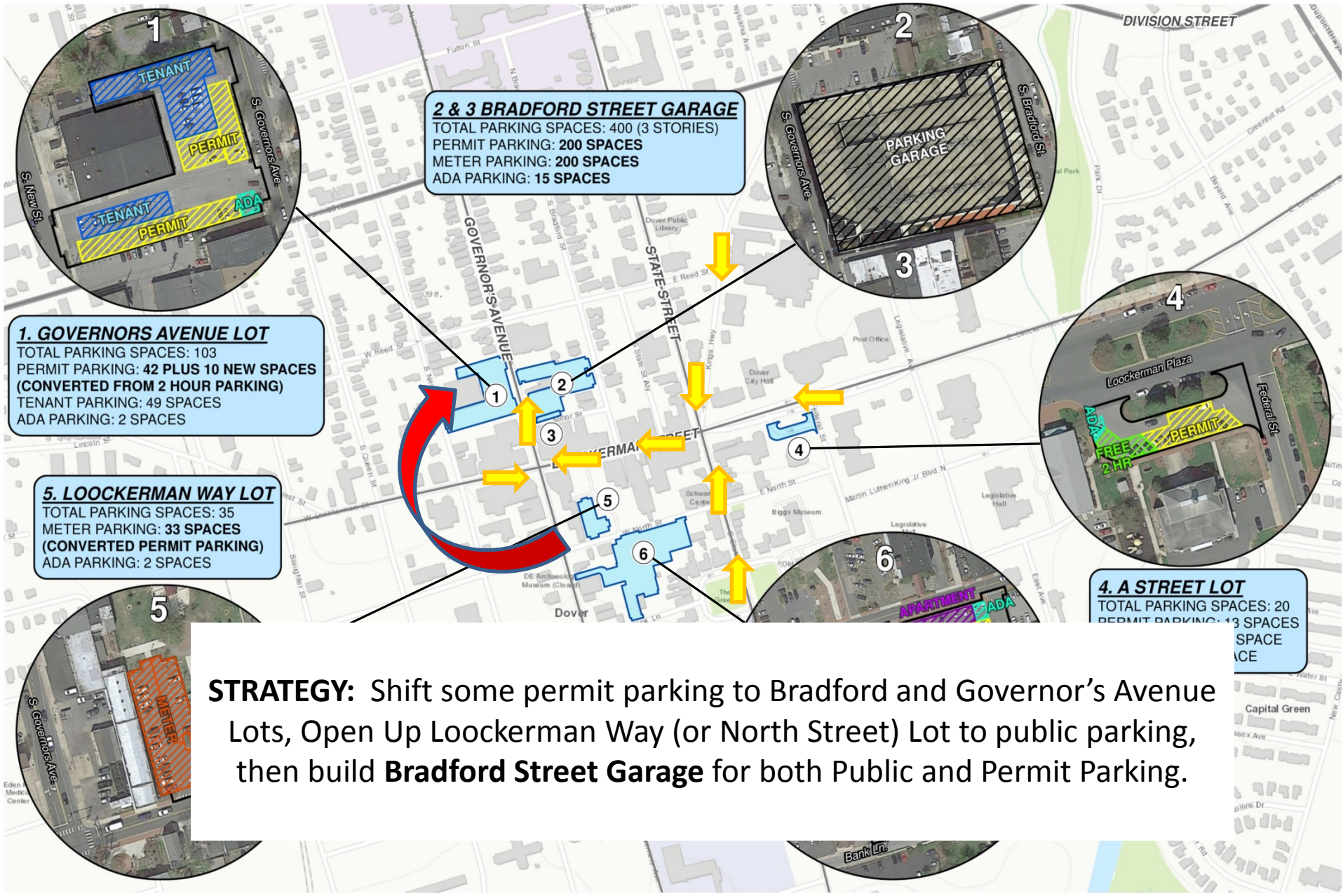


Potential Improvement Scenario 3



STRATEGY: Shift some permit parking to Bradford and Governor's Avenue Lots, Increase size of Bradford Street Lot, Open Up Lockerman Way (or North Street) Lot to public parking

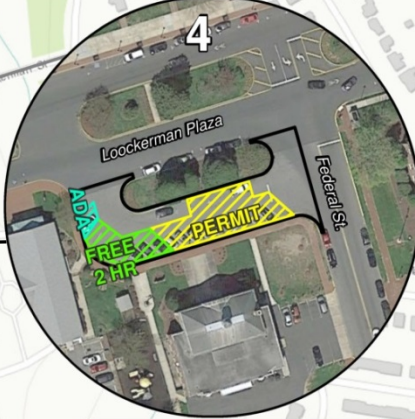
Potential Improvement Scenario 4



1. GOVERNORS AVENUE LOT
 TOTAL PARKING SPACES: 103
 PERMIT PARKING: 42 PLUS 10 NEW SPACES
 (CONVERTED FROM 2 HOUR PARKING)
 TENANT PARKING: 49 SPACES
 ADA PARKING: 2 SPACES



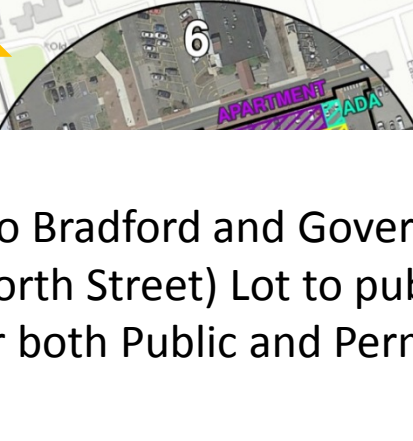
2 & 3 BRADFORD STREET GARAGE
 TOTAL PARKING SPACES: 400 (3 STORIES)
 PERMIT PARKING: 200 SPACES
 METER PARKING: 200 SPACES
 ADA PARKING: 15 SPACES



4. A STREET LOT
 TOTAL PARKING SPACES: 20
 PERMIT PARKING: 13 SPACES
 SPACE
 ICE



5. LOOKERMAN WAY LOT
 TOTAL PARKING SPACES: 35
 METER PARKING: 33 SPACES
 (CONVERTED PERMIT PARKING)
 ADA PARKING: 2 SPACES



STRATEGY: Shift some permit parking to Bradford and Governor's Avenue Lots, Open Up Lookerman Way (or North Street) Lot to public parking, then build **Bradford Street Garage** for both Public and Permit Parking.

How Would You Spend Your ?

Scenario 1	Less than \$100k
Scenario 2	\$1M to \$2M
Scenarios 1 and 2	\$1M to \$2M
Scenario 3	\$1M to \$2M
Scenarios 2 and 3	\$2M to \$4M
Scenario 4	Over \$10 M



FUTURE DEVELOPMENT SCENARIOS

Land Use	Number of Parking Spots Required			
	Original Demand Model	Scenario 1 – Residential Growth, no new parking	Scenario 2 – Residential Growth, new parking according to zoning	Scenario 3 – Residential and Office Growth, new parking according to zoning
Commercial	414	414	414	414
Office/Industrial	823	823	823	1,107
Residential	260	688	688	688
TOTAL	1,498	1,925	1,925	2,209
Existing Supply	1,762	1,762	2,082	2,415
Calculated Raw Peak Occupancy	85%	109%	92%	91%
Calculated Time of Day / Parking Type Peak Occupancy	60%	79%	67%	58%



CONCLUSIONS

- *Inefficient distribution of parking capacity*
 - *Some lots over 80% occupancy*
 - *Some lots below 40%*
- *Confusing wayfinding*
- *Long-range planning*
- *BUT, very important: willingness of public to try something NEW*



RECOMMENDATIONS

- *Short-Term*
- *Medium-Term*
- *Long-Term*



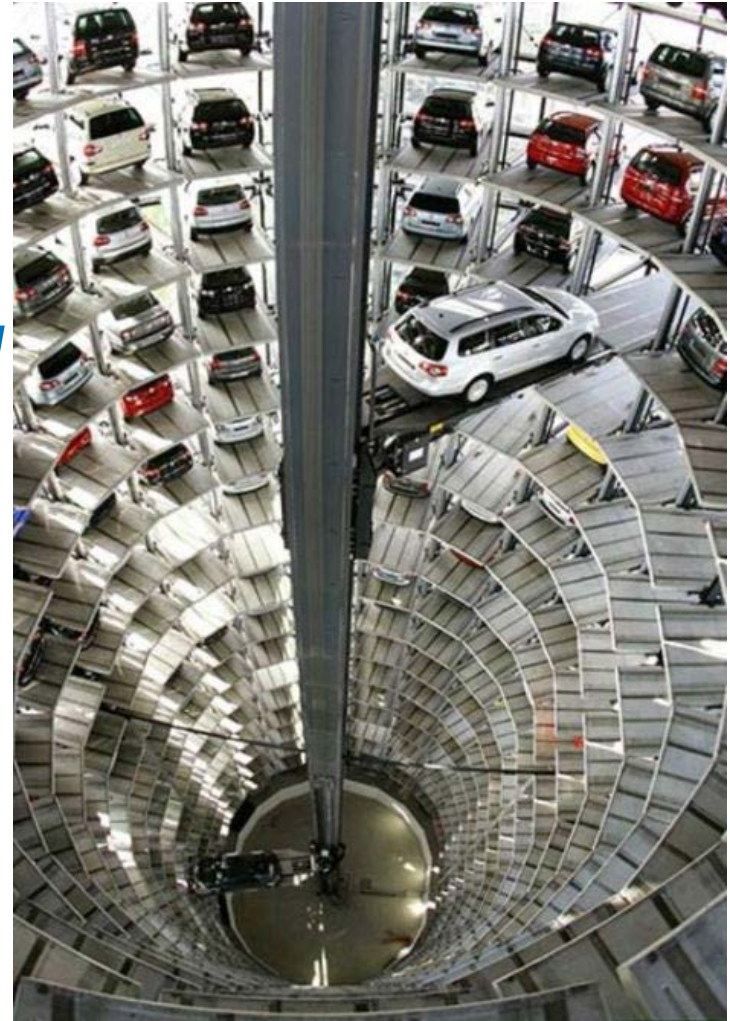
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Short-Term Recommendations

LOW-HANGING FRUIT

1. *Wayfinding – Parking Lot Directional Signage*
2. *Wayfinding – Private Parking Lot Signage allowing evening public parking*
3. *Pilot One-Year New Pricing*
4. *Reconfigure existing lots (paint)*
5. *Shop owner / employee program to discourage on-street parking*
6. *Incentive campaign*

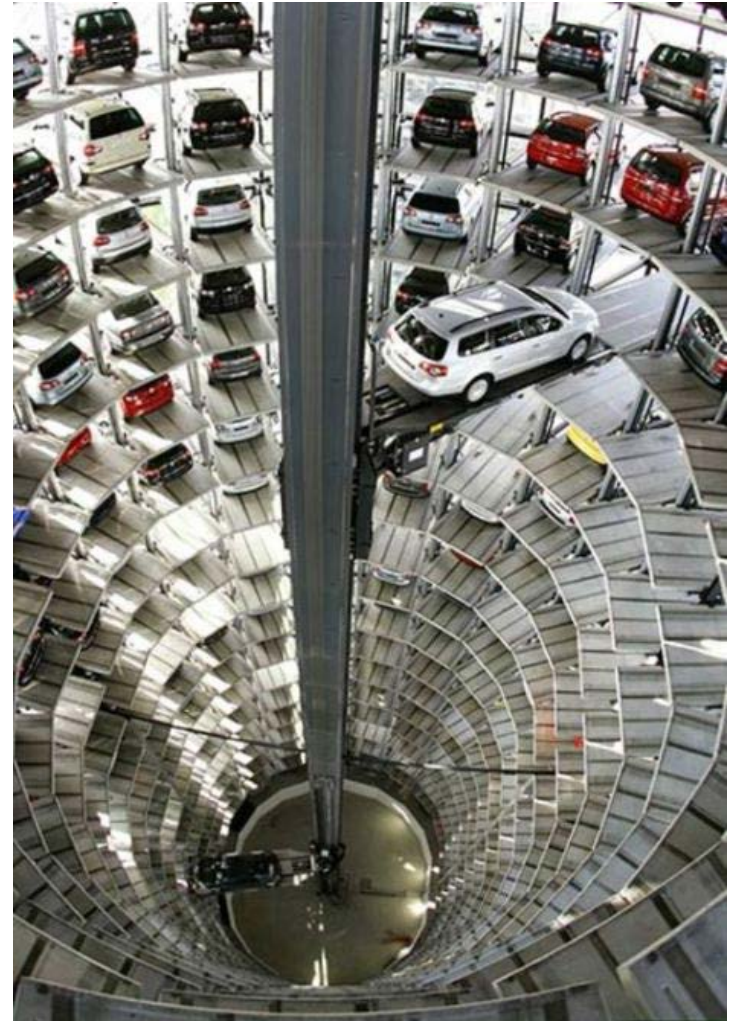


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Medium-Term Recommendations

1. *Wayfinding – Downtown Dover Destination and WELCOME Signage*
2. *Metered Parking on Loockerman Street*
3. *Pilot second phase of pricing strategy*
4. *Streetscape and lighting improvements*
5. *Promote Alternative Transportation Options*
6. *Pay by cell phone*

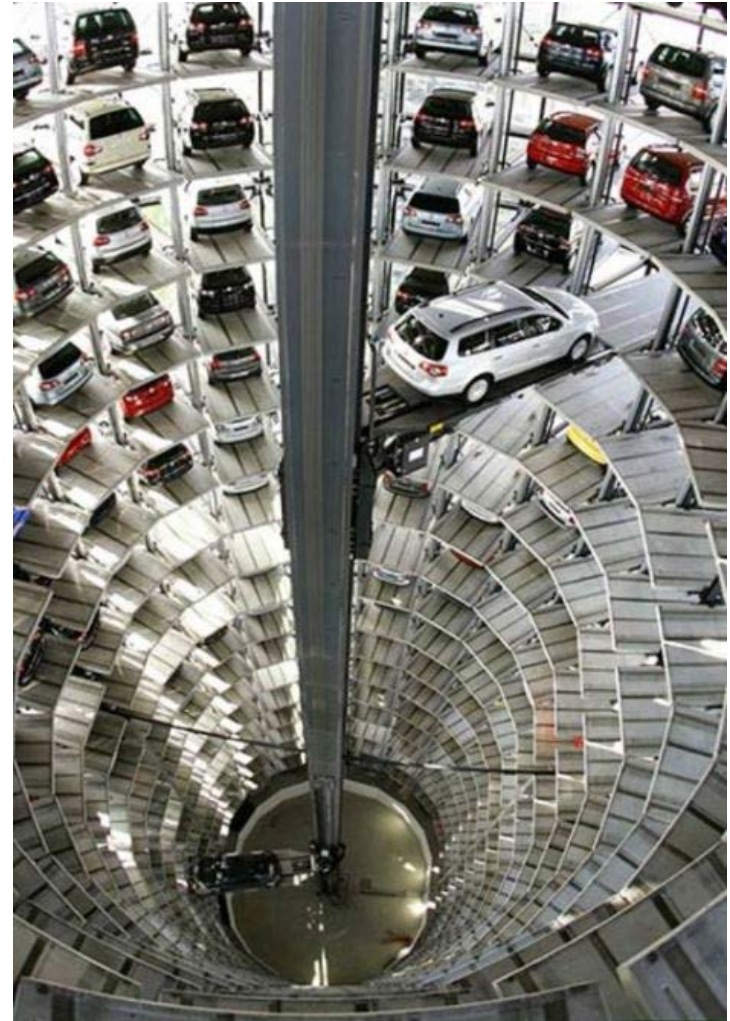


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Long-Term Recommendations

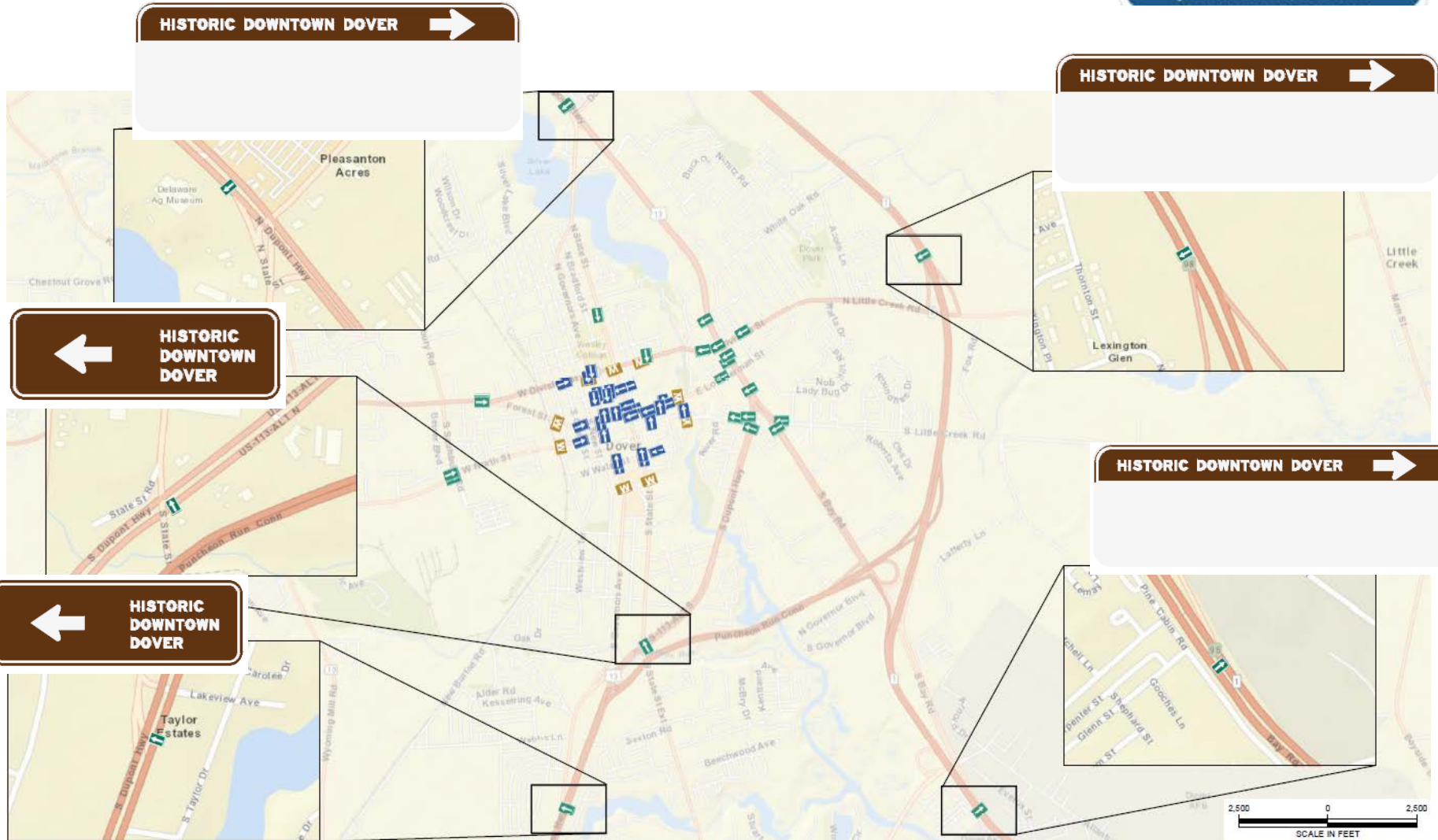
1. *NEW GATEWAY to Downtown Dover*
2. *Long-Term Visitor Promotion Program*
3. *New State Street Alley Lot*
4. *New Parking Garage once development reaches critical mass*



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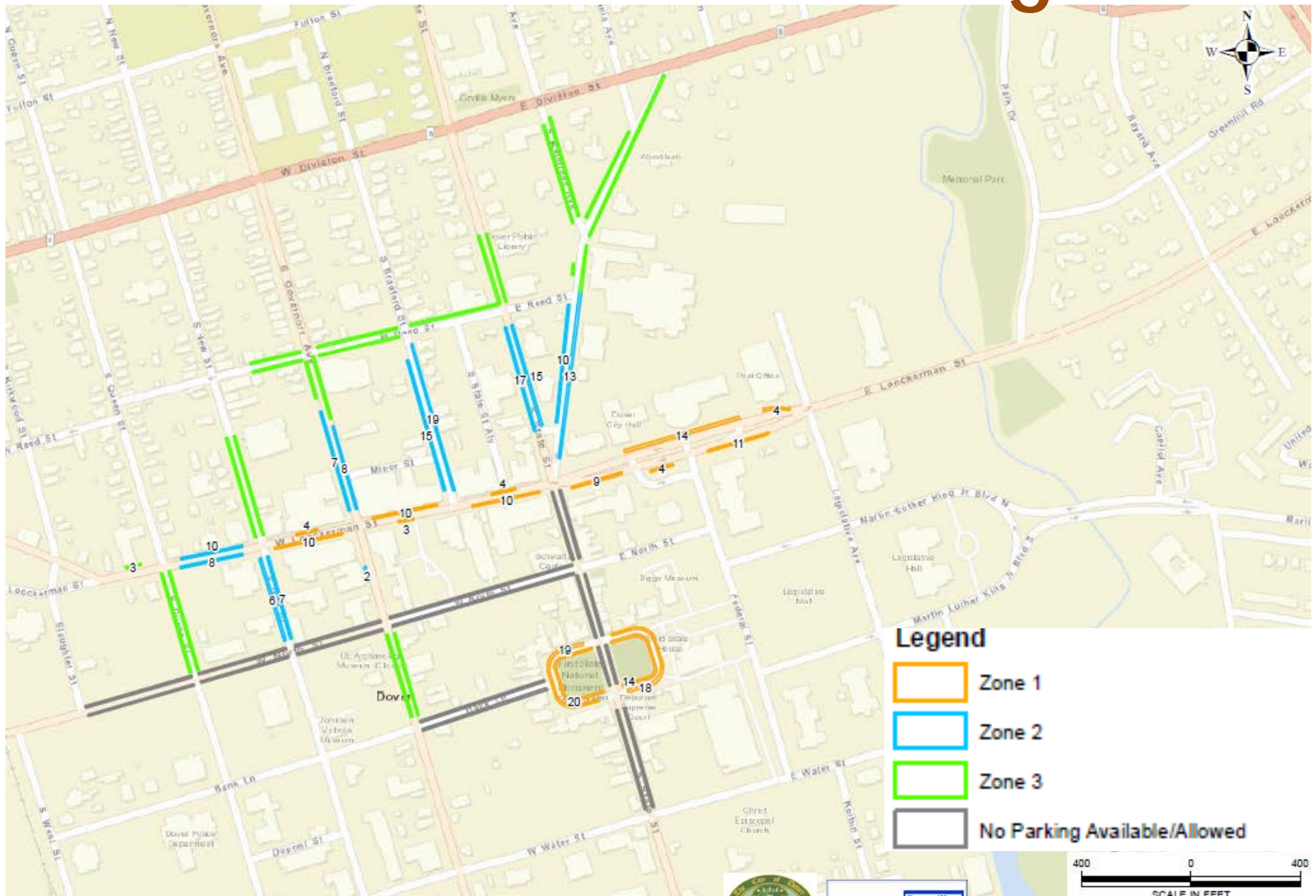
Wayfinding and Signage



Wayfinding and Signage



Potential On-Street Parking Zones



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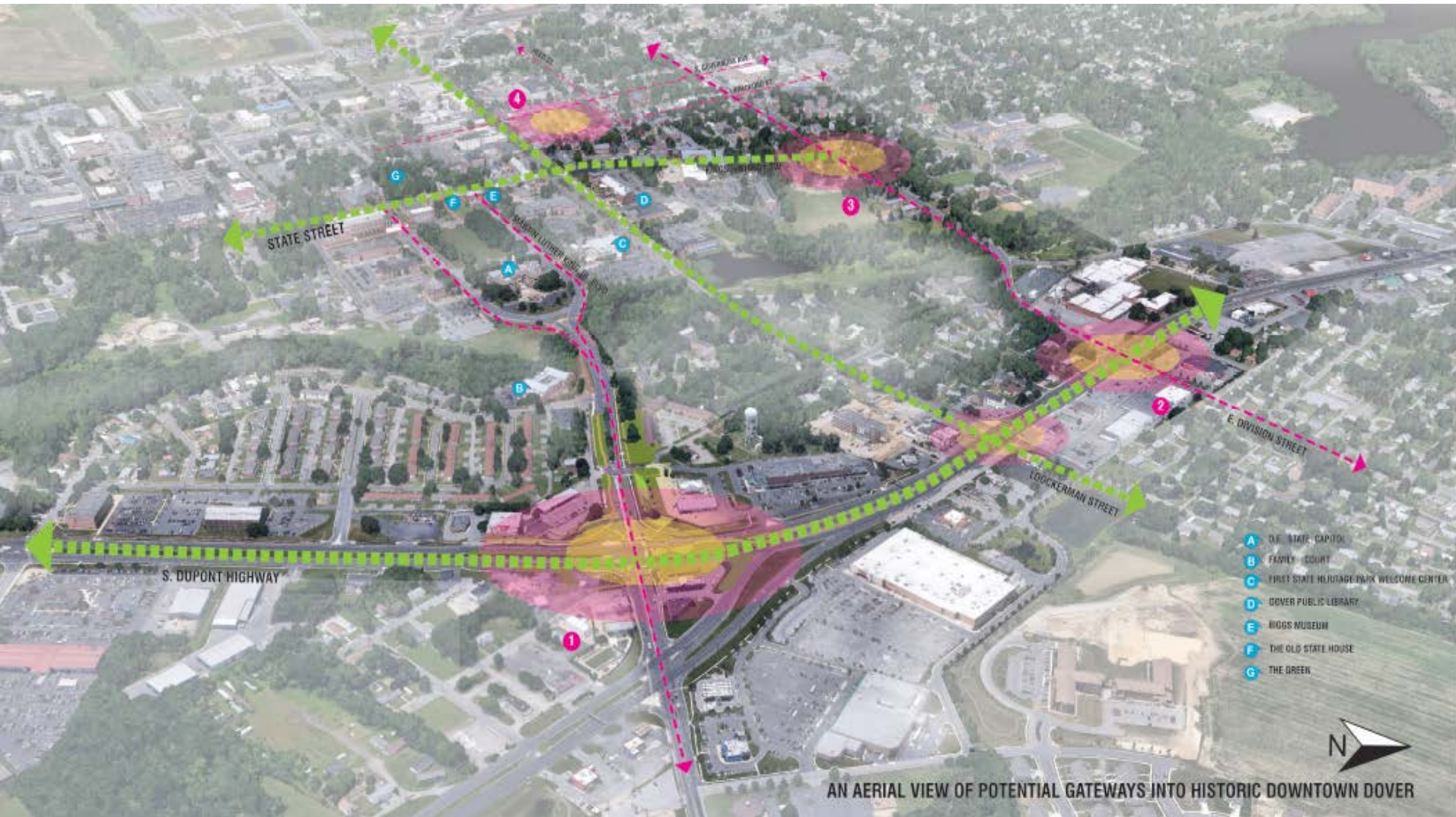
Streetscape and Safety



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Gateways



- A DE STATE CAPITOL
- B FAMILY COURT
- C FIRST STATE HISTORIC PARK WELCOME CENTER
- D DOVER PUBLIC LIBRARY
- E BIGGS MUSEUM
- F THE OLD STATE HOUSE
- G THE GREEN

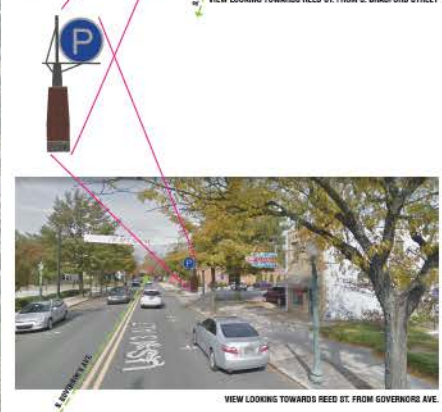


Gateways



Gateways

Welcome to
Historic Downtown Dover
Delaware
Endless Discoveries



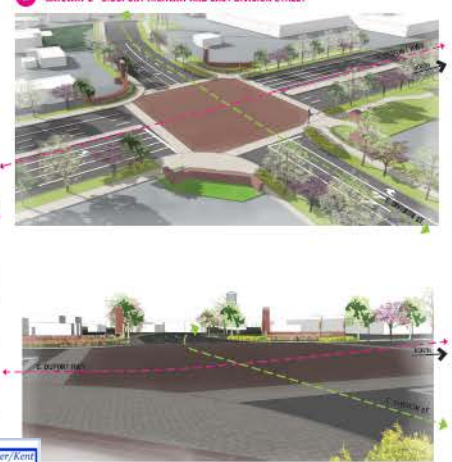
1 GATEWAY 1- MLK AND S. DUPONT HIGHWAY



3 GATEWAYS- KINGSHIGHWAY ST. AND EAST DIVISION STREET



2 GATEWAY 2- S DUPONT HIGHWAY AND EAST DIVISION STREET



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New Technologies



Online Payments



Smart Meters



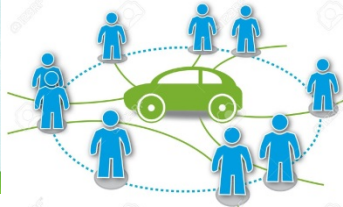
In-Car Meters



Kiosk Meters



Car Sharing



Pay by Phone



Solar PV



Bike Sharing



and more...



Potential Cost Range of Improvements

Short Term (Low-Hanging Fruit):

1. Wayfinding – Parking Lot Directional Signage – \$42k
(Grant application submitted – DDP)
2. Wayfinding – Private Parking Lot Signage allowing evening public parking – est. \$2k - \$5k (PPP)
3. Pilot One-Year New Pricing – No cost
4. Reconfigure existing lots (paint) – est. \$2k - \$15k (DDP)
5. Shop owner / employee program to discourage on-street parking – No cost
6. Incentive campaign – None to \$5k



Potential Cost Range of Improvements

Medium Term:

1. *Wayfinding – Downtown Dover Destination and WELCOME Signage – est. \$50k (DeIDOT?)*
2. *Metered Parking on Loockerman Street – est. \$30k - \$60k*
3. *Pilot second phase of pricing strategy – No cost*
4. *Streetscape and lighting improvements , including NEW CONNECTOR ALLEY – cost not estimated, but probably in the \$100k - \$400k range*
5. *Promote Alternative Transportation Options – est. \$0 to \$10k*
6. *Pay by cell phone – est. \$50k + monthly fee to service provider*



Potential Cost Range of Improvements

Long Range:

1. *NEW GATEWAYS to Downtown Dover – cost not estimated, but probably in the \$100k - \$400k range per gateway created / enhanced*
2. *Long-Term Visitor Promotion Program – cost not estimated*
3. *New State Street Alley Lot – cost not estimated, but probably in the \$500k + range*
4. *New Parking Garage once development reaches critical mass – cost not estimated, but likely more than \$10 million*



VISION

Dover is on its way to becoming a vital destination, a great place to be, work, live, and play.

Parking can be used more efficiently

Wayfinding will help parking – but also help Dover's sense of place and community

Streetscape, lighting, and Gateways will help build on that

Pricing strategy can help parking work better

Communicate, communicate, communicate



THANK YOU!

For more information, please contact:

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ediaz@dover.de.us

James Galvin, Dover/Kent County MPO
James.Galvin@doverkentmpo.org

Spencer Finch, Langan Engineering
sfinch@langan.com

Paul Vernon, KSK
pvernon@ksk1.com

Technical Excellence

Practical Experience

Client Responsiveness

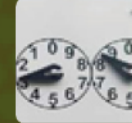
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ENGINEERING & ENVIRONMENTAL SERVICES

Technical Excellence

Practical Experience

Client Responsiveness



March 27, 2018

City of Dover – Cost of Service And Rate Design Study



ECONOMICS

STRATEGY

STAKEHOLDERS

SUSTAINABILITY



www.newgenstrategies.net

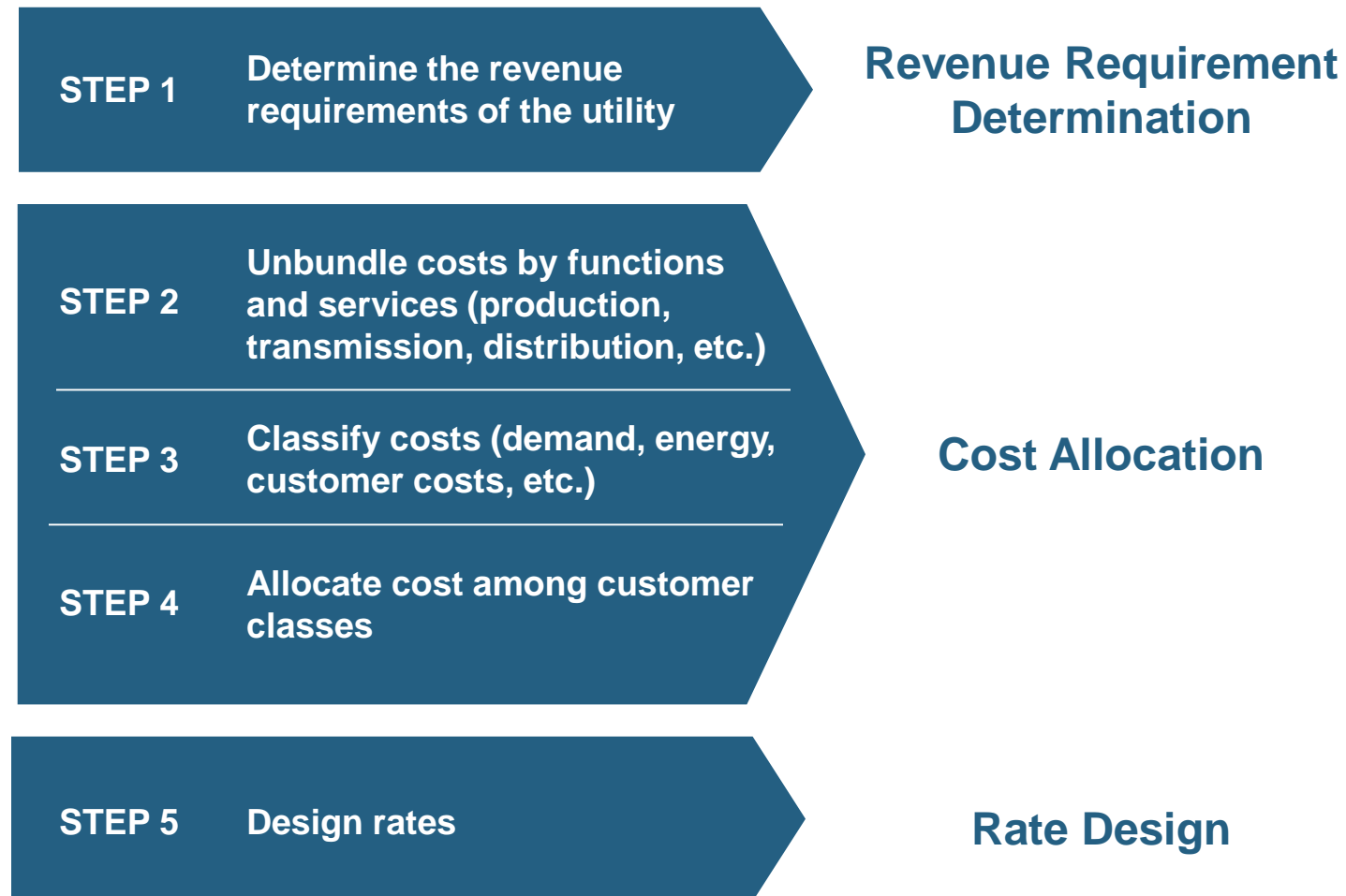
Agenda

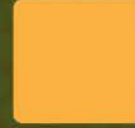
- Cost of Service / Rate Design Overview
- Revenue Requirement
- Cost of Service
- Rate Design
 - Rate Design Proposal
 - Proposed Rates and Rate Impacts
- Discussion



Cost of Service and Rate Design Overview

Steps in the Analytical Ratemaking Process





Revenue Requirement

Revenue Requirement

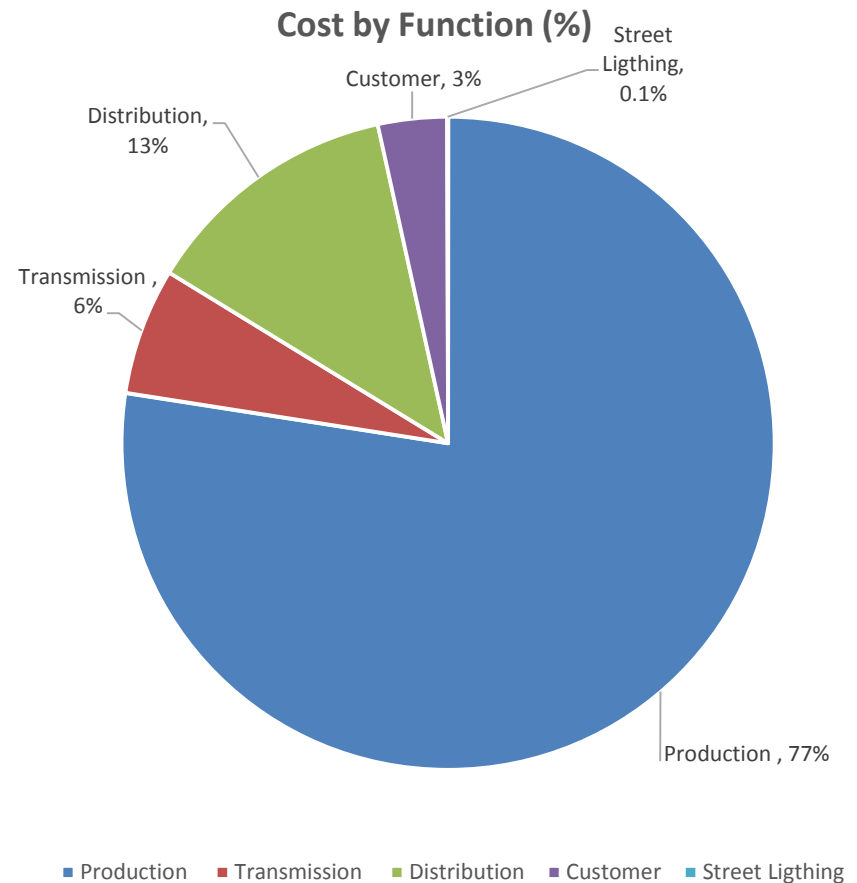
- Revenue Requirement based on five year “Test Year” (FY 2019 – FY 2023)
 - Rely on City’s financial forecast
 - Start with FY 2017 expenses
 - Cash basis
 - Includes system investments for capital
 - Recognizes existing reserve levels / policies
 - Budget projections for operating expenses
 - Includes TEA costs for future fuel / power

Revenue Requirement (\$000)

Item	2017	Cash Adjustments	Test Year
Operation and Maintenance Expense			
Dover Production	\$7,150	\$165	\$7,315
PJM Purchased Power	\$36,256	\$4,683	\$40,939
Transmission & Distribution	\$5,285	\$690	\$5,975
Metering / Customer	\$1,447	\$216	\$1,662
Admin & General	\$4,432	\$842	\$5,274
Subtotal O&M Expenses	\$54,569	\$6,596	\$61,165
Debt Service	\$1,611	(\$2)	\$1,609
Transfer to General Fund	\$10,000	\$0	\$10,000
Appropriations to Reserve Funds	\$11,402	(\$5,050)	\$6,352
Subtotal Revenue Requirement	\$77,582	\$1,544	\$79,126
Less Other Income	(\$922)	\$134	(\$788)
Total Revenue Requirement	\$76,660	\$1,678	\$78,338
Revenue at Current Rates*	\$80,624	\$2,112	\$82,735
Over / (Under)	\$3,964		\$4,397
Difference (%)	4.92%		5.31%

Revenue Requirement

Test Year Revenue Requirement by Function (\$000)	
Production	\$60,789
Transmission	\$4,778
Distribution	\$9,802
Customer	\$2,943
Street Lighting	\$25
Total Cost of Service	\$78,338

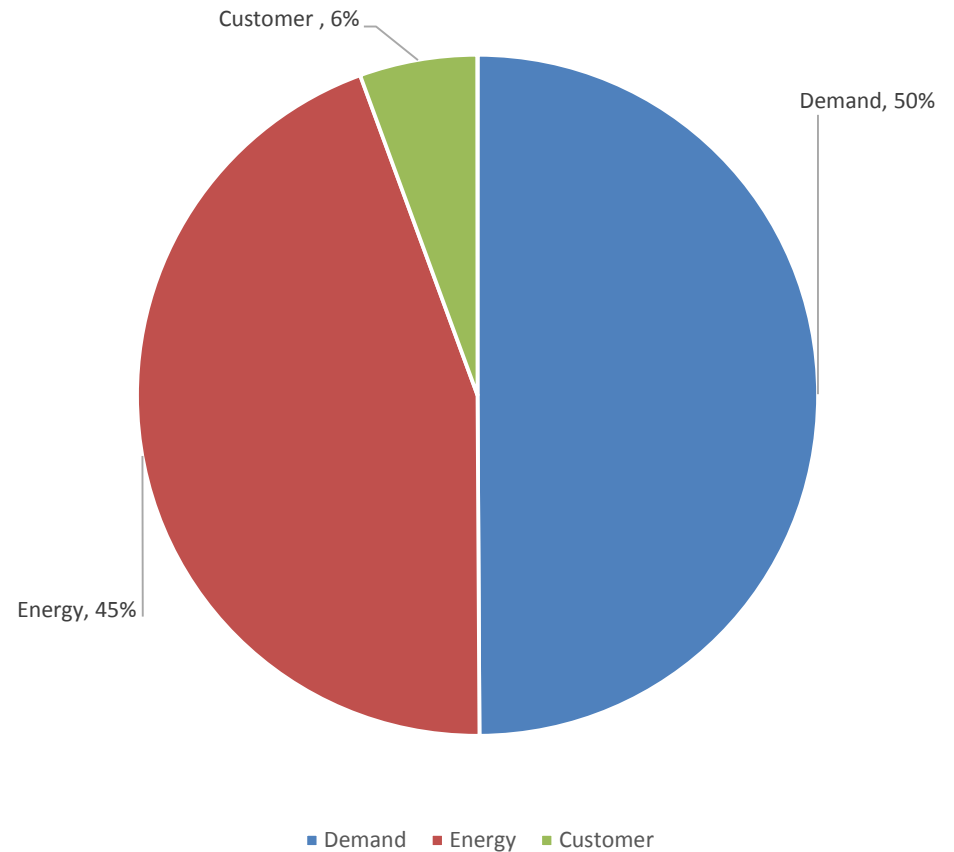


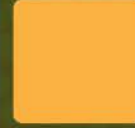
Revenue Requirement

Test Year Revenue Requirement by Cost Classification (\$000)

Demand Related	\$39,092
Costs that vary with system capacity	
Energy	\$34,868
Costs that vary with energy (kWh) sold	
Customer	\$4,378
Costs that vary with number of customers	
Total Cost of Service	\$78,338

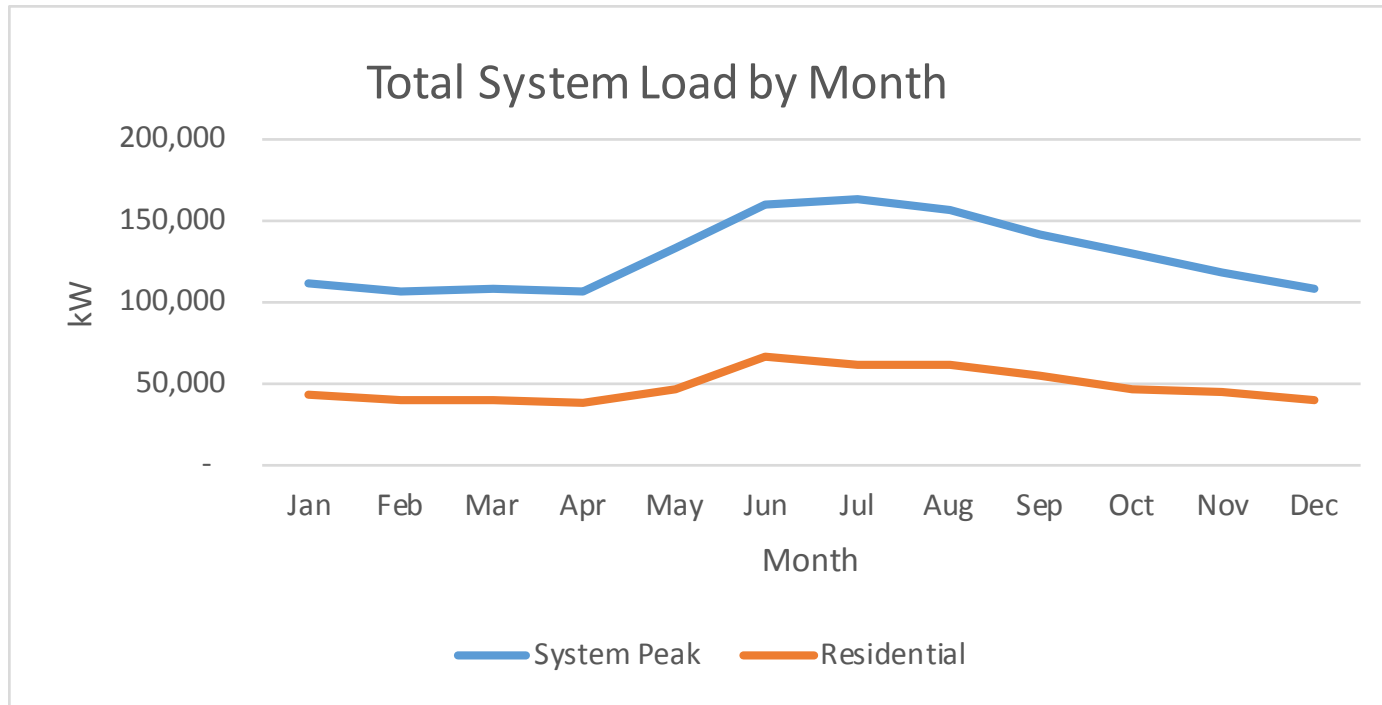
Cost by Classification (%)





Cost of Service

Cost of Service

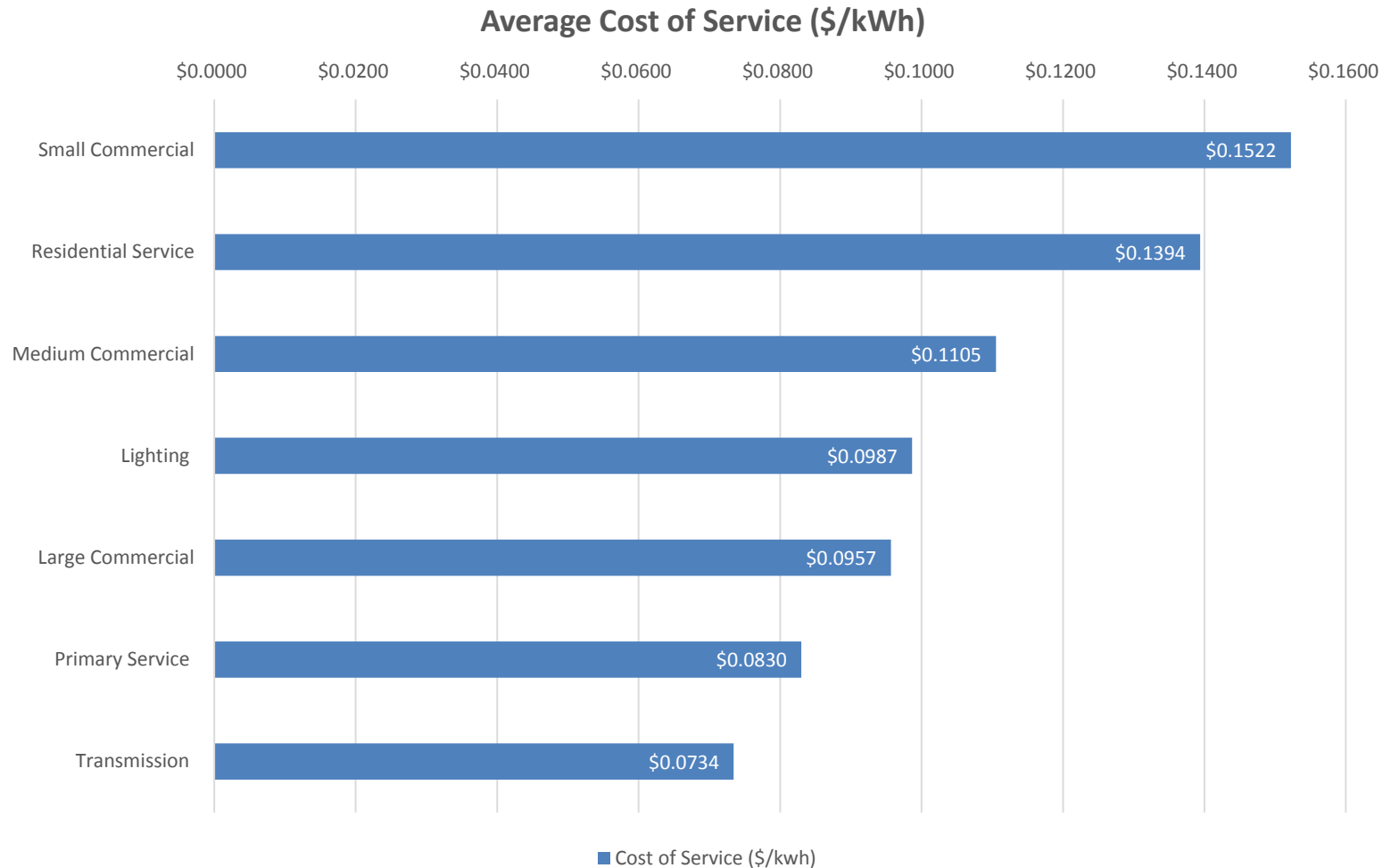


- 2017 System Peak ~ 162.8 MW
 - Peak in June, July, August, September
 - 4 CP Cost Allocator
- Residential Class Peak ~ 66.6 MW
 - Peak in June, July, August, September
 - 4 NCP Cost Allocator

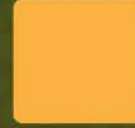
Cost of Service – Test Year (Base Rates)

Class	Cost of Service (a)	Current Revenues (b)	Difference (c)=(b-a)	Proposed Revenues (d)	Difference (e)=(c-a)	% Change (f)= (d/b)-1
Residential	\$28,937,503	\$26,916,943	(\$2,020,559)	\$27,468,331	(\$1,469,171)	2%
Small Commercial	\$4,073,885	\$3,002,651	(\$1,071,233)	\$3,057,524	(\$1,016,361)	2%
Medium Commercial	\$4,923,543	\$5,308,542	\$384,998	\$5,056,954	\$133,411	-5%
Large Commercial	\$15,506,941	\$18,197,969	\$2,691,028	\$16,944,837	\$1,437,896	-7%
Primary	\$15,681,040	\$18,344,980	\$2,663,940	\$17,097,531	\$1,416,490	-7%
Transmission	\$8,220,137	\$9,289,643	\$1,069,506	\$8,654,632	\$434,495	-7%
Other Tran	\$191,020	\$421,017	\$229,996	\$391,884	\$200,863	-7%
Lighting	\$803,592	\$1,208,940	\$405,348	\$1,208,940	\$405,348	0%
Total	\$78,337,661	\$82,690,685	\$4,353,024	\$79,880,632	\$1,542,972	-3.4%

Cost of Service



Excludes PCA



Rate Design

Rate Design Overview

COS and Rate Making

Cost of Service

Cost accounting, allocate utility costs with use, classification

vs.

Rate Making

Policy decisions, used to incentivize specific behavior, rates do not have to precisely match cost of service but should move towards COS

Utility Functions:

Power Supply
(Demand and
Energy
Components)

Distribution
(Demand and
Customer
Components)

Customer
(Customer
Components)

Rate Design Overview

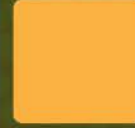
Rate Making Best Practice

- Align a utility's costs with appropriate classifications (e.g. demand, energy, customer)
 - Costs categorized as fixed and variable
- Rates should fairly reflect the cost of service, but policy should be considered
- Rates should incentivize customers to use utility plant efficiently

Rate Design Overview

Objectives

- Reduction in Revenue Requirement
 - Reduction contribution to reserves
- Draw down Working Capital reserves through Purchased Power Adjustment (PPA)
 - Gradual decrease in PPA credit over 5 year period
- Adjust class revenues to better align with cost causation
- Implement changes over 5 year period
 - Rate changes for July 1 for FY19, FY21, FY23
 - Rate change % are constant for each FY



Rate Proposal

Rate Proposal – Residential Service

Class Characteristics

Residential Class Characteristics (Test Year)	
Class Meters:	21,187
Class Annual Sales (kWh):	207,590,560
Average Monthly Sales per Customer (kWh):	732
Average Monthly Demand per Customer (kW):	4.65
Average Monthly Load Factor (%):	26%

Rate Proposal – Residential Service

Phase I Rate Changes / Current Rates / COS Rates

Item/Rate - Residential	Current	Proposed (Phase 1)	COS
Customer Charge (\$/Month)	\$7.50	\$8.46	\$12.53
Energy Charge (\$/kWh)	\$0.1203	\$0.1206	\$0.0466
Green Energy Charge - GEF (\$/kWh)	\$0.00018	\$0.00018	\$0.00
PPA Charge (\$/kWh)	(\$0.0086)	(\$0.0038)	(\$0.0038)
Demand Charge (\$/kW)*	\$0.00	\$0.00	\$16.89
Average Monthly Bill**	\$98.89	\$103.94	
Average Rate (\$/kWh)	\$0.1211	\$0.1273	\$0.1356
Difference (%)		5.11%	11.93%

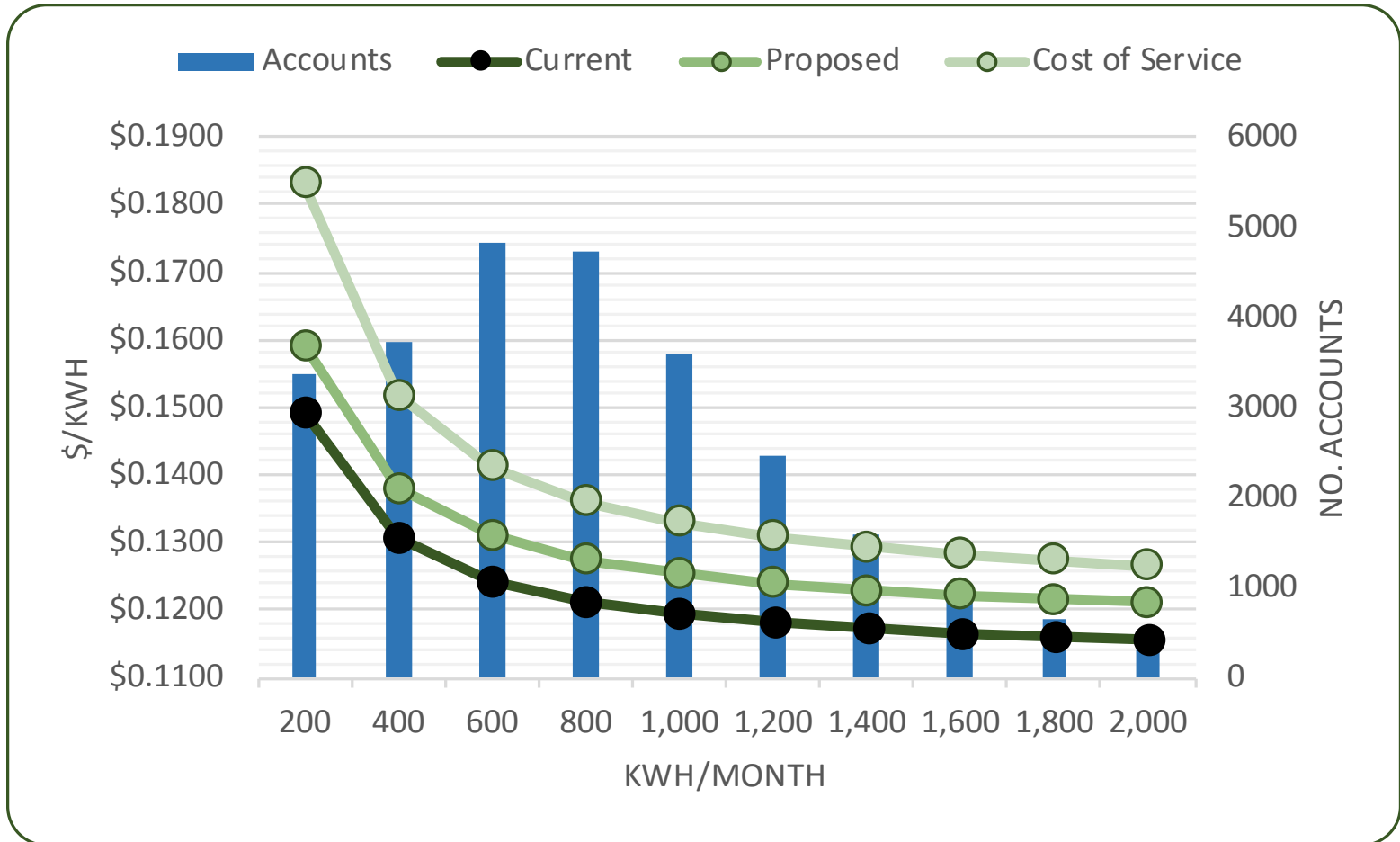
* No Demand Charge for Residential Customers

**Excludes Public Utility Tax

Based on 2017 Billing Database Analysis

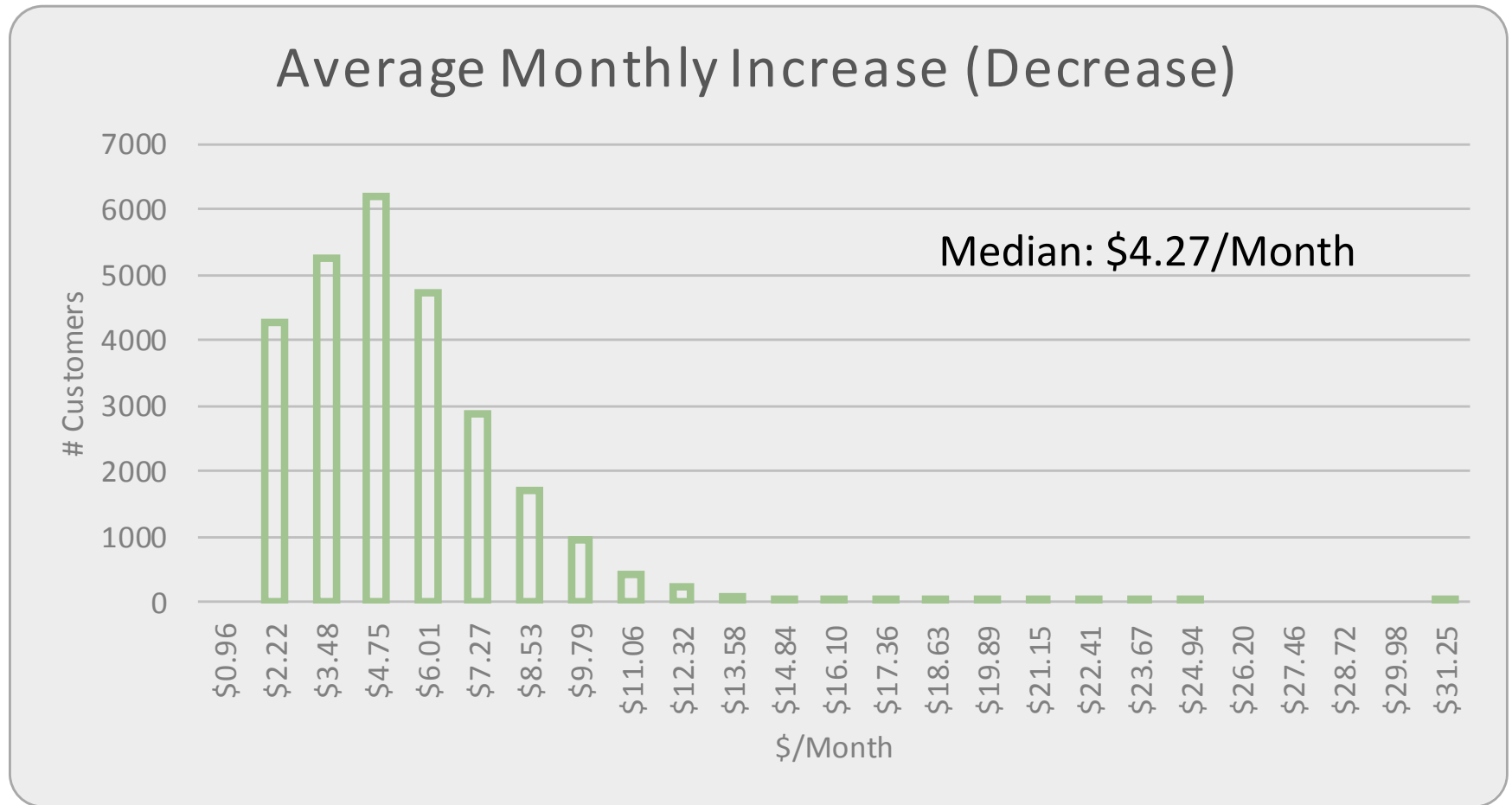
Rate Proposal – Residential Service

Rate Curve Analysis



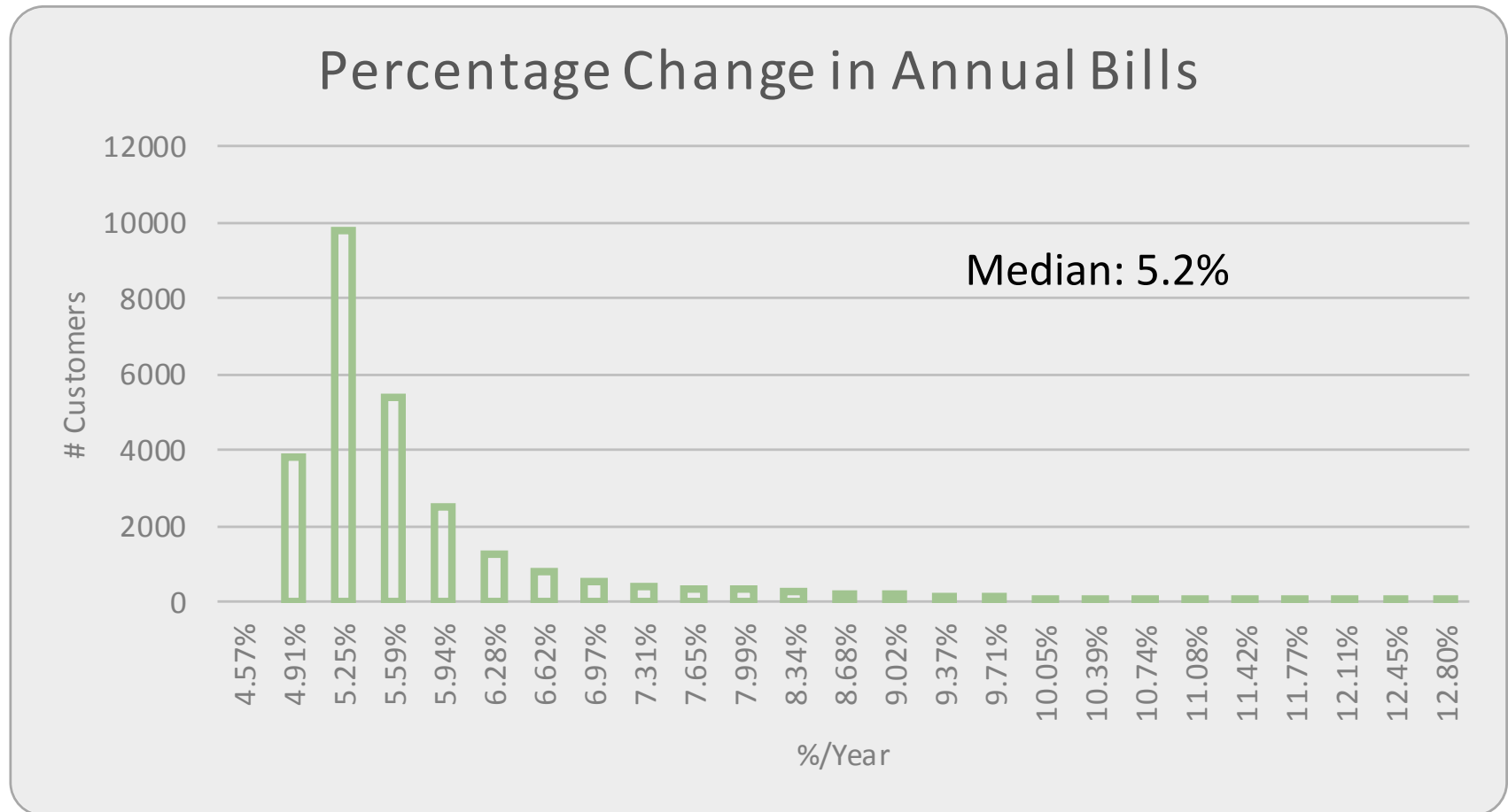
Rate Proposal – Residential Service

Rate Impact Analysis - % Change (Phase I)



Rate Proposal – Residential Service

Rate Impact Analysis - % Change (Phase I)



Rate Proposal – Small Commercial Service

Class Characteristics

Small Commercial Class Characteristics (Test Year)

Class Meters:	2,353
Class Annual Sales (kWh):	26,763,760
Average Monthly Sales per Customer (kWh):	854
Average Monthly Demand per Customer (kW):	4.60
Average Monthly Load Factor (%):	28%

Rate Proposal – Small Commercial Service

Phase I Rate Changes / Current Rates / COS Rates

Item/Rate - Small Commercial	Current	Proposed (Phase 1)	COS
Customer Charge (\$/Month) - 1 Phase	\$7.50	\$8.39	\$27.58
Customer Charge (\$/Month) - 3 Phase	\$22.50	\$23.39	
Energy Charge (\$/kWh)	\$0.1004	\$0.1006	\$0.0466
Green Energy Charge - GEF (\$/kWh)	\$0.00018	\$0.00018	\$0.00
PPA Charge (\$/kWh)	(\$0.0086)	(\$0.0038)	(\$0.0038)
Demand Charge (\$/kW)*	\$0.00	\$0.00	\$17.16
Average Monthly Bill**	\$98.23	\$103.78	
Average Rate (\$/kWh)	\$0.1036	\$0.1095	\$0.1484
Difference (%)		5.65%	43.17%

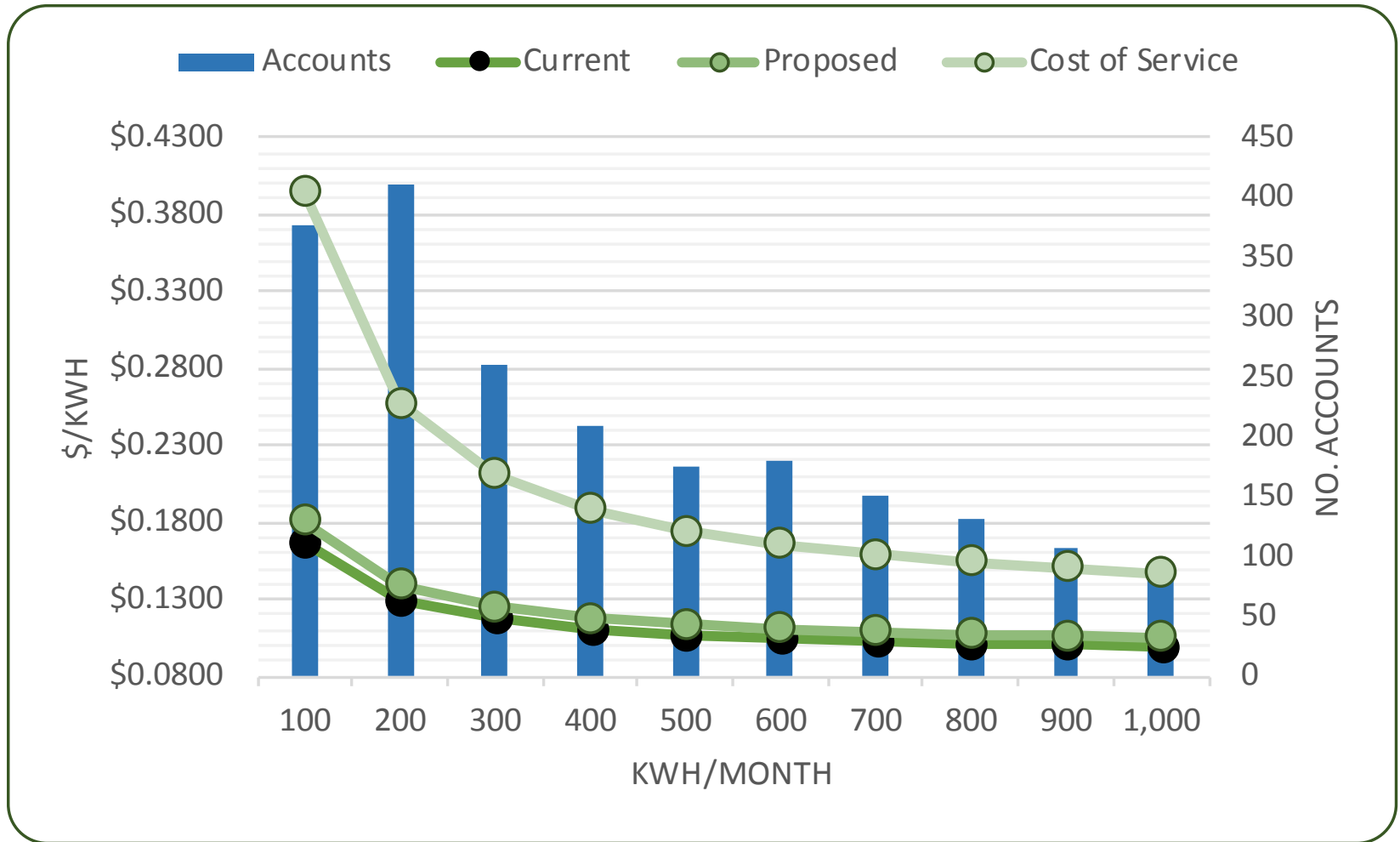
* No Demand Charge for Small Commercial Customers

**Excludes Public Utility Tax

Based on 2017 Billing Database Analysis

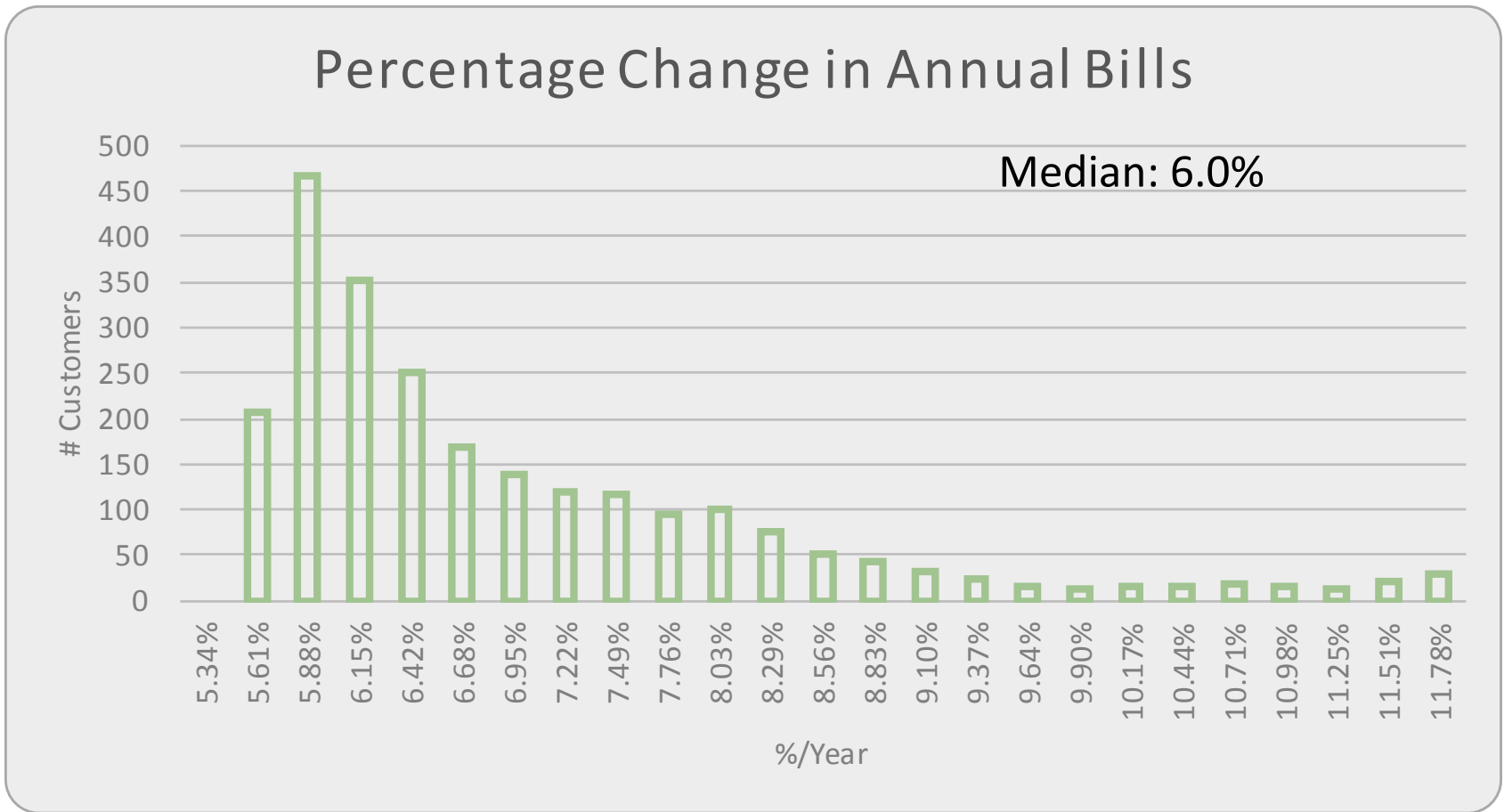
Rate Proposal – Small Commercial Service

Rate Curve Analysis



Rate Proposal – Small Commercial Service

Rate Impact Analysis - % Change (Phase I)



Rate Proposal – Medium Commercial Service

Class Characteristics

Medium Commercial Class Characteristics (Test Year)

Class Meters:	595
Class Annual Sales (kWh):	44,548,720
Average Monthly Sales per Customer (kWh):	6,176
Average Monthly Demand per Customer (kW):	22
Average Monthly Load Factor (%):	39%

Rate Proposal – Medium Commercial Service

Phase I Rate Changes / Current Rates / COS Rates

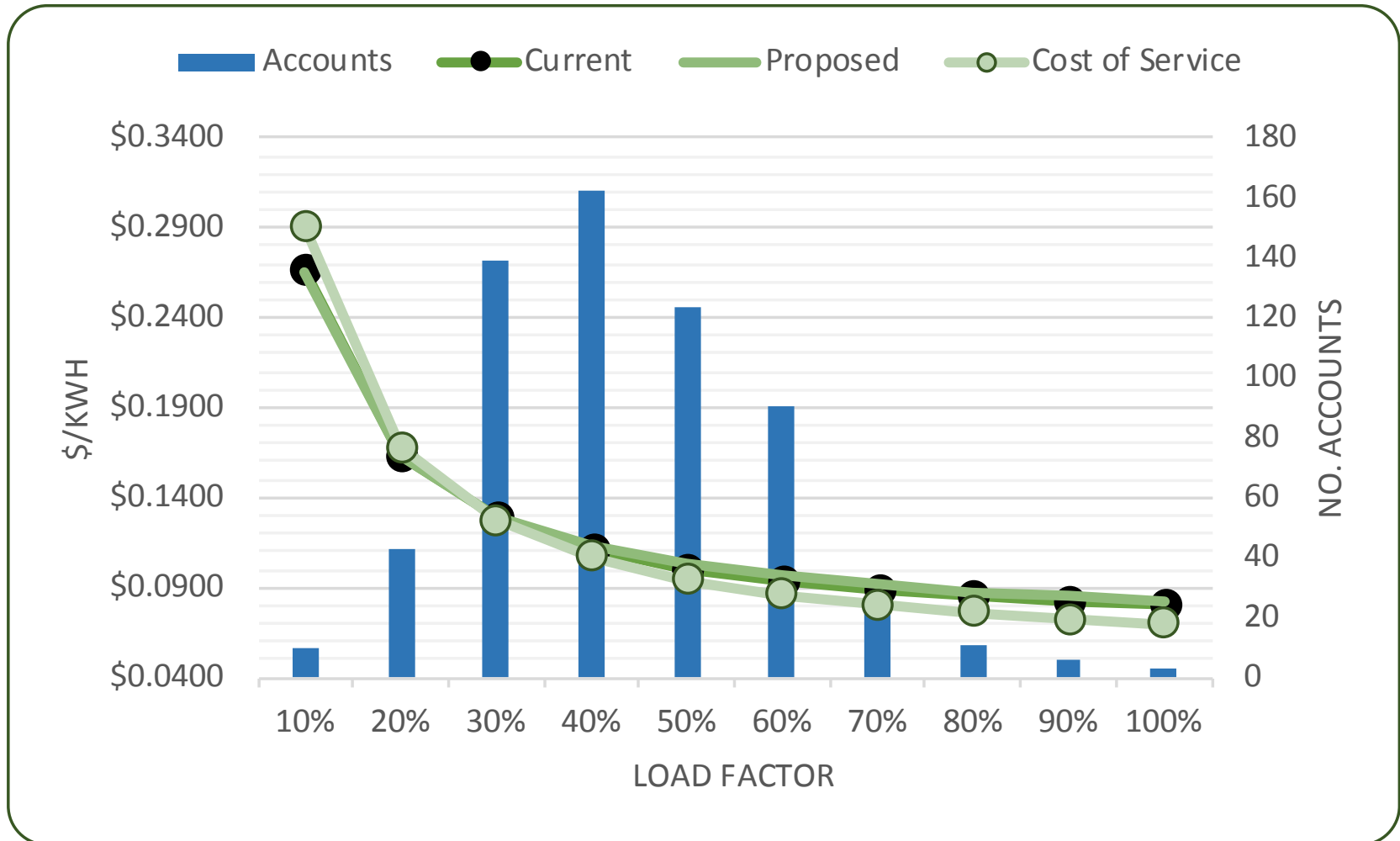
Item/Rate – Medium Commercial	Current	Proposed (Phase 1)	COS
Customer Charge (\$/Month) - 1 Phase	\$7.50	\$11.73	\$28.77
Customer Charge (\$/Month) - 3 Phase	\$22.50	\$26.73	
Energy Charge (\$/kWh)	\$0.0677	\$0.0658	\$0.0487
Green Energy Charge - GEF (\$/kWh)	\$0.00018	\$0.00018	\$0.00
PPA Charge (\$/kWh)	(\$0.0086)	(\$0.0038)	(\$0.0038)
Demand Charge (\$/kW)	\$13.95	\$13.40	\$16.41
Average Monthly Bill*	\$689.56	\$699.39	
Average Rate (\$/kWh)	\$0.1106	\$0.1122	\$0.1067
Difference (%)		1.43%	(3.55%)

*Excludes Public Utility Tax

Based on 2017 Billing Database Analysis

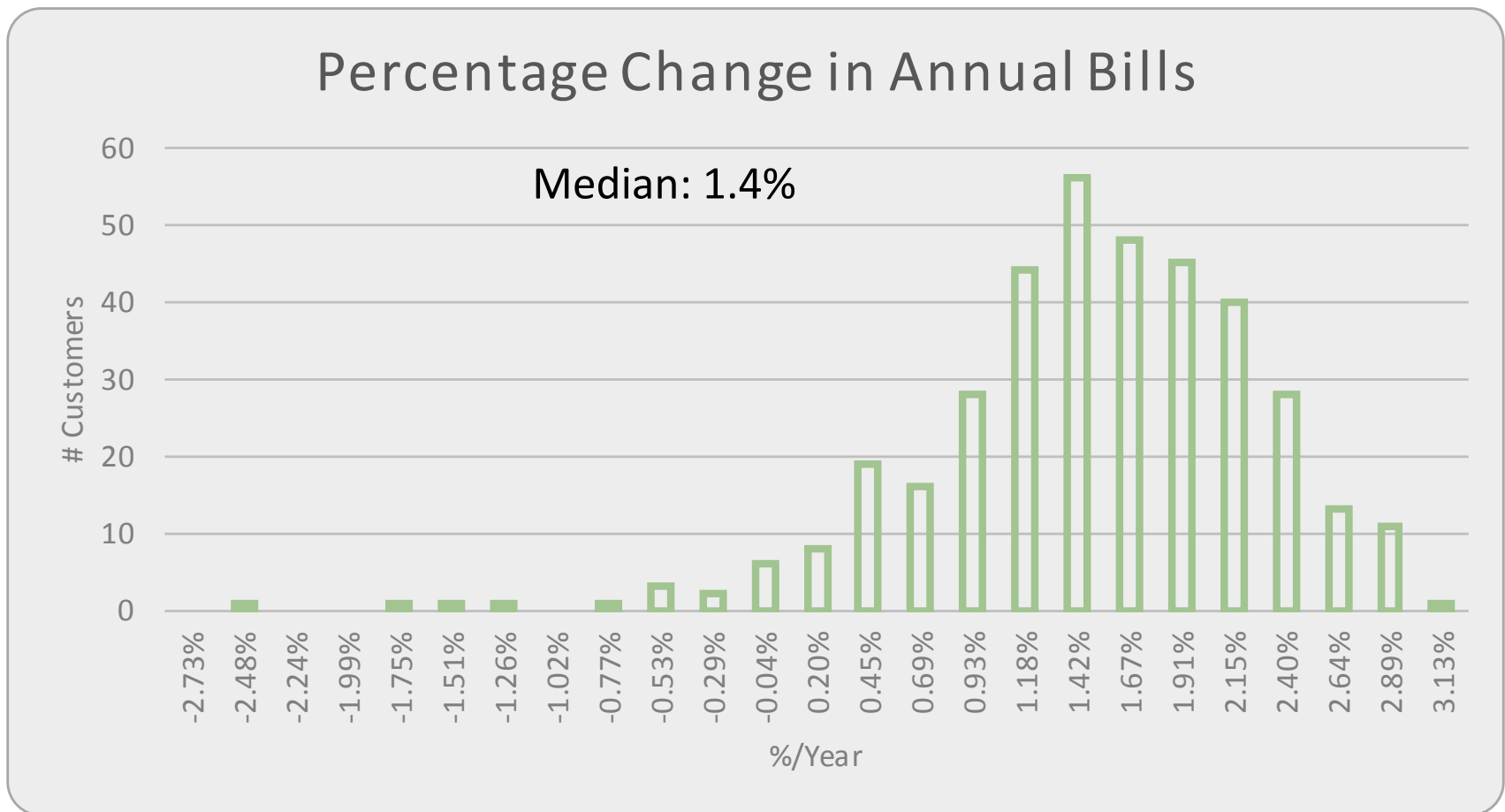
Rate Proposal – Medium Commercial Service

Rate Curve Analysis



Rate Proposal – Medium Commercial Service

Rate Impact Analysis - % Change (Phase I)



Rate Proposal – Large Commercial Service

Class Characteristics

Large Commercial Class Characteristics (Test Year)

Class Meters:	448
Class Annual Sales (kWh):	162,084,240
Average Monthly Sales per Customer (kWh):	28,435
Average Monthly Demand per Customer (kW):	85
Average Monthly Load Factor (%):	46%

Rate Proposal – Large Commercial Service

Phase I Rate Changes / Current Rates / COS Rates

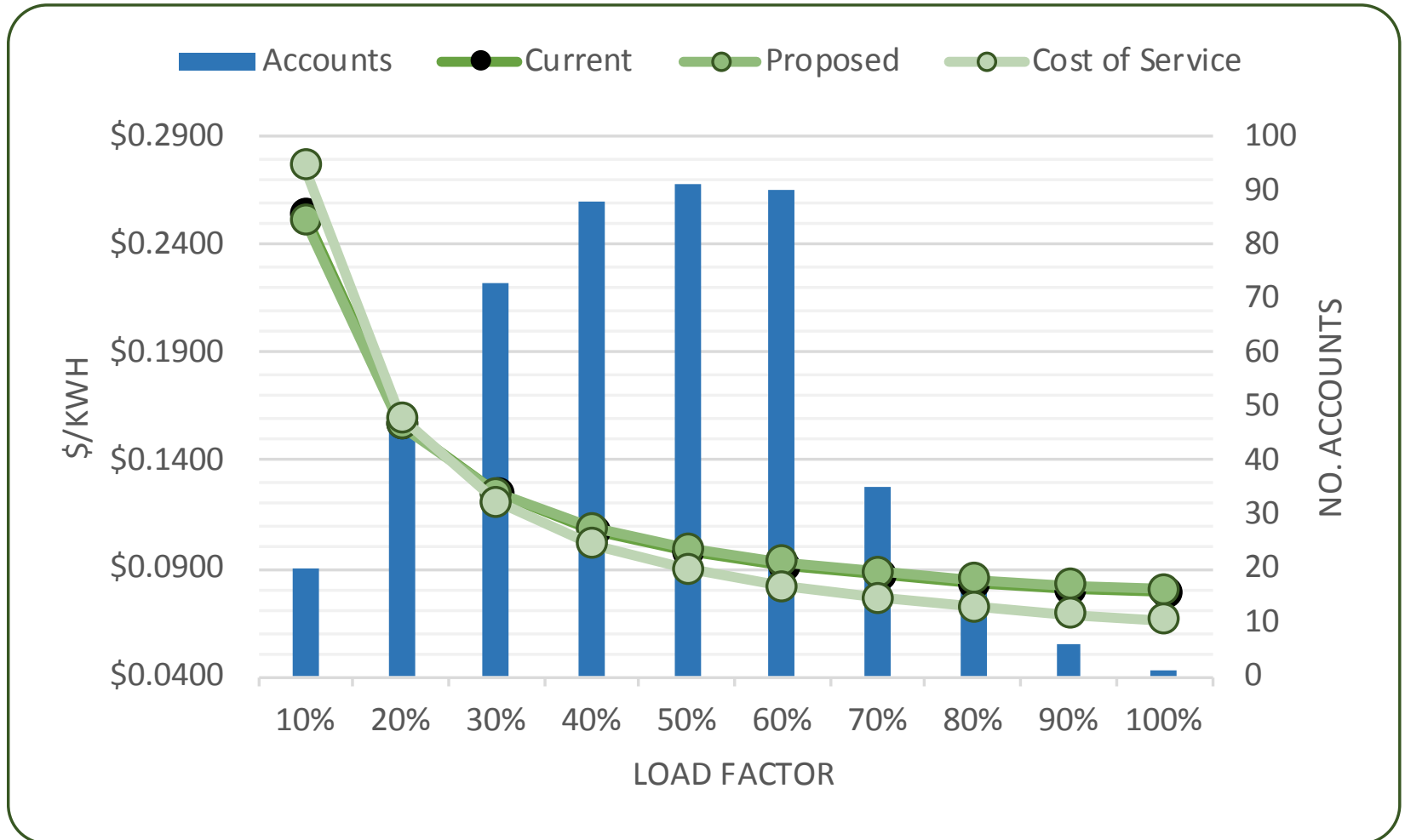
Item/Rate - Large Commercial	Current	Proposed (Phase 1)	COS
Customer Charge (\$/Month)	\$22.50	\$30.11	\$34.43
Energy Charge (\$/kWh)	\$0.0677	\$0.0647	\$0.0466
Green Energy Charge - GEF (\$/kWh)	\$0.00018	\$0.00018	\$0.00
PPA Charge (\$/kWh)	(\$0.0086)	(\$0.0038)	(\$0.0038)
Demand Charge (\$/kW)	\$13.90	\$13.38	\$16.50
Average Monthly Bill*	\$3,130	\$3,142	
Average Rate (\$/kWh)	\$0.1037	\$0.1041	\$0.0918
Difference (%)		0.40%	(11.46%)

*Excludes Public Utility Tax

Based on 2017 Billing Database Analysis

Rate Proposal – Large Commercial Service

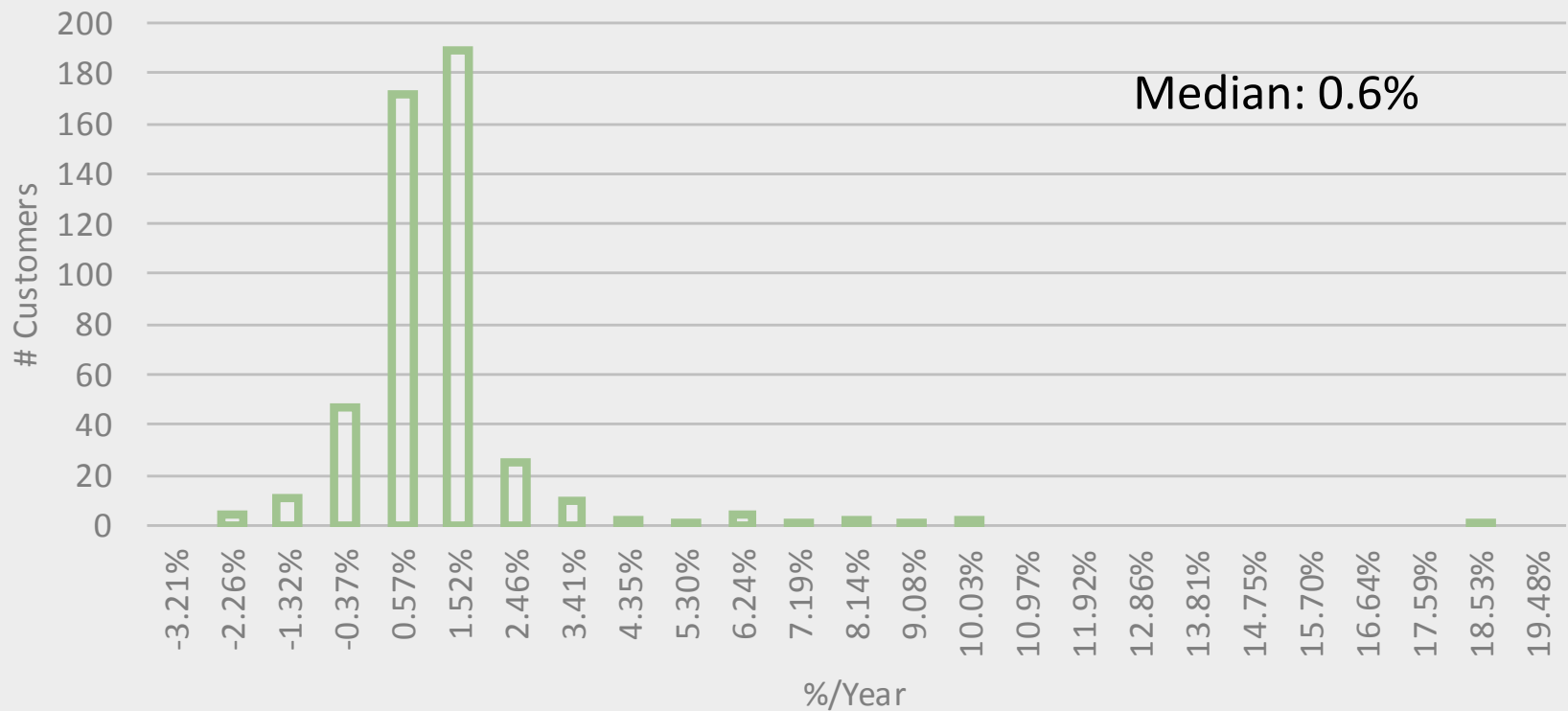
Rate Curve Analysis



Rate Proposal – Large Commercial Service

Rate Impact Analysis - % Change (Phase I)

Percentage Change in Annual Bills



Rate Proposal – Primary Commercial Service

Class Characteristics

Primary Commercial Class Characteristics (Test Year)

Class Meters:	43
Class Annual Sales (kWh):	188,909,620
Average Monthly Sales per Customer (kWh):	385,950
Average Monthly Demand per Customer (kW):	957
Average Monthly Load Factor (%):	56%

Rate Proposal – Primary Commercial Service

Phase I Rate Changes / Current Rates / COS Rates

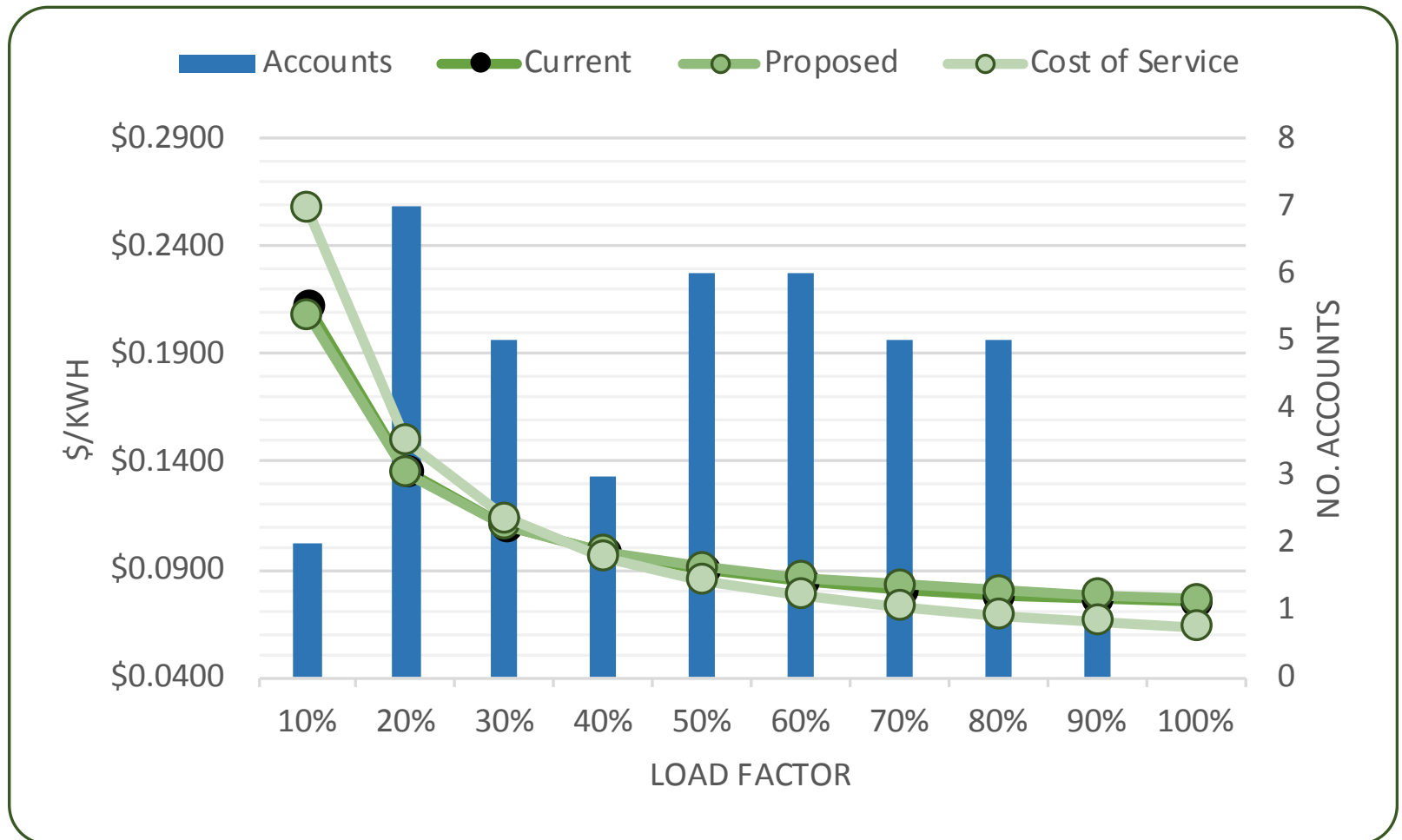
Item/Rate - Primary	Current	Proposed (Phase 1)	COS
Customer Charge (\$/Month)	\$15.00	\$19.66	\$37.71
Energy Charge (\$/kWh)	\$0.0676	\$0.0654	\$0.0456
Green Energy Charge - GEF (\$/kWh)	\$0.00018	\$0.00018	\$0.00
PPA Charge (\$/kWh)	(\$0.0086)	(\$0.0038)	(\$0.0038)
Demand Charge (\$/kW)	\$11.25	\$10.67	\$15.68
Average Monthly Bill*	\$32,448	\$32,831	
Average Rate (\$/kWh)	\$0.0886	\$0.0896	\$0.0792
Difference (%)		1.18%	(10.60%)

*Excludes Public Utility Tax

Based on 2017 Billing Database Analysis

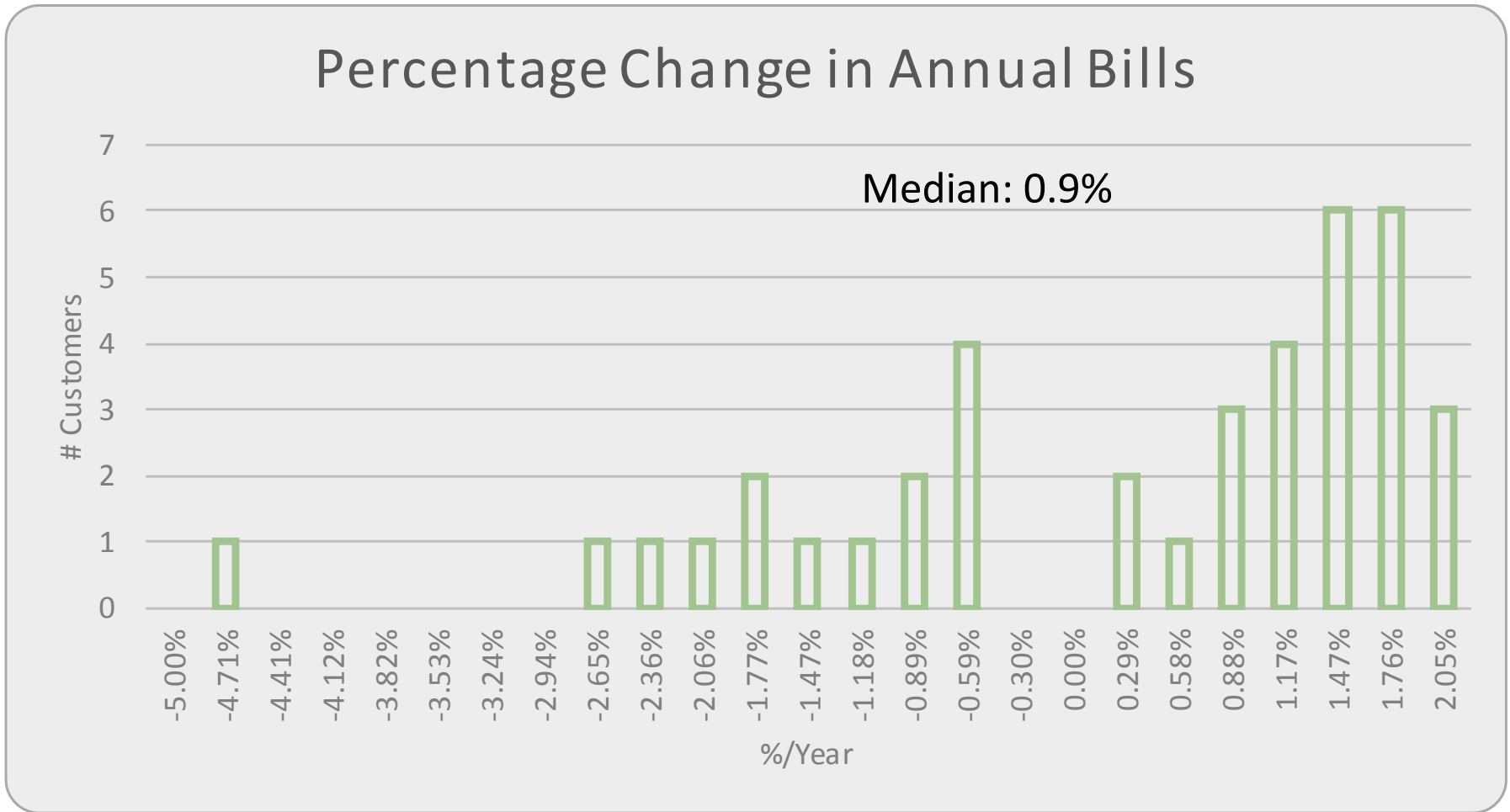
Rate Proposal – Primary Commercial Service

Rate Curve Analysis



Rate Proposal – Primary Commercial Service

Rate Impact Analysis - % Change (Phase I)



Rate Proposal – Transmission Service

Class Characteristics

Transmission Class Characteristics (Test Year)	
Class Meters:	4
Class Annual Sales (kWh):	112,077,720
Average Monthly Sales per Customer (kWh):	2,385,305
Average Monthly Demand per Customer (kW):	4,413
Average Monthly Load Factor (%):	32%

Transmission Class: DAFB, Kraft, P&G and White Oak Solar

Rate Proposal – Transmission Commercial Service

Phase I Rate Changes / Current Rates / COS Rates

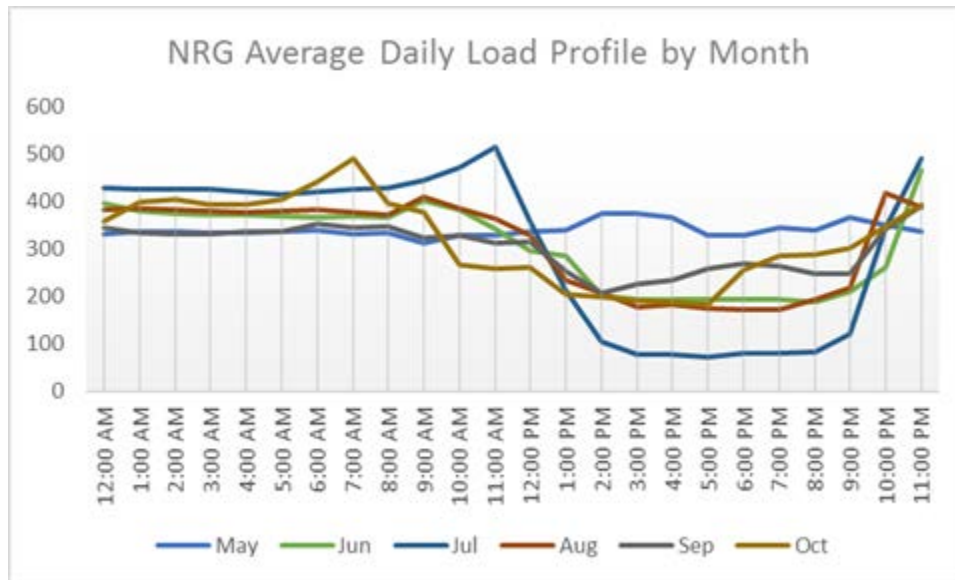
Item/Rate - Transmission	Current	Proposed (Phase 1)	COS
Customer Charge (\$/Month)	\$0.00	\$0.00	\$46.76
Energy Charge (\$/kWh)	\$0.06370	\$0.06180	\$0.0450
Green Energy Charge - GEF (\$/kWh)	\$0.00018	\$0.00018	\$0.00
PPA Charge (\$/kWh)	(\$0.0086)	(\$0.0038)	(\$0.0038)
Demand Charge (\$/kW)	\$10.50	\$9.80	\$14.21
Average Monthly Bill*	\$173,709	\$177,369	
Average Rate (\$/kWh)	\$0.0743	\$0.0759	\$0.0695
Difference (%)		2.11%	(6.50%)

*Excludes Public Utility Tax

Based on 2017 Billing Database Analysis

Rate Proposal – Transmission Service (Supplemental)

- Transmission – Federal
 - Maintain discount on energy (\$0.002/kWh)
- 69 kV Transmission for NRG 88 MW EWG



System Peak:

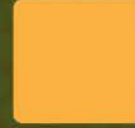
May: 4:00 PM
June: 3:00 PM
July: 4:00 PM
Aug: 4:00 PM
Sept: 5:00 PM
Oct: 4:00 PM

Rate Proposal – Transmission Service (Supplemental)

- 69 kV Transmission for NRG 88 MW EWG
 - Currently on Transmission Rate
 - \$10.50 / kW
 - \$0.06370 / kWh
 - Proposed Rate
 - \$7.96 / kW
 - \$0.0618 / kWh
 - Implement annual on-peak penalty

Other Rates

- **Business Retention Rate**
 - Maintain discount
- **Private Outdoor Lighting**
 - No change to lighting rates
 - New LED lights at equivalent lumen rate



Discussion

PROPOSED CHANGES TO:



**CITY OF DOVER
DEPARTMENT OF FINANCE
PROCEDURE MANUAL**

TITLE: Grant Application Procedures

PROCEDURE # 317

DATE: November 2, 2007

REVISED: November 7, 2014

Introduction

This procedure is intended to establish clear directions for accounting for and administering the funds and resources received by the City through Federal, State, and other Grants.

It is the City's policy to strictly prohibit any political activities related to Federal, State and other political subdivision assisted programs. The City's employees will not engage in such activities nor spend City funds or grant funds in such activities.

Definitions

"Closeout": The process of finalizing a grant project, including completion of the final financial reports, determination of cash balances, accomplishment of necessary accounting entries and placing all project files in a manageable holding system.

"Department": Departments are the major organizational sub-divisions. They have a broad overall purpose. The City of Dover is organized into departments as follow: Customer Services, Parks & Recreation, Library, Public Works, Police, Public Utilities, Mayor, **Economic Development**, Procurement & Inventory, City Clerk, City Manager, Information Technology, Finance, Human Resources, and **Tax Assessor**.

"Grants": Funds and resources procured by the City which are restricted as to usage by the government or institution providing the funds. Usually, there is an application process whereby the City provides evidence of its need for the funds, its ability to use the funds in a manner approved by the grantor, and detailing the expenditures expected to be incurred. The primary grant providers to the City are the Federal and State governments.

"In Kind Match": A grant where the required match is not a cash contribution, but is existing personnel time, equipment or material made available for the purpose of the grant.

"Matching Funds": Dollars that must be available in order to qualify for a grant. Often grantors will not support the entire cost of a project and require that the applicant provides a certain share of the project cost from other sources.

"NOFA": Notice of funding availability. Grant-making agencies issue a NOFA to solicit applications.

“OMB Circular A-87”: Establishes principles and standards for determining costs for Federal awards carried out through grants, cost reimbursement contracts, and other agreements with State and local governments.

“Pass-Through Entity”: a non-Federal entity that provides a subaward to a subrecipient to carry out part of a Federal program.

“Subaward”: an award of financial assistance in the form of money, or property in lieu of money, made under an award by a recipient to an eligible subrecipient or by a subrecipient to a lower tier subrecipient. The term includes financial assistance when provided by any legal agreement, even if the agreement is called a contract.

“Subrecipient”: a legal entity to which a subaward is made and which is accountable to the recipient for the use of the funds provided.

Departmental Grant Application Decision Making Process

1. The Departments are responsible for seeking out new grant resources. The Department shall analyze the need and future costs of a grant before applying for a grant. A number of questions shall be considered by the department before determining whether a grant application is appropriate. A **Department Grant Application Analysis Form** to be completed by each department can be found in Appendix A.
2. A copy of the **Department Grant Application Analysis Form** should be maintained in the grant folders at the department level and copies distributed to the City Manager and Finance Director for budgeting and auditing purposes.
3. If the annual project/program cost in excess of the grant award exceeds \$25,000 Council approval is required. A copy of the **Department Grant Application Analysis Form** should accompany the appropriate approval forms.

Grant Application Process

1. The Application process is the most critical step. The requesting department prepares the grant application package and submits the approved, completed grant packages to the proper grantor institution. The reviewing body will make their decision solely upon the evidence of need as shown in the application. Therefore, a well-documented proposal is imperative. Departments should review the requirements of the application closely.
2. City Council must approve the application of all grants which require a ‘monetary’ match in funds of \$25,000 or more from the City of Dover or if the grant requires City Council approval. Grants requiring ‘in-kind’ matches do not need Council approval. The Department shall be responsible for acquiring City Council approval before applying for grants with these requirements. Please note if the grant and match have been fully identified in the approved budget, Council approval shall be met. This procedure does not negate any requirements of the City Purchasing Policy.
3. The application cannot be submitted to a grantor for consideration without the written approval of the Department Head regardless of the amount. A copy of the application with the Department Head’s signature should be kept on file within the submitting department.

4. The requesting department will be responsible for ensuring that all approved applications are signed by the Mayor or appropriate official prior to submission.

Grant Award/Post Award Process

1. The requesting department receives the grant award letter. Federal award notification is received by email. If the City is awarded the grant, a Committee Action Form (CAF) is to be prepared for the Legislative, Finance & Administrative Committee to approve the grant award. The CAF shall include any non-grant funded expenses listed in the '**Department Grant Application Analysis Form**' for the current and future fiscal years. The application must include the CFDA# for federal programs and follow the most recently published Office of Justice Financial Guide.

Several types of state funded grants are awarded to local law enforcement agencies state- wide based on annual allocations of funds approved by the State Legislature and quarterly applications for funds resulting from property and drug seizures. The Police Department must conform to the grantor requirements for spending these funds, as well as any procedures for pass through Federal Grants as provided above. The Police Chief approves the application for and disbursing of these particular funds.

2. A grant records file shall be maintained and updated by the requesting department for each application throughout the grant process, including the final accounting and closeout. The file shall consist of, at a minimum, the application, acceptance letter and a spreadsheet detailing cash receipts and disbursements. The Department must maintain records of expenditures including any appropriate supporting documentation in accordance with the Federal/State grant guidelines and City's retention policy. The expenditures must be reviewed to determine if they are an eligible expense under the grant agreement.
3. Confidential records supporting expenditures for informant funds etc, used by the Police Department will be maintained in accordance with current policies and procedures for the department. Procedural notice 42 Criminal Investigations, section VII outlines those procedures to be followed by the Police Department.
4. The Department Head, or his/her designee, shall monitor the status of the grant application and the subsequent award.
5. The original signed grant contract shall be added to the appropriate grant file and identified with a contract number and the performance period.
6. Copies of all documents are to be provided to the Finance Department to monitor compliance and completion of the annual audit.
7. Where applicable, Public Hearings and Advisory Board Meetings must be held in accordance with the grantor requirements throughout the term of the grant.

Subawards and Monitoring Procedures

1. The requesting department receiving the grant award is the award recipient. If the department is approved or required to make subawards for a Federal grant received, the department is also considered a pass-through entity. For these types of grants, the department must ensure the identifying Federal award information and applicable compliance requirements, including applicable special conditions, are clearly designated in the subrecipient award agreement. The subaward or agreement must, at a minimum, include the following information:
 - A. Catalog of Federal Domestic Assistance (CFDA) title and number
 - B. Award name and number
 - C. Name of the Federal awarding agency
 - D. Activities to be performed
 - E. Period of performance
 - F. Project policies
 - G. Original award flow-through requirements that are applicable to the subrecipient
 - H. Instructions and procedures for subaward monitoring compliance
 - I. Other policies and procedures that may apply and need to be followed
 - J. Dollar limitation of the agreement
 - K. Cost principles to be used in determining allowable costs

2. In addition, the department must complete the actions required during the grant program to monitor the subrecipient's use of Federal funds. The methods of monitoring may vary. Following are some of the factors that may be considered in determining the nature, timing, and extent of monitoring:
 - A. Programs with complex compliance requirements that may have a higher risk of non-compliance.
 - B. The larger the percentage of program awards passed through, the greater the need for subrecipient monitoring.
 - C. Larger dollar awards are of greater risk.
 - D. Subrecipients may be evaluated as higher risk or lower risk to determine the need for closer monitoring. Generally, new subrecipients may require closer monitoring. For existing subrecipients, based on results of during-the-award monitoring and subrecipient audits, a subrecipient may warrant closer monitoring (e.g., the subrecipient has a history of non-compliance as either a recipient or subrecipient, new personnel, or new or substantially changed systems).

3. Some of the mechanisms that may be used to monitor subrecipient activities throughout the year include:
 - A. Review monthly financial and performance reports submitted by the subrecipient.
 - B. Perform subrecipient site visits to examine financial and programmatic records and observe operations.
 - C. Review detailed financial and program data and information submitted by the subrecipient when no site visit is conducted. Documents to review might include timesheets, invoices, contracts, and ledgers that tie back to financial reports.
 - D. Regular communication with subrecipients and appropriate inquiries concerning program activities.

4. The purpose of all monitoring activities is to provide reasonable assurance that the subrecipient has administered the pass-through funding in compliance with the laws, regulations, and the provisions of the award and that the required performance goals are being achieved.

Accounting Procedures

1. The Department Head shall request account numbers for grant revenues and expected expenditures from the City Finance office. Where applicable a project number will be assigned to each grant to track receipts and expenses.
2. The Finance Department and Department Head are responsible for maintaining separate records for each grant project to avoid commingling of grant funds.
3. The Department Head is responsible for assuring all grant project funds are expended according to the terms of the grant. All grant project funds must be obligated by the termination date(s) specified in the grant. Any matching funds must be expended and reported timely.
4. The Department Head is responsible for submitting any required reimbursement requests to the grantor as authorized expenditures are incurred. At the end of each fiscal year, the Department Head shall submit to the Finance Department a list of all outstanding reimbursement requests and qualified expenditures incurred, but not submitted to the grantor for reimbursement. Accordingly, the Finance Department shall create a grant receivable entry, reconciling this to the grant activity recorded during the period.
5. Purchase, Invoice and Payment processing shall be in accordance with the City of Dover Purchasing Policy, incorporated into this procedure by this reference. Payroll processing shall be in accordance with City payroll procedures.
6. Retention of records shall be in accordance with the State of Delaware's Local Government General Records Retention Schedule for Grants, which specifies grant financial files are to be retained for **five three** years after submission of the grant closeout letter and successful audit.
7. Requests for drawdown of funds must be in accordance with award requirements specified by the grantor.
8. Receipts are received and entered into the General Ledger by the Finance Department.
9. The Department Head is responsible for maintaining records of all inventory purchased and are to provide an updated copy to the Finance Department June 30 each year for audit purposes. All records for equipment, non-expendable personal property and real property shall be retained for a period of at least three years from the date of the disposition, replacement, or transfer.
10. Records must be maintained for each non-expendable item that costs \$5,000 or more and has a useful life of one year or more. The Department Head shall send the invoices and appropriate backup data to the Finance Department for recording in the Capital Asset System.
11. The Department Head is responsible for timely submission of reports to the grantor as required under the terms of the grant.

12. The Department Head is responsible for submitting quarterly and final Financial Status Reports (FSR's) for grants if required under the terms of the grant. A copy of any FSR must be submitted to the Finance Department before being sent to the grantor. Finance shall reconcile amounts reported on the FSR with the amounts recorded in the City's accounting system. Any discrepancy shall be resolved by the Department Head and communicated to the Finance Department.
13. The Department Head is responsible for performing and monitoring closeout activities.
14. Any unexpended funds shall be returned to the grantor and any interest earned on cash balances shall be disbursed in accordance with the grant requirements.
15. The Finance Department is responsible for preparing Form SF-SAC, "Data Collection Form for Reporting on Audits of States, Local Governments, and Non-Profit Organizations," in accordance with Federal OMB Circular A-133.
16. A quarterly report will be presented to City Council by the Finance Department for all grants.

Control of Grant Funds

1. Interest earned and expended is promptly recorded in the accounting records and reported on the FSR's. FSR's are due 45 days after the end of the calendar quarter.
2. Grant funds and interest earned is expended by the end of the allowable period.
3. Matching funds are expended and reported timely.
4. Final FSR's are submitted timely.
5. The Department Head will ensure grant requirements are met and if necessary will request changes from the grantor 60 days before the end of the award period.
6. Draw down of Federal funds will be initiated after the Department submits the quarterly FSR's. This ensures that the department has already paid for the cost of goods or services incurred on behalf of Federal grants. Any funds received in advance will be placed in an interest earning account.
7. Department Heads ensure matching funds are spent and that related expenditures are tracked for reporting purposes.
8. Department Heads will obtain permission from federal grantees to spend the interest earned as part of the grant proceeds. They will request a Budget Adjustment Request to augment grant budgets with interest earned revenues that they have received.

DISTRIBUTION

Mayor
City Manager

CDBG Director
Department Heads

Police Department



General Order 17

BUDGET AND PURCHASING PROCEDURES

I. PURPOSE

The purpose of this order is to outline the responsibilities associated with budgeting and purchasing, and the procedures to be followed in carrying out those responsibilities

II. POLICY

The Dover Police Department will manage all budget, grant and purchasing procedures in accordance with the procedures established by the City of Dover. If a conflict between the city procedures and established grant guidelines occurs, the grant guidelines will be followed.

III. BUDGET PROCESS

The Police Resources Manager is responsible for all actions associated with budget preparation and management. These duties include the following:

- A. Request inputs for the annual budget from the Chief of Police, Deputy Chief and Division/Unit Commanders for use in budget planning and preparation.
- B. Prepare a draft budget and follow-up documents using procedures established by the City of Dover.
- C. Review all expenditures throughout the fiscal year and make recommendations to the Chief of Police for any required budget revisions.

IV. GRANT PROCESS

The Police Resources Manager is also responsible for all actions associated with the preparation of grant applications, management, and reporting to include the following duties:

- A. Request inputs for grant applications from the staff for use in their preparation.
- B. Perform all grant management and oversee all purchasing actions.
- C. Prepare financial grant status reports as required. For granting agencies that require the submission of both financial and program status reports, the Police Resources Manager will be responsible for the financial reports and the Administrative Division Commander will complete the program reports. The separation of these duties is mandated by Federal grant guidelines for internal control purposes.
- D. Perform subgrant monitoring as required. There are police grants that may be awarded on a joint basis due to a disparate funding situation identified by the granting agency. The prime example of this includes recurring law enforcement grants the police department receives from the Federal Department of Justice. For these grants, the Dover Police Department shares its award with other agencies as identified in the grant funding authorization document which is published on the USDOJ website at the time of the grant solicitation. Since the Dover Police Department usually is awarded the larger share of funds on these grants, it

becomes the pass-through entity and makes subawards to the other agencies on the joint awarded grant. The following procedures will apply:

1. Grant subawards will be issued and contain any applicable information as identified in the City's Grant Application Procedures (Procedure 317). However, all grant purchases will be made and paid for directly through the City of Dover's financial systems, so the Dover Police Department will ensure all grant purchases comply with the City of Dover Purchasing Policy.
2. Subrecipient monitoring: the grants received in the past were awarded jointly to the Dover Police Department, Smyrna Police Department and Kent County for purchases of law enforcement equipment and/or training. The funding for the subrecipient shares did not exceed \$25,000, so there is less risk involved with completing these types of purchases. As a result, monitoring procedures will include: the review of the program and financial documentation submitted for the grant purchases to ensure they comply with the City of Dover Purchasing Policy and verification that the purchases were made and the required equipment lists are provided to close the grant.
3. The monitoring instructions above will be outlined in the Memorandum of Understanding that is required to be submitted as part of the grant application and in the grant subaward document.

V. PURCHASING PROCEDURES

The Central Services Coordinator is primarily responsible for all department purchases. Additional personnel may be authorized to make purchases by the Chief of Police. The following procedures will be followed:

- A. All purchases will comply with the City of Dover Purchasing Policy.
- B. Commanding officers will be held accountable for those portions of the agency's budget that relate to their functions. Requests for purchases will be based on the approved budget and made through the chain of command to the Police Resources Manager and Central Services Coordinator:
 1. Daily Operating Supplies include office, computer and custodial supplies, uniform items, and other similar items that do not require any special bid actions.
 - a. Ordering - Requests for these items will be provided to the Central Services Coordinator via personal memorandum from the staff or using the Dover Police Department Requisition form. Verbal or voicemail requests will not be honored because there is no audit trail
 - 1) A copy of the form is included in Attachment A and is maintained in the forms directory on the I drive on the department server.
 - 2) This form was created using a workflow application which will automatically route the form electronically through the chain of command via email for the appropriate approvals. As a result, please do not photocopy the form and fill it out manually.
 - a. Pick-up - Once the items have been received, the Central Services Coordinator will notify the individual that the item is in and will coordinate a time for pick-up.

- b. Occasionally, the requestor may need to pick-up ordered items directly from the local vendor. To maintain accountability of the items, approval must be obtained from the Central Services Coordinator prior to pick-up. In addition, the person making the pickup will ensure the receipt for the items is provided to the Central Services Coordinator as a written receipt/verification for all items is required by Finance to make the payment.
 2. Special order items include non-stocked items such as specialized equipment; grant funded equipment, etc.
 - a. Ordering – Requests for these items will be provided to the Central Services Coordinator via personal memorandum for items costing \$5,000 and less or Dover PD Bid Summary form for items valued over \$5,000.
 - b. Bid Information and process – Requestors must perform research to provide bidding information. The minimum information needed to process the request includes: item description, quantity and recommended sources. Three sources are needed and identify vendor names and phone numbers. The Central Services Coordinator will contact the vendors to obtain their particular item specifications. Once the information is received, the Central Services Coordinator will coordinate with the City's Purchasing Agent for formal bids, when required to order the item.
 - c. Pick-up - Once the order is filled and items have been received, the Central Services Coordinator will notify the individual that the item is in and will coordinate a time for pickup.
 3. Exceptions – the only exceptions recognized to the above guidelines apply to the ordering of computer equipment, computer software, building maintenance supplies, weapons and ammunition. The Department LAN Technician, Special Operations Response Team (SORT) Commander, and Building Craftsperson in coordination with the Central Services Coordinator or Police Resources Manager will order these types of items respectively, **and in accordance with the City of Dover purchasing policy.**
- C. All invoices and receipts for items received will be reviewed by the Central Services Coordinator and forwarded to the Police Resources Manager for further processing.
- D. The Police Resources Manager will prepare the necessary documentation required for payment through the City of Dover financial systems. Approval of purchases will be accomplished by the Police Resources Manager or other designee as authorized by the Chief of Police.

VI. ACCOUNTING PROCEDURES

- A. The Police Resources Manager will maintain records of all invoices and payments throughout each fiscal year. A record of all transactions will be maintained for each line item account, including all grant accounts with the exception of salary and fringe benefit accounts.
- B. Accounts established for Petty Cash transactions will be managed in accordance with the City of Dover's Petty Cash Procedures.
- C. All Funds and accounts are subject to the independent audit conducted annually as contracted by the City of Dover.

- D. Accounting of all agency-owned property shall be the responsibility of the Central Services Coordinator in accordance with procedures under separate cover. The Central Services Coordinator shall also be responsible for the maintenance and operational readiness of all stored property.

VII. DEFINITIONS

“Pass-Through Entity”: a non-Federal entity that provides a subaward to a subrecipient to carry out part of a Federal program.

“Subaward”: an award of financial assistance in the form of money, or property in lieu of money, made under an award by a recipient to an eligible subrecipient or by a subrecipient to a lower tier subrecipient. The term includes financial assistance when provided by any legal agreement, even if the agreement is called a contract.

“Subrecipient”: a legal entity to which a subaward is made and which is accountable to the recipient for the use of the funds provided.

VIII. SUPERSEDES

This Procedural Notice supersedes all previous procedures and directives issued orally or in writing that are not in total conformity herewith.

IX. EFFECTIVE DATE

This Procedural Notice shall become effective upon execution and issuance

ORDER EFFECTIVE AND ISSUED THIS ____ day of Mar 2018

Marvin C. Mailey
Chief of Police

Dover Police Department

NOTE: The Requisition Form below is maintained on the I drive forms directory. Please fill out the form from there as it was created using an application that automatically routes the user's request electronically for approvals via email.

BID SUMMARY FORM
-- SAMPLE --

Police Resources Manager Approval

Date

Central Services Coordinator Approval

Date

PFC Smith

4/5/16

Requester

Date

Item Description:

Undercover Joey Wire (4 each)

Funding Source:

Accounting Classification:

EIDE Grant

710-1700-545.20-26

Method of Purchase (Circle One):

Bid

Sole Vendor

Continuity of Service

Declared Emergency

Other – Explain _____

COMPARISON OF BIDS

Vendor	Contact Person	Phone #	Pricing Info
Vendor A	Jim Rogers	555-1234	\$7500 /set plus shipping
Vendor B	Herman Mueller	555-2225	Does not carry model requested
Vendor C	Heidi Lewis	555-8908	\$5500/set plus shipping

Recommended Vendor: Vendor A

Reason for Award: Lowest Bid

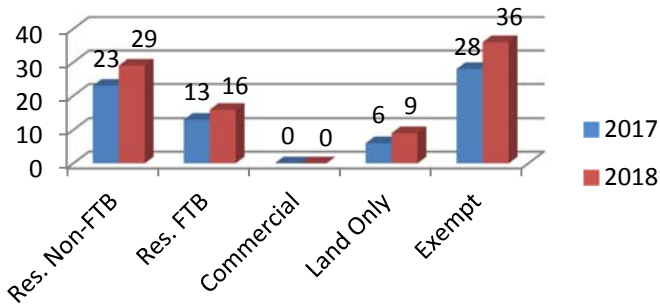
Monthly Report February 2018



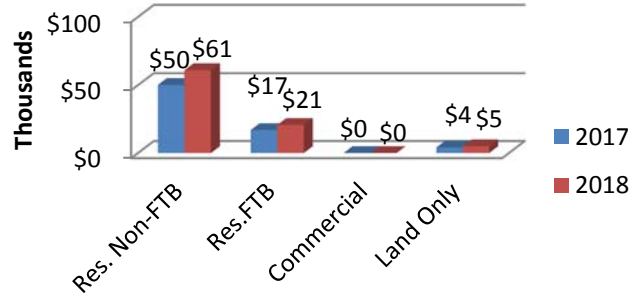
Office of City Assessor

ASSESSOR'S REPORT

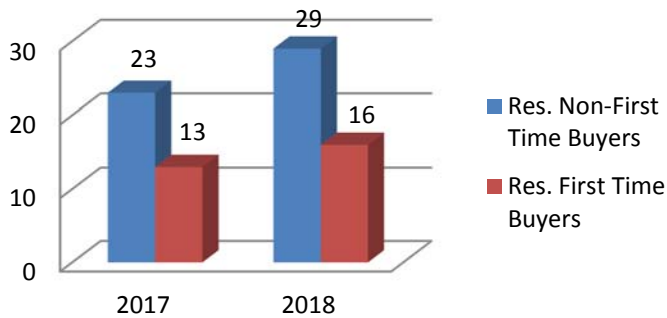
Number of Deeds Stamped for the Month of Feb. 2017/2018



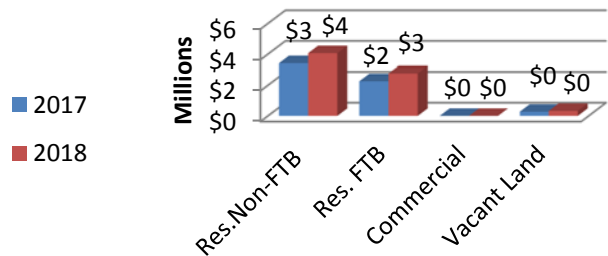
Transfer Tax Dollar Amount for the Month of Feb. 2017/2018



First Time Buyer for the Month of Feb. 2017/2018



Feb. 2017/2018 Realty Property Sales in Dollars Received Prior to Recording



Major Updates

	Dec - 17	Jan - 18	Feb - 18
Assessment Change	\$16,433,300	\$10,792,100	\$1,038,700

Residential Sales Ratio Report

Sales in Study	Total Assessed Value	Total Sale Price	Ratio	PRD
27	\$4,595,540	\$3,908,500	0.85	1.00

ASSESSOR'S REPORT

Ratio – Assessed Value divided by Sale Price.

PRD – Mean – A PRD above 1.03 tends to indicate assessment regressivity – high valued properties are under appraised relative to low valued properties. A PRD below .98 tends to indicate assessment progressivity – high valued properties are relatively over appraised.

Points of Interest

Scanning & Filing

- All new deeds are being scanned and attached to the CAMA software for easy retrieval.
- All appeal documents and correspondence are being scanned and attached to the CAMA software for easy retrieval.
- All old property record cards are being scanned and indexed into Fortis.

Assessor's Office

- Delinquent Tax Bills with door hangers for properties with outstanding property taxes

CITY OF DOVER
SALES RATIO REPORT

PARID	NBHD	LUC	ADDRESS	UNITS	STYLE	YRBLT	STORIES	SFLA	GRADE	CDU	TOTAL APPR	SALE DT	PRICE	ASR
ED05-067.11-01-05.00	10	R10	918 WOODCREST DR	1	5	1972	2	2919	C	FR	177,600	12-FEB-18	229,900	
ED05-067.16-01-51.00	10	R10	611 CAROL ST	1	5	1983	2	1612	C+	AV	145,800	28-FEB-18	194,900	
ED05-067.18-03-76.00	17	R10	56 FREEDOM DR	1	14	1976	1	1482	C	AV	148,900	14-FEB-18	177,000	
ED05-067.20-02-69.00	8	R10	564 N STATE ST	1	14	1954	1	1990	B-	VG	223,200	09-FEB-18	270,000	
ED05-067.20-03-77.00	8	R10	350 N BRADFORD ST	1	1	1900	2	1334	C	AV	109,200	01-FEB-18	123,000	
ED05-067.20-04-01.00	8	R20	19 CLARA ST	2	1	1930	2	2050	B	AV	156,500	05-FEB-18	130,000	
ED05-068.13-01-83.00	10	R10	511 OAK LN	1	14	1959	1	1136	C	AV	127,000	28-FEB-18	149,900	
ED05-068.19-02-57.00	6	R10	46 ACACIA PL	1	8	1998	2	1640	C	AV	138,700	20-FEB-18	160,000	
ED05-076.03-02-12.00	14	R10	307 PARADEE DR	1	13	2007	2	1867	C+	AV	137,800	05-FEB-18	174,000	
ED05-076.03-02-96.00	14	R10	380 TRIBBITT ST		13	2017	2	1760	C+	AV	150,400	02-FEB-18	162,900	
ED05-076.03-04-46.00	11	R10	316 GILLIBROOK LN	1	14	2007	1	1924	B+	AV	239,500	05-FEB-18	225,000	
ED05-076.05-03-51.00	14	R10	115 STONEY DR	1	8	1988	2	1763	C+	AV	138,000	21-FEB-18	147,500	
ED05-076.10-02-40.00	16	R10	1511 FAWN ST	1	14	1989	1	1372	C+	AV	143,300	08-FEB-18	179,000	
ED05-076.10-03-18.00	16	R10	1434 S FARMVIEW DR	1	8	1990	2	1443	C+	AV	127,000	27-FEB-18	148,000	
ED05-077.07-06-04.00	6	R10	232 LADY BUG DR		13	2018	2	1220	B-	AV	137,300	20-FEB-18	180,900	
ED05-077.07-06-05.00	6	R10	236 LADY BUG DR		13	2018	2	1220	B-	AV	137,500	12-FEB-18	173,290	
ED05-077.07-06-37.00	6	R10	713 MARTA DR		1	2016	2	1920	B-	AV	187,300	15-FEB-18	227,000	
ED05-077.07-07-04.00	6	R10	112 LADY BUG DR		13	2018	2	1220	B-	AV	137,600	20-FEB-18	178,875	
ED05-077.07-07-62.00	6	R10	238 NOB HILL RD		13	2018	2	1220	B-	AV	128,500	12-FEB-18	146,990	
ED05-077.07-07-63.00	6	R10	236 NOB HILL RD		13	2018	2	1220	B-	AV	128,500	01-FEB-18	152,965	
ED05-077.07-07-64.00	6	R10	234 NOB HILL RD		13	2018	2	1220	B-	AV	128,500	20-FEB-18	156,555	
ED05-077.07-07-66.00	6	R10	230 NOB HILL RD		13	2018	2	1220	B-	AV	131,000	16-FEB-18	160,965	
ED05-077.09-05-65.00	4	R10	18 ELM TER	1	1	1925	2	1808	C+	GD	158,800	08-FEB-18	188,000	
ED05-077.11-02-31.00	6	R10	599 CRAWFORD AVE	1	14	1967	1	1130	C	AV	127,900	02-FEB-18	147,000	
ED05-085.08-02-24.00	12	R10	10 BAKER TRN	1	16	1964	1	1699	C+	GD	165,200	16-FEB-18	190,000	
LC05-058.17-04-59.00	1	R10	4 GORDON DR	1	11	1988	1	1178	D+	AV	68,000	15-FEB-18	101,900	
LC05-068.10-01-19.00	13	R10	509 SCHOONER WAY	1	13	1993	2	2032	C+	AV	109,500	09-FEB-18	120,000	

CITY COUNCIL COMMUNITY ENHANCEMENT FUND
JULY 1, 2017 - APRIL 2, 2018
110-1200-512.30-37

Current Balance		-	\$18,384.48				
BUDGETED AMOUNT		COMMUNITY ENHANCEMENT FUND - \$2,500 FOR EACH COUNCIL MEMBER PER DISTRICT AND \$5,000 FOR THE AT-LARGE COUNCIL MEMBER. THE PURPOSE OF THE FUND IS TO ALLOW MEMBERS TO CONTRIBUTE FUNDS TO A SMALL PROJECT OR COMMUNITY NEEDS IN EACH DISTRICT.					\$25,000.00
TOTAL							\$25,000.00
DATE	COUNCIL SPONSOR	VENDOR	DESCRIPTION	P.O. #/ INVOICE #	TOTAL CHARGES	YEAR TO DATE	BALANCE
07/12/17	Anderson	Inner City Cultural League, Inc.	Councilman Anderson authorized the use of \$600.00 of his community enhancement funds to fund 50% of the membership dues for 5 needy students to participate in the Sankofa African Drum and Dance Troupe.	Email dated 07/11/17 from David Anderson to City Clerk's Office	\$600.00	\$600.00	\$24,400.00
07/16/17	Anderson	MLK Jr. Educational Community Center, Inc.	Councilman Anderson authorized the use of \$500.00 of his community enhancement funds to help pay for breakfast and lunch for the Saturday Academy participants.	Email dated 07/16/17 from David Anderson to City Clerk's Office	\$500.00	\$1,100.00	\$23,900.00
07/26/17	Slavin	Central Delaware Habitat for Humanity	Councilman Slavin authorized the use of \$670.56 to purchase incidental equipment and play apparatus for the Habitat for Humanity's pop up parks/play streets program. It was noted that the games would be usable for	Email dated 07/26/17 from Tim Slavin to Traci McDowell	\$670.56	\$1,770.56	\$23,229.44
07/31/17	Hare	Air Force Ball Committee	Councilman Hare authorized the use of \$500.00 for the deposit to reserve the Dover Downs ballroom for 436 Squadron's Annual Air Force Ball.	Dover Downs Banquet Event Order (BEO) #24,727 dated 06/27/17	\$500.00	\$2,270.56	\$22,729.44
08/02/17	Cole	Dover Library Foundation	Councilman Cole authorized the use of his community enhancement funds to reimburse the Dover Library Foundation for the purchase of bottled water for the Dover Comic Con 2017 event.	Sam's Club receipt dated 08/15/17; Email dated 08/02/17 from Scott Cole to Traci McDowell	\$397.50	\$2,668.06	\$22,331.94
08/07/17	Neil	3d Airlift Squadron Booster Club	Councilman Neil authorized \$100.00 of his community enhancement funds to be donated to the 3d Airlift Squadron Booster Club for the Dover Air Force Base Open House.	Email dated 08/07/17 from Fred Neil to Traci McDowell	\$100.00	\$2,768.06	\$22,231.94
08/14/17	Anderson	Boys and Girls Club of Delaware	Councilman Anderson authorized a donation of \$100.00 of his community enhancement funds to the Boys and Girls Club of Delaware, for the Greater Dover Boys and Girls Club - 4th District children.	Emails dated 08/08/17 and 08/14/17 from David Anderson to Debbie Krueger	\$100.00	\$2,868.06	\$22,131.94
08/14/17	Anderson	City of Dover Parkland Reserve	Councilman Anderson authorized a donation of \$250.00 of his community enhancement funds for the Back to School Giveaway and Rib-Off Fundraiser Initiative (to be credited to the City's Parkland Reserve)	Email dated 08/14/17 from David Anderson to Debbie Krueger	\$250.00	\$3,118.06	\$21,881.94

08/23/17	Cole	Dover High School AFJROTC Booster Club	Councilman Cole authorized \$300.00 of his community enhancement funds to help pay for storage units for the air rifles used by the Rifle Team.	Email dated 08/23/17 from Scott Cole to Traci McDowell	\$300.00	\$3,418.06	\$21,581.94
09/08/17	Polce	City of Dover Clearing Account - Rec Revenue	Councilman Polce authorized the allocation of \$250.00 of his community enhancement funds for the Dover Park Revitalization Event on 09/09/17.	Email dated 09/08/17 from Tanner Polce to Donna Mitchell	\$250.00	\$3,668.06	\$21,331.94
09/08/17	Lewis	City of Dover Clearing Account - Rec Revenue	Councilman Lewis authorized the allocation of \$250.00 of his community enhancement funds for the Dover Park Revitalization Event on 09/09/17	Email dated 09/08/17 from Tanner Polce to Donna Mitchell	\$250.00	\$3,918.06	\$21,081.94
09/11/17	Slavin	City of Dover Clearing Account - Rec Revenue	Councilman Slavin authorized the allocation of \$250.00 of his community enhancement funds for the Dover Park Revitalization Event on 09/09/17	Email dated 09/07/17 from Tim Slavin to Roy Sudler and Donna	\$250.00	\$4,168.06	\$20,831.94
09/07/17	Sudler	City of Dover Clearing Account - Rec Revenue	Councilman Sudler authorized the allocation of \$300.00 of his community enhancement funds for the Dover Park Revitalization Event on 09/09/17	Email dated 09/07/17 from Roy Sudler	\$300.00	\$4,468.06	\$20,531.94
09/19/17	Anderson	Interdenominational Ministerial Alliance of Dover and Vicinity (IMA)	Councilman Anderson authorized the designation of \$520.00 to the Interdenominational Ministerial Alliance of Dover and Vicinity (IMA) for the Expungement Clinic on 11/03/17. The funds are for Dover residents. The cost is estimated to be \$52 per	Email dated 09/19/17 from David Anderson to City Clerk's Office	\$520.00	\$4,988.06	\$20,011.94
11/13/17	Anderson	Interdenominational Ministerial Alliance of Dover and Vicinity (IMA)	Councilman Anderson authorized the designation of \$380.00 for the Community, Family, and Fellowship Dinner	Email dated 11/11/2017 from David Anderson to City Clerk's Office	\$380.00	\$5,368.06	\$19,631.94
11/13/17	Slavin	National Council on Agricultural Life and Labor Research Fund, Inc. (NCALL)	Councilman Slavin authorized the designation of \$697.46 for playstreets equipment. It was noted that the games would be usable for future events too. (Note: \$670.56 was previously paid to Central Delaware Habitat for Humanity for the purchase of these items based upon the email correspondence received; however, the items were actually purchased and invoiced by NCALL. Habitat is supposed to return the \$670.56 that they	Email dated 07/26/17 from Tim Slavin to Traci McDowell and invoice #20171031	\$697.46	\$6,065.52	\$18,934.48
12/08/17	Neil	White Oak/Town Point Civic Association	Councilman Neil authorized the designation of \$50.00 to the White Oak/Town Point Civic Association to help with Christmas donations for Dover families in need of assistance	Email dated 12/08/17 from Fred Neil to Traci McDowell	\$50.00	\$6,115.52	\$18,884.48
01/23/18	Lewis	Dover Fire Department/Robbins Hose Co.	Councilman Lewis authorized the designation of \$500.00 of his community enhancement funds to Dover Fire Department for the purchase of new equipment for the fire apparatus currently on order.	Letter from Dover Fire to Lewis dated 1/18/18. Personally delivered to Clerk by Lewis on 1/22/18.	\$500.00	\$6,615.52	\$18,384.48
					\$6,615.52	\$18,384.48	

Budgeted Amount	District	Council Sponsor	YTD Expenditures	Balance
\$5,000.00	At-Large	Slavin	\$1,618.02	\$3,381.98
\$2,500.00	1st District	Lindell	\$0.00	\$2,500.00
\$2,500.00	1st District	Polce	\$250.00	\$2,250.00
\$2,500.00	2nd District	Hare	\$500.00	\$2,000.00
\$2,500.00	2nd District	Lewis	\$750.00	\$1,750.00
\$2,500.00	3rd District	Cole	\$697.50	\$1,802.50
\$2,500.00	3rd District	Neil	\$150.00	\$2,350.00
\$2,500.00	4th District	Anderson	\$2,350.00	\$150.00
\$2,500.00	4th District	Sudler	\$300.00	\$2,200.00
		TOTAL	\$6,615.52	\$18,384.48

CITY MANAGER'S MONTHLY



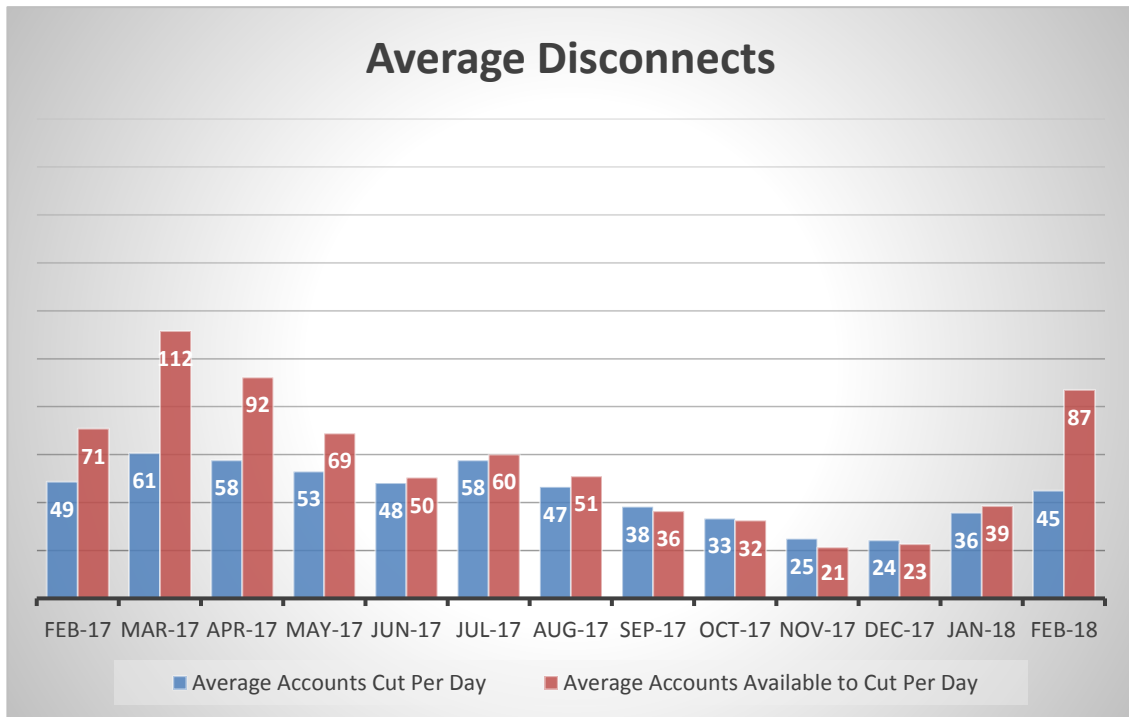
REPORT FEBRUARY 2018

City of Dover

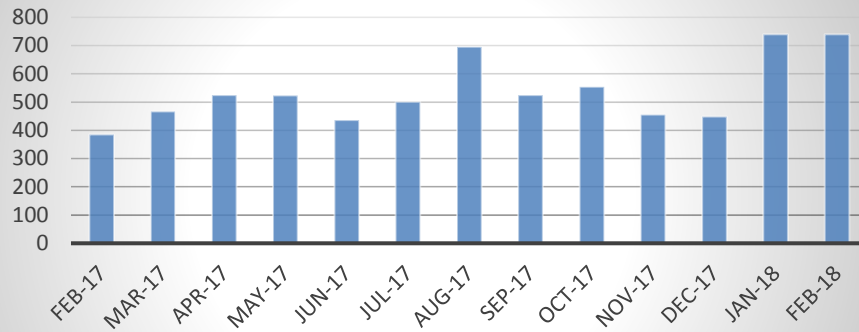
Customer Services Department

Major Program Updates	Feb 2018	Feb 2017	Difference	FY 2018	FY 2017
				Year-to-Date	Year-to-Date
Number of Customers Served	20,094	20,398	(304)	183,885	184,069
Final Bills	546	1,530	(984)	4,859	5,966
Estimated Bills	212	252	(40)	1,759	1,760
Penalties Posted	\$ 5,642	\$ 747	4,895	\$ 60,175	\$ 55,268
Extensions of Credit - Amount Extended	\$ 217,704	\$ 133,399	84,305	\$ 1,044,509	\$ 986,301
Balance Transfers	\$ 1,801	\$ (1,471)	3,272	\$ 36,088	\$ 6,715
Utility Collections	\$ 18,399	\$ 12,759	5,640	\$ 236,671	\$ 211,488
Miscellaneous Billings	\$ 172,135	\$ 49,882	122,253	\$ 1,303,277	\$ 978,091
Taxes Levied	\$ 305,773	\$ 341,903	(36,131)	\$ 305,773	\$341,903
Billing Adjustments	\$ 1,640	\$ 349	1,291	\$ 1,640	\$349
Total Taxes Collected	\$ 111,343	\$ (63,555)	174,898	\$ 111,343.28	\$ (63,554.60)
Taxes Outstanding	\$ 196,070	\$ 278,698	(82,628)	\$ 196,070	\$278,698

Disconnect Summary Report													
	Feb-17	Mar-17	Apr-17	May-17	Jun-17	Jul-17	Aug-17	Sep-17	Oct-17	Nov-17	Dec-17	Jan-18	Feb-18
% of Cust Cut	69%	54%	62%	77%	95%	96%	91%	93%	93%	95%	92%	93%	52%
% of Total \$ Cut	68%	66%	63%	77%	92%	96%	88%	89%	73%	85%	64%	80%	44%
Total Days Available to Cut	16	13	16	20	22	12	19	19	22	20	14	11	17
Average Accounts Cut Per Day	49	61	58	53	48	58	47	38	33	25	24	36	45
Average Accounts Available to Cut Per Day	71	112	92	69	50	60	51	36	32	21	23	39	87
Total on original list	1134	1451	1476	1377	1109	653	885	691	714	427	316	424	1478
Total \$ on original list	\$373,545.84	\$371,175.90	\$362,563.80	\$405,699.71	\$476,569.79	\$210,692.12	\$339,268.87	\$258,437.94	\$322,557.57	\$148,091.70	\$112,008.40	\$162,331.38	\$497,496.13
Total Actual Cust Cut	779	788	922	1059	1059	692	884	728	733	499	340	393	764
Total \$ of Actual Cut	\$255,781.83	\$243,763.03	\$229,928.08	\$312,473.14	\$437,125.60	\$214,022.39	\$315,751.83	\$242,444.38	\$245,540.19	\$152,033.26	\$77,144.59	\$130,465.45	\$217,277.80

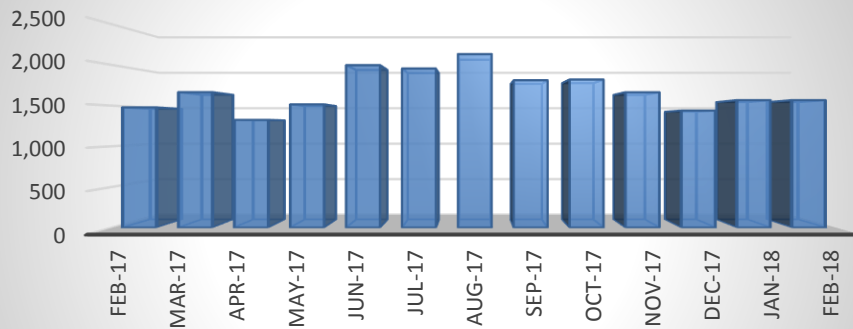


Payment Agreements / Extensions



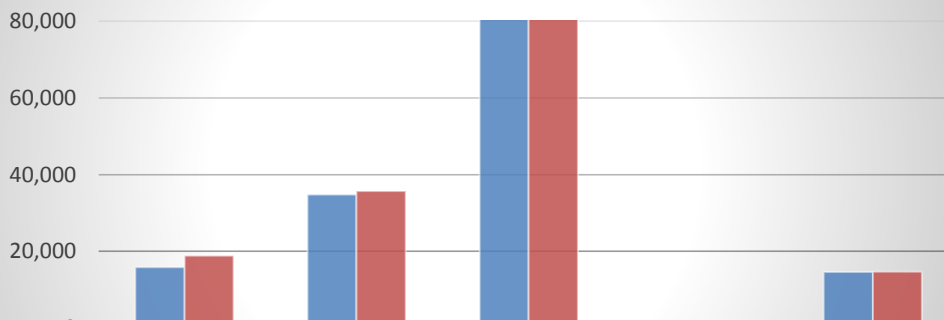
	Feb-17	Mar-17	Apr-17	May-17	Jun-17	Jul-17	Aug-17	Sep-17	Oct-17	Nov-17	Dec-17	Jan-18	Feb-18
Series1	385	467	525	523	436	501	695	525	554	455	448	740	740

Work Orders Processed



	Feb-17	Mar-17	Apr-17	May-17	Jun-17	Jul-17	Aug-17	Sep-17	Oct-17	Nov-17	Dec-17	Jan-18	Feb-18
Series1	1,478	1,665	1,325	1,515	1,996	1,955	2,132	1,811	1,820	1,664	1,439	1,567	1,567

CUSTOMER PAYMENT USAGE



	Drive-Thru Window	Over the Counter	Mail, Drop Box	Credit Cards	Bank Drafts
2018 YTD	15,815	34,803	129,941	1,632	14,621
2017 YTD	18,900	35,689	124,987	1,418	14,722

ELECTRIC DEPARTMENT

Electric Divisions

System Peak	
June 16	133.59
July 16	165.92
Aug 16	162.61
Sept 16	159.99
Oct 16	116.94
Nov 16	98.27
Dec 16	101.04
Jan 17	113.04
Feb 17	106.4
Mar 17	108.2
Apr 17	107.03
May 17	133.93
June 17	155.81
July 17	162.88
Aug 17	157.18
Sept 17	137.01
Oct 17	129.11
Nov 17	98.13
Dec 17	108.57
Jan 18	116.70
Feb 18	106.55

Total System Load	
June 16	65,414
July 16	80,114
Aug 16	83,086
Sept 16	67,117
Oct 16	57,707
Nov 16	54,812
Dec 16	60,179
Jan 17	63,172
Feb 17	54,811
Mar 17	60,690
Apr 17	54,062
May 17	57,823
June 17	70,081
July 17	79,883
Aug 17	74,534
Sept 17	64,235
Oct 17	59,890
Nov 17	56,552
Dec 17	62,992
Jan 18	67,204
Feb 18	55,759

Month	outages	customers
June 16	14	601
July 16	9	307
Aug 16	9	214
Sept 16	7	915
Oct 16	8	224
Nov 16	6	4293
Dec 16	5	207
Jan 17	3	12
Feb 17	1	2
Mar 17	4	160
Apr 17	4	114
May 17	5	148
June 17	7	3084
July 17	19	2556
Aug 17	8	1466
Sept 17	2	1094
Oct 17	5	2311
Nov 17	7	176
Dec 17	2	261
Jan 18	4	263
Feb 18	1	32

Number of New Services	
June 16	53
July 16	13
Aug 16	13
Sept 16	35
Oct 16	27
Nov 16	41
Dec 16	37
Jan 17	40
Feb 17	31
Mar 17	15
Apr 17	58
May 17	58
June 17	25
July 17	90
Aug 17	24
Sept 17	31
Oct 17	83
Nov 17	41
Dec 17	25
Jan 18	17
Feb 18	89

Electric Monthly Outage Report

The annual outage goal will be less than 295 minutes per customer, which is a Delaware Standard. This will be measured by calculating the System Average Interruption Duration Index.

FY 18 YTD	FY 17	FY 16
152	27.58	26.47

Controllable Outages <i>Annual goal is less than 40</i>		Average Response Time <i>Goal is less than 30 minutes</i>	
Month	Year-to-date	Month	Year-to-date
1	20	23 Minutes	32.87 Minutes

PROGRAM UPDATES	FEB 18	FEB 17	FY18 YTD
Tree Trimming	382	393	2871
Number of Oil Releases	1	0	3
Lost Time Accidents – All Electric Utility Divisions	0	0	1
New Services	89	31	400

HUMAN RESOURCES

February 2018

Category	Feb 17	March 17	April 17	May 17	June* 17	July 17	Aug 17	Sept 17	Oct 17	Nov 17	Dec 17	Jan 18	Feb 18	Total
Caucasian*	296	293	290	289	291	292	290	291	288	285	285	288	290	n/a
Minorities*	71	72	73	73	74	79	76	77	74	75	75	76	77	n/a
Hired	1	5	1	3	3	9	1	8	1	1	3	5	3	44
Terminated/Resigned/ Retired/Other	4	7	3	4	3	3	6	6	6	3	3	1	0	49
Transferred/Promoted	0	1	1	1	0	3	1	1	3	1	4	6	0	22
Jobs Posted	6	7	5	2	1	7	1	2	4	3	2	6	3	49
Workers Comp. Injuries	2	2	2	4	3	1	0	6	3	2	3	3	3	34
Workers Comp. Hours	252	397	275	648	475	417	396	173	202	227	352	106	75	3995

*338 Full-time Employees: Part-time Employees: 29 (3 Pitts Center, 1 Recreation, 16 Library, 1 Customer Service, 8 Police Department)

-Numbers do not reflect, temporary, seasonal, relief fire dispatchers, committee or council members. * Updated

Position Hired: Library Page, (part-time); Motor Equipment Operator, (Grounds); Office Assistant II, (Planning & Inspections)

Positions Posted: Library Clerk, (part-time); Motor Equipment Operator, (Streets), Cadets, (Police)

Recruitment Information (Positions closed in February)

Position	Total	Female	Male	Unknown	Black	White	Hispanic	Asian/Pacific Islander	American Indian/Alaskan Native	Two Or More	Unknown	In Dover	Out Dover
Billing Supervisor	19	15	4	-	1	13	-	-	1	1	3	7	12
Administrative Assistant (City Clerk)	57	49	3	5	17	35	-	-	-	2	3	20	37
Civil Engineer	4	1	3	-	-	2	-	1	-	-	1	-	4
Library Clerk (part- time)	31	26	5	-	4	20	-	1	-	2	4	18	13
Motor Equipment Operator (Streets)	7	-	7	-	2	5	-	-	-	-	-	3	4

Open or Currently Recruiting*

Open or Currently Recruiting by Dept.	Feb 17	March 17	April 17	May 17	June 17	July 17	Aug 17	Sept 17	Oct 17	Nov 17	Dec 17	Jan 18	Feb 18
Electric	4	4	4	4	5	7	7	8	8	9	7	7	7
Public Works	5	6	6	6	7	8	11	13	13	12	14	11	9
Police	6	7.5	9.5	9	8	6.5	6.5	.5	3.5	3.5	3.5	4.5	4.5
All Other Departments	11.5	12	10	9.5	9	7.5	7.5	8	10.5	11.5	9.5	8	6.5
Totals	26.5	29.5	29.5	28.5	29	29	32	29.5	35	36	34	30.5	27

*Not used for Budgeting Purposes

↕**The following has been updated to reflect the Fiscal 2017-18 Budget**

Electric: Lineman 1st Class, Lineman 2nd class, Electric Director, (2) Substation Technician, Groundworker, Electric Meter Technician Crew Leader

Public Works: Motor Equipment Operator II (water/wastewater); Civil Engineer, (3) Motor Equipment Operator I (Sanitation), (1) Motor Equipment Operator II (Grounds); Crew leader (Streets); Crew Leader (Sanitation); Mechanic II

Police: Cadet; (4) Police Officers

All Other Departments: Assistant Controller/Treasurer; Billing Supervisor (Customer Service); (1) Customer Service Clerk I (part-time); Budget Analyst; Administrative Assistant (City Clerk's Office); Library Assistant, Librarian I (part-time), Library Clerk I (part-time)

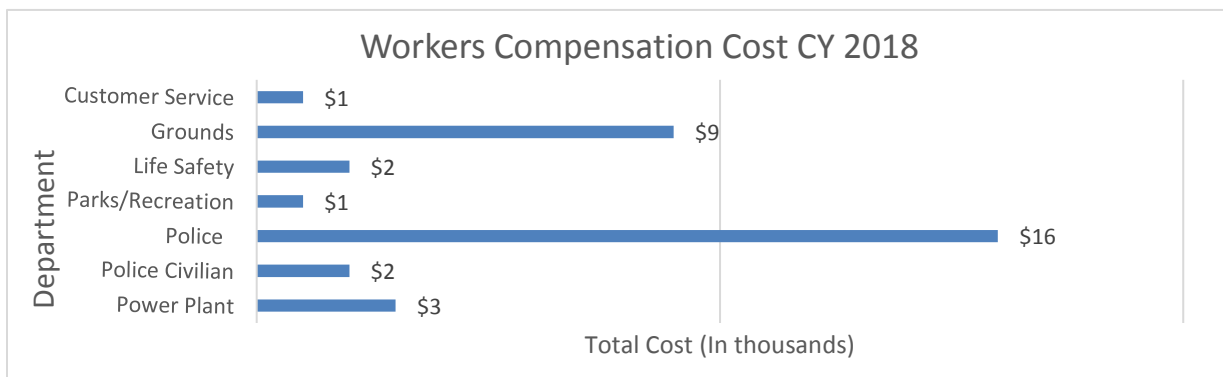
HUMAN RESOURCES ***(Continued)***

Turnover Statistics

	2010	2011	2012	2013	2014	2015	2016	2017	2018
Total Turnover %	5.57	6.75	11.00	10.91	6.02	12.05	8.68	15.36	.27
Termination Turnover %	0.27	1.08	0.29	1.47	.57	.28	.54	1.92	-
Resignation Turnover %	2.12	4.05	5.21	5.01	2.29	7.56	6.24	7.41	.27
Retirement Turnover %	3.18	1.62	5.50	4.42	3.15	4.20	1.90	4.39	-
Other	-	-	-	-	-	-	-	1.65	-
2012 Healthcare cost sharing implemented; 2013 Healthcare cost sharing implemented for DOE									
2016 RIF in Economic Development									

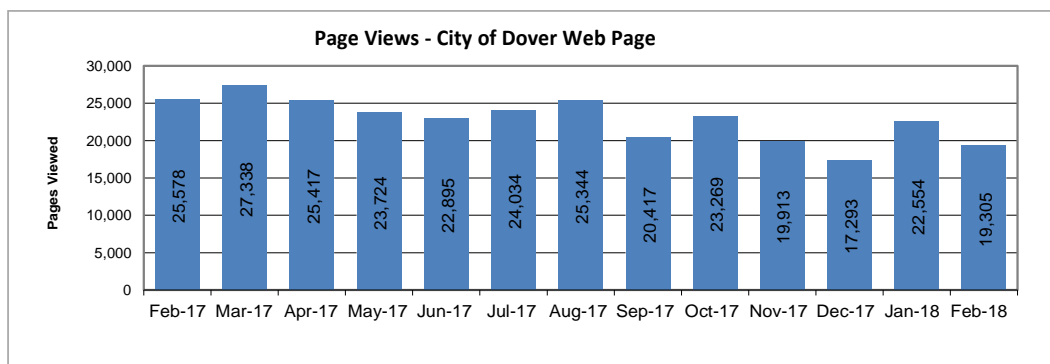
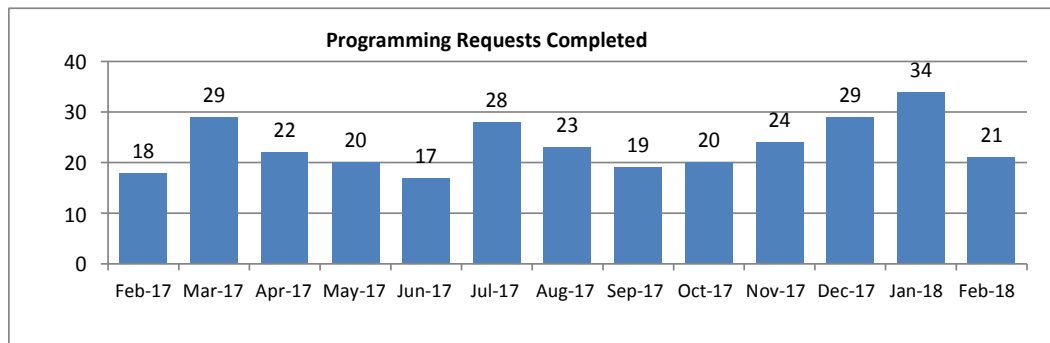
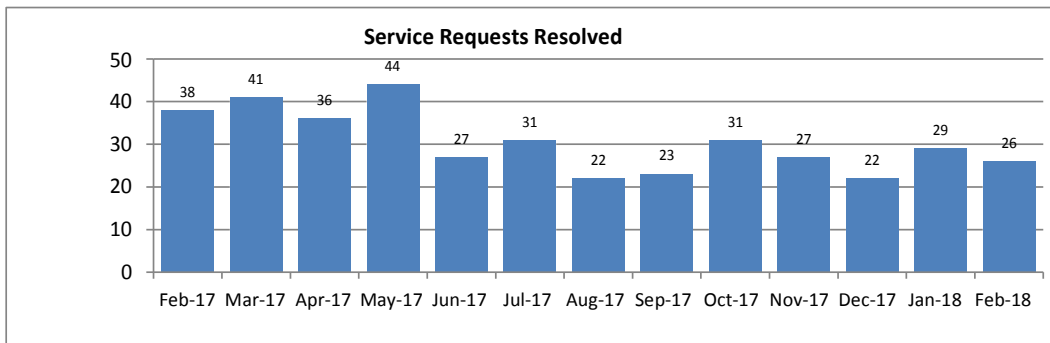
Average Employees

	2010	2011	2012*	2013*	2014	2015	2016	2017	2018
Total Number of Employees	21	25	38	37	21	42	32	56	1
Separating from Service									
Average Number of Full-time Employees	362	356	333	325	331	333	340	337	337
Average Number of Part-time Employees	16	15	12	14	18	24	28	28	29
* Healthcare cost sharing implemented									



Total \$34,000

INFORMATION TECHNOLOGIES



Noteworthy:

Mike completed a course in querying SQL data.

Renewed Microsoft Enterprise Agreement

Joe completed his A+ Certification

Chart of Accounts loaded into Munis

February 2018
Monthly Report



Highlighted Special Events & Attendance:

Tuesday Talks - African American Archaeology	26
History Book Club - Washington & Lincoln	16
Celebrarte The Arts - Sankofa African Dance Co.	51

				Programs:	Offered	Attended
Total Items Checed Out:	28,797					
<i>E-books:</i>	2,595					
				Adult	59	846
New Library Cards:	318			Teens	28	143
				Children	56	1,178
Library Card Holders:	36,357			Job Center	28	229
<i>Service Area Population:</i>	62,527					
Library Visitors:	20,614					
Meeting Rooms Usage:	793					
Computer Users:	3,884					
Wireless Users:	Not Available					
Items Loaned to/Received from Other Libraries:	6,106					



Parks & Recreation February Monthly Report



Parks & Recreation Highlights

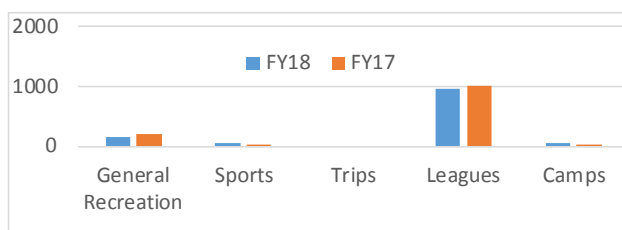
- ◆ **Master Planning for Dover Park** progressed with the bid award notification to Whitman, Requardt & Associates (WRA). Parks & Recreation staff will be meeting with WRA staff in early March to begin the Master Plan work.
- ◆ **Schutte Park Master Plans** have moved towards the grading of the western lands for athletic field space. Once the fields are completed, we then plan to move forward with the looped trail system and installation of additional benches along the trail.
- ◆ **Bicentennial Playground is officially open!** Tuesday, February 20th, Councilmen Polce, Lindell and Neal along with Mayor Christiansen, Levy Court Commissioner Jim Hosfelt, Dave Hugg, and Margery Cyr joined neighborhood families in a ribbon cutting ceremony. The children in attendance were very pleased with their new play equipment. This fun event made the front page of the Delaware State News!
- ◆ **Dover Treasure Hunt** is taking shape. What is the Dover Treasure Hunt, you may ask. Members of the Bicycle & Pedestrian Subcommittee were looking for ways to promote walking within Dover. Letting our constituents know what great sites and amenities we have, right within walking distance. More details on this great family activity will be coming soon. Stay tuned...

Bicycle/Pedestrian Subcommittee - The Subcommittee met February 6. Donna Mitchell and Councilmen Lewis attended this meeting. Members discussed pathway project, the upcoming Dover Duathlon and May's Bike Month events. Members were encouraged to bring items before the Safety Advisory and Transportation committee prior to acting upon them.

Silver Lake Commission - The Commission will meet again in March. Margery Cyr, Wayne Voshell and SLC member James Burcham visited the former Dover High School site to see if the parking stops could be used as in Silver Lake to replace the current bollards that align the east side of the park.

Personnel and Training Updates - Sherwanda Speaks and Wayne Voshell attended annual DRPS conference on February 13 and 14 in Dewey Beach. For the Love of Parks was the 2018 theme, sessions included Master Planning for Sustainability, Heads Up on Concussions in Youth, Preparing for the Unanticipated & Problematic, Delivering World Class Customer Service.

February Enrollment Summary

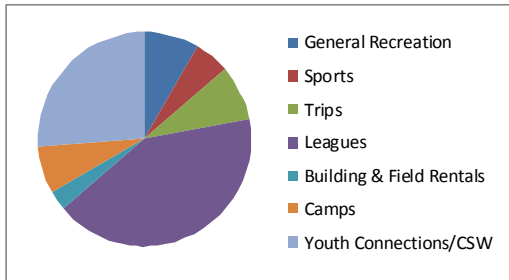


Category	FY18	FY17
General Recreation	134	192
Sports	44	28
Trips	0	0
Leagues	960	1,012
Camps	30	28

Recreation Revenue Breakdown

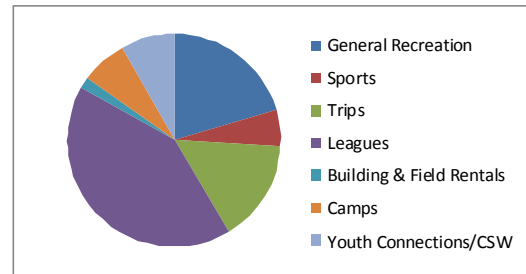
Revenue Breakdown

February 2018

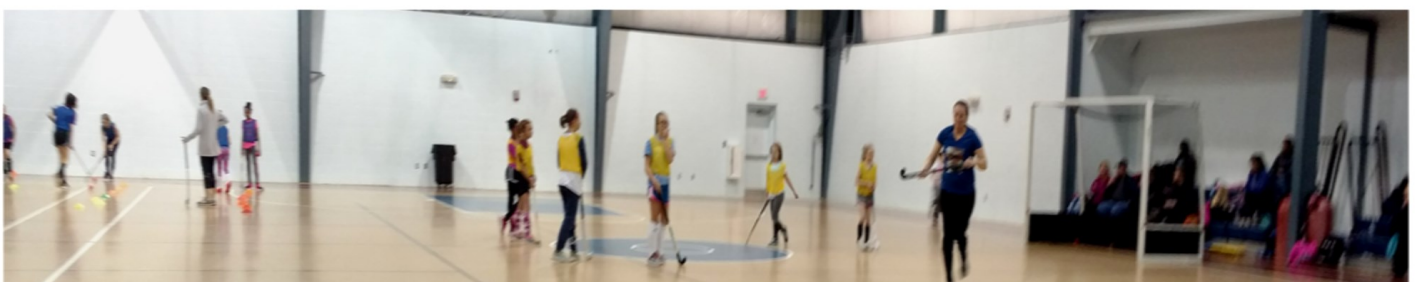
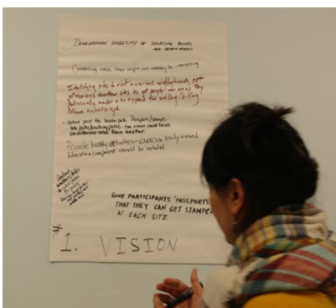


General Recreation	\$767
Sports	\$510
Trips	\$768
Leagues	\$3,910
Building & Field Rentals	\$280
Camps	\$670
Youth Connections/CSW	\$2,426

February 2017

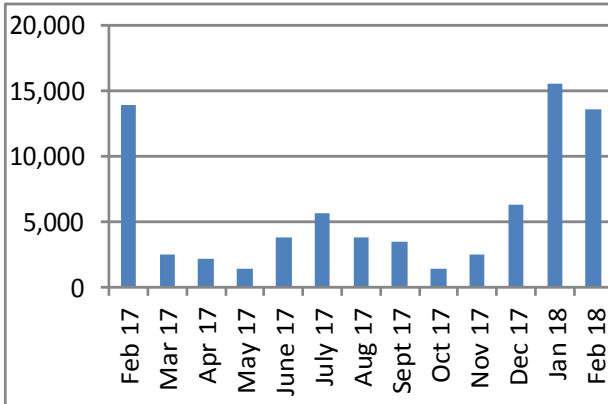


General Recreation	\$1,517
Sports	\$420
Trips	\$1,155
Leagues	\$3,135
Building & Field Rentals	\$120
Camps	\$520
Youth Connections/CSW	\$606

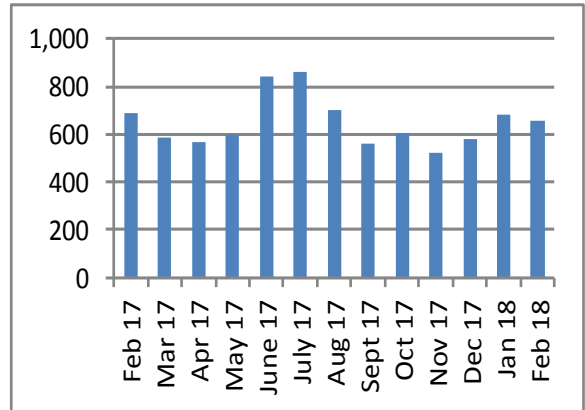


John W. Pitts Recreation Center – February 2018

Total Program Attendance



Facility Usage By The Hour

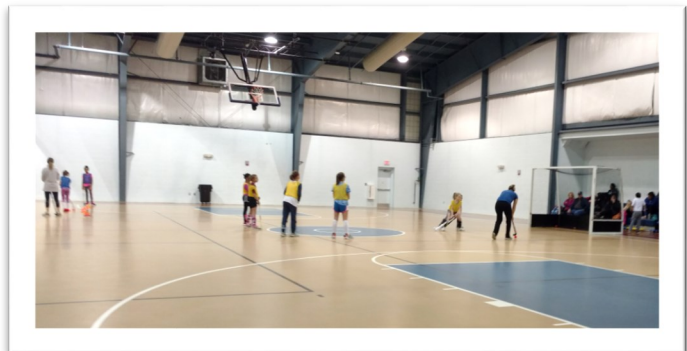


Facility Usage By The Hour	February 2018	FYTD 18	February 2017	FYTD 17
Open Gym	310	2,719	289	2,624.5
Fitness Classes	15	166	38.5	248
Leagues	274	1,075.5	268	1,028
Camps	7	932	23	1,011.5
Sports Classes	25	57	48.5	133.5
Meetings & Rentals	27	212.5	20	112
Enrichment Classes	0	9	0	5.5
Total Facility Usage Hours	658	5,171	687	5,163

** Program Attendance figures includes daily participants, parents and spectators in the facility.

Program Attendance**	February 2018	FYTD 18	February 2017	FYTD 17
Total	13,568	51,986	13,912	48,955
Open Gym	297	2,283	572	2,772
Fitness Classes	57	605	150	957
Leagues	12,425	43,770	12,165	40,792
Camps	21	1,043	26	1,310
Sports Classes	403	1,060	893	2,032
Meetings & Rentals	365	3,082	106	1,064
Enrichment Classes	0	143	0	28

Since our opening in late April 2008, we have had 557,568 guests at the John W. Pitts Recreation Center.

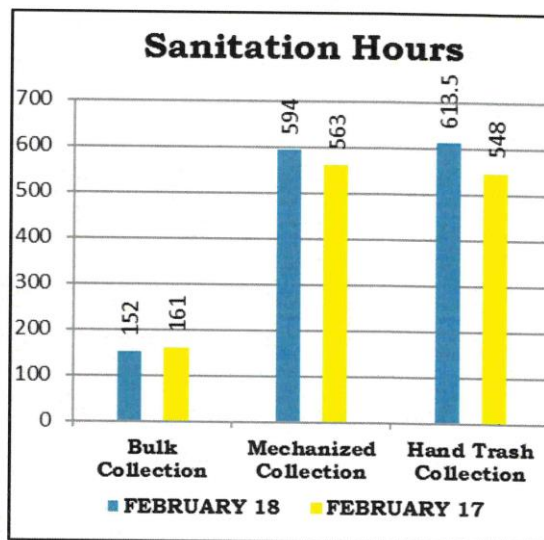
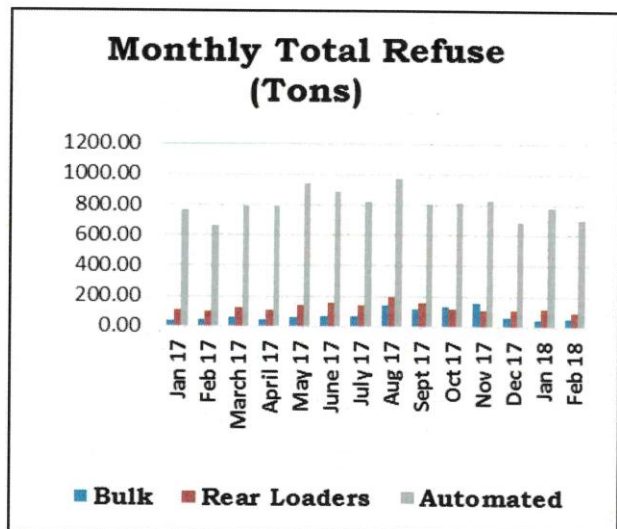


PUBLIC WORKS

Construction Inspection

<u>Subdivisions</u>	<u>Site Development</u>
<i>The following required inspection services</i>	<i>The following required inspection services</i>
Seskinore Court Chestnut Grove Clearview Meadows Eden Hill Nottingham Meadows Patriot Village Tall Pines	The Grande, Building 4 Chesapeake Utilities Dover Campus Eden Hill Medical Center Reed Street Apartments Leander Lakes Eden Hill Commercial Center Islamic Society of Central Delaware Whatcoat Apartments Panera Bread Blue Hen Apartments Enterprise Business Park Dover Christian Church Modern Maturity Center Longhorn Steak House

Sanitation



	FEBRUARY 18	FYTD 18	FEBRUARY 17	FYTD 17
Trips to DSWA Sandtown Landfill	162	1,607	166	1,377
Total Tonnage to DSWA	853	8,519	811	7,698
90-Gallon Containers Delivered	45	484	71	509
300-Gallon Containers Delivered	0	0	0	0
Total Man Hours-containers Delivered	25	172	35	220

CURBSIDE RECYCLING STATS	TOTAL # OF HOUSEHOLDS COLLECTED	TOTAL # OF ACCOUNTS	WEIGHT/LBS.	AVE. LBS.
February 2018	19,180	9,590	230,380	12.01

Streets	FEBRUARY 18	FYTD 18	FEBRUARY 17	FYTD 17
Signed Installed	1.00	80.00	85.00	153.00
Signs Repaired	9.00	65.00	16.00	95.00
Curbs Painted Yellow (feet)	0.00	1,118.00	0.00	3,296.00
New Post Installed	10.00	45.00	26.00	76.00
Storm Catch Basins Repaired	11.00	17.00	0.00	9.00
Storm Catch Basin Repairing (Hrs.)	59.00	103.50	0.00	13.50
Storm Catch Basins Cleaned	0.00	45.00	1.00	42.00
Storm Catch Basins Cleaning (Hrs.)	0.00	38.00	4.00	2,248.00
Hot Mix Patching (Tons)	0.00	13.60	0.00	2.41
Hot Mix Patching (Hrs.)	0.00	20.00	0.00	0.00
Cold Mix Patching Hrs.)	25.00	79.83	20.00	85.25
Concrete Work (Hrs)	9.00	165.50	26.00	52.00
Concrete Patching (Cubic Yards)	0.00	24.90	1.27	5.50
Ditch Work (Hrs).	0.00	2.00	0.00	2.00
Street and Alley Maintenance (Hrs)	2.50	56.50	28.50	45.00
Street Sweeping (Miles)	1,545.00	8,114.24	1,402.00	9,831.00
Street Sweeping (Cubic Yards)	116.00	677.25	102.00	840.00
Leaves Collected (Cubic Yards)	50.00	11,244.00	83.50	12.023
Leaf Collection (Miles)	52.00	5,934.00	55.00	7,605.00

GROUNDS

Arborist Crew	February 2018	February 2017
Trees Trimmed	30	41
Trees Removed	20	6
Stumps Removed	18	18
Trees Planted	0	0
Root Pruning	0	0

Beautification Crew

Assisted arborist crew with trimming alleys.
Trimmed grasses at library and Route 8 Point.

Mowing Crew

General cleanup for upcoming mowing season along mowing route.
Assist arborist crew with trimming alleys.

Litter Removal

Litter is being picked up on City properties as per the weekly schedule
Litter person has been diligent in the reporting of destruction in City parks

Miscellaneous

Serviced mowing equipment for upcoming season
Continuing trimming alleys.
Turned Christmas lights off on Loockerman St.
Trim grasses at library
Mulched pocket park North & Governors Ave.

GEOGRAPHIC INFORMATION SYSTEMS (GIS)

Planning & Inspections	Modified Frisbee Golf application to have site plan information.
Planning & Inspections	Worked with Planning and Parks & Recreation to GPS the proposed Frisbee Golf course.
Planning & Inspections	Created a Downtown Development Incentives/Affordable Properties Map.
Public Works	Recreate Parcel and Zoning web application to a newer look and feel.
Public Works	Joined trash zone, community and centerline data for a snow removal project,
Public Works	Updating and adjusting the Water System GIS layers. 2 Hours everyday During February.
Public Works	Created Water, Storm Water, and Sanitary Sewer plan maps for Miss Utility tickets.
Public Works	Worked on Roads_Trash_Zones_Dover_Areas layer.
Tax Assessor	Sent a PDF copy of the up-to-date BID map to the requester along with a Spreadsheet of the parcels in each BID Zone.

FLEET AND FACILITIES MANAGEMENT

Fleet Maintenance

PM Work Orders Completed:	23	Number of Tire Repairs:	13	Number of Road Repairs:	3
Other Work Orders:	48	Repair Hours:	103.5	Road Repair Hours:	9
Total Work Orders:	70	Fabrication Hours:	2	Misc. Hours:	119
PM Hours:	78				

Of Scheduled PM's: **34**

Of Scheduled PM's: Completed: **14**

Major Program Updates

MEASURE	February 2018	February 2017	DIFFERENCE
Fleet Maintenance - Scheduled Preventative Maintenance appointments being kept <i>(Quantity and Percentage)</i>	14 out of 34 41.18 %	21 out of 34 61.76 %	- 20.58 %
Facilities Maintenance			
Facilities - Routine work orders completed within 5 days <i>(Quantity and Percentage)</i>	21 out of 21 100 %	25 out of 26 96.15 %	+ 3.85 %
Facilities - Emergency work orders completed within 2 days <i>(Quantity and Percentage)</i>	1 out of 1 100 %	1 out of 1 100 %	0 %

Water/Wastewater Divisions

	Jan 17	Feb 17	March 17	April 17	May 17	June 17	July 17
Total Water Prod.	139,873,000	153,874,000	126,731,000	142,087,000	171,797,000	183,692,000	195,693,000
Billed Consumpt.	114,760,000	120,373,000	150,473,000	127,958,000	127,958,009	161,418,000	179,460,000
Total Flow to County	141,147,600	120,431,000	115,346,000	123,927,000	170,213,000	136,745,000	125,926,000
City Readings	142,470,400	134,835,733	148,506,989	135,076,400	168,499,897	141,349,551	138,366,768

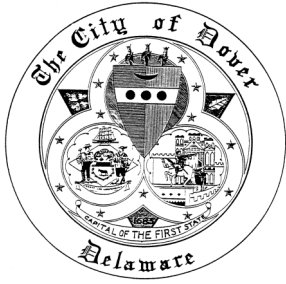
	Aug 17	Sept 17	Oct 17	Nov 17	Dec 17	Jan 18	Feb 18
Total Water Prod.	183,352,000	172,501,000	172,453,000	134,533,000	140,498,000	150,207,000	135,361,000
Billed Consumpt.	169,521,000	169,521,000	159,271,000	136,701,000	132,513,000	127,083,000	134,942,000
Total Flow to County	178,219,000	139,090,000	153,736,000	120,538,000	109,877,000	137,422,000	123,368,000
City Readings	167,858,838	144,462,028	168,885,523	123,758,466	121,387,764	143,955,874	132,879,690

ENGINEERING SUMMARY

Major Program Updates	FEBRUARY 18	FEBRUARY 17	DIFF	FY18 YTD	FY17 YTD
State and Federal Violations	0	0	0	0	0
Water Quality Complaints	4	8	-4	67	75
Plan Review Completed Within 30 days of Submission	13	3	+10	71	48

OPERATIONAL SUMMARY

Task	FEBRUARY 18	FEBRUARY 17	CURRENT FY
Water Production - Daily Average	4,834,321	4,426,107	
Average Field Response Time (goal is <30 minutes)	16.00	21.00	16.80
Water Mains Repaired	0	0	7
Water Service Lines Repaired	4	0	12
Wastewater Mains Repaired	1	0	2
Wastewater Service Lines Repaired	2	1	5
Sewer Lines Flushed - linear feet	11,804	72,679	273,808
Sewer Mains Videoed -linear feet	474	462	7,119
Sewer Manholes Cleaned	59	377	932
Total Fire Hydrants in Service	1,839	1,839	18,39
Total Water Meters in City Distribution System	14,766	14,562	14,746



City Planner's Monthly Report

Department of Planning & Inspections

FEBRUARY 2018

Planning & Inspections

Highlights

Some Items to Call to Your Attention:

New Staff Members

- Betty Sanchez joined the Code Enforcement Office as an Inspector I on January 29, 2018.
- Nichole Arnold joined the Licensing Department as an Office Assistant II on February 12, 2018.



Betty



Nichole

Activity Remains at High Levels

With the start of 2018, construction activity in the residential and commercial sectors remains strong. This activity has led to increased volumes of Plumbing and Mechanical Permits and Inspections. New residential construction continues with one-family units and multi-family projects; eleven Building Permits for new houses were issued in February and work continues at three apartment complexes.

January and February has involved the Permitting & Licensing Staff processing the annual renewals for Rental Dwelling Permits and Public Occupancy Licenses. This includes over 900 Rental Dwelling Permits.

PROGRESS IN PICTURES



**1289 Walker Road—
Liberty Court**



**421 Northdown
Drive—Village of
Westover**



**280 Troon Road—
Woodlands of Fox Hall**



401 Shrewsbury Court—Blue Hen Apartments

986 Whatcoat Drive—The Preserve



306 Mary Street—Habitat for Humanity



1655 Kenton Road—Tall Pines
55+ Senior Living



Planning & Inspection Revenues			
Revenue Stream	FY '18 Budget	FY ' 18 Actual (YTD) February	% of Budget
Business License	\$1,467,000	\$ 1,458,428	99%
Trailer License	\$19,000	\$ 17,556	92%
Building Permits	\$800,000	\$ 583,312	73%
Cert. of Occupancy	\$13,000	\$ 17,540	135%
Public Occupancy	\$23,000	\$ 20,622	90%
Lodging House	\$14,000	\$ 11,971	86%
Plumbing/Heating/ Air	\$115,000	\$ 132,634	115%
Rental Inspection Fee	\$437,000	\$ 363,122	83%
Miscellaneous	\$27,000	\$ 9,669	36%
Fire Protection Fees	\$65,000	\$ 59,398	91%
Code Enforcement Fines	\$35,000	\$ 22,575	65%
Vacant Building Reg.	\$250,000	\$ 153,325	61%
Total P&I Revenue	\$3,265,000	\$ 2,850,152	87%
28-Feb-18			

PERSONNEL AND TRAINING

- Planning Staff attended **LUCA (Local Update of Census Addresses)** training associated with any upcoming project to compare the City addresses with Census address data in preparation for the 2020 Census.

PLANNING OFFICE

The Planning Office is part of the review process for certain types of construction activity permits (Building Permits, Sign Permits, etc.) and Certificate of Occupancy permits. For February 2018, Planning Staff was involved with review of 46 Permits and 30 Certificates of Occupancy permits. This results in a 2018 calendar year-to-date total of 161 Permits and Certificates of Occupancy (2017 calendar year-to-date total of 114 Permits and COs compared to 116 for 2016). Staff also reviews new applications for Business Licenses and Rental Dwelling Permits.

COMPREHENSIVE PLAN IMPLEMENTATION

Planning Staff continues to focus on the various implementation items identified in the *2008 Comprehensive Plan* as amended.

- The Planning Office continues to be involved in the following studies and projects: Restoring Central Dover Community Plan implementation and the Dover/Kent County MPO Regional Bicycle Plan Update project. The Final Report of the Downtown Dover Parking Study was issued in February.
- Planning Staff continues work on reviewing Dover's Downtown Development District program management. Planner Julian Swierczek is tasked with the administrative activities and is focusing on updates to program outreach materials.
- The Planning Office presented to City Council a Final Report on the Non-Conforming Uses in Residential Districts.

2019 Comprehensive Plan

The Planning Office has begun the preparation discussion regarding the planning and research necessary for the update of the 2008 Comprehensive Plan.

Construction Activity

- Construction activities continue at several multi-family residential projects including Leander **Lakes Apartments** (S-12-18), Phase 2 of the **Blue Hen Apartment Complex** (S-15-12), and the reconstruction of **Liberty Court Apartments** (S-16-22).
- There is residential construction activity in **Clearview Meadows PND, Nottingham Meadows, Village of Cannon Mill and Patriot Village**. There were also four (4) permits issued for new houses on North Kirkwood Street and North New Street within the Downtown Development District area.
- The Building Permit was issued for the construction of the **physical rehabilitation hospital project at 1240 McKee Road** (S-17-05 Medcore).
- Certificates of Occupancy were issued to five (5) one-family detached dwelling units and Temporary Certificates of Occupancy were issued to three (3) one-family detached dwellings and eight (8) townhouse units.
- Certificates of Occupancy were issued for the completion of the renovations of **Whatcoat Village Apartments and its new Clubhouse building** (S-16-05). Temporary Certificates of Occupancy were issued for the **Tall Pines project at 1655 and 1665 Kenton Road** (S-14-18) and there also was a Temporary Certificates issued to one apartment building in Liberty Court.

	FEBRUARY (2017) FY18	TOTAL FOR FY18
New Home Permits Issued	11	109
Value of Commercial Projects	\$11,002,750.00	\$28,193,246.00
Downtown Incentives (Fees Waived)	\$6,380.00	\$12,026.50

BOARD AND COMMISSION ACTIVITY

Planning Commission

The Planning Commission met on February 20, 2017. The next Planning Commission meeting is scheduled for March 19, 2018.

- S-17-29 Delaware State University Residence Hall at 1200 N. DuPont Highway: Master Plan (Revised) – Planning Commission granted approval of the Update on Revisions to Site Plan and Building Architecture associated with the Site Development Master Plan application for the Residence Hall project approved by the Planning Commission on November 20, 2017. The approval was contingent upon the applicant including sidewalk along the remaining portion of State College Road that does not currently have sidewalk and for the applicant to work with Staff on a functional way to accomplish that. The Site Development Master Plan has been Revised to consist of a new 192,141 S.F. five-story Student Residence Hall of 620 Beds (increased from 600 Beds and including refinement of building footprint with increase in building size) and architectural changes to exterior finishes.
- C-18-01 Governors Café Kitchen Addition at 144 Kings Highway SW – Planning Commission granted conditional approval of the Conditional Use Site Plan Application to permit the construction of a one-story, 344 SF addition to the kitchen for the Governors Cafe.
- S-18-01 DGKP Property: Office/Warehouse at 1351 West North Street – Planning Commission granted conditional approval of a Office/Warehouse project to include approval of the waiver for the partial elimination of the upright curbing and approval of the elimination of the opaque barrier on the basis of the comments and considerations voiced and based upon the applicant's agreement to work with Staff to make sure this happens. The approval was amended to include that the opaque barrier is contingent upon a minimum three-foot berm from either top curb or near the edge of paving to be landscaped to Staff's satisfaction. The Commission acknowledges that the Site Plan and application is in compliance with the Performance Review Standards.
- SB-18-01 Minor Subdivision Plan for 747 North DuPont Highway – Planning Commission granted conditional approval of the Minor Subdivision Plan application for the subdivision of a 25.01 +/- acre parcel into: Lot 1 of 10.007 acres and Lot 2 of 15.004 acres.
- MI-18-01 Text Amendments: Zoning Ordinance, Article 3 Section 28 for Fuel Pumps as Conditional Use in TND zone - Planning Commission recommended approval to City Council on Text Amendments to the Appendix B: *Zoning Ordinance*, Article 3 – District Regulations. The proposed Ordinance is to amend Section 28 - Traditional Neighborhood Design Zone (TND), Subsection 28.52 – Neighborhood Commercial District. The proposed text revision seeks to allow fuel pumps as Conditional Use as accessory to a convenience retail store and subject to the requirements of Article 10, Section 1 – Approval of Conditional Uses.
- S-17-28 Multiplex at 299 College Road: Review of Cash-in-lieu of Active Recreation Area Payment – Planning Commission granted approval of the payment amount of \$4000 for the Cash-in-lieu of Active Recreation Area construction as associated with the Site Development Plan to permit construction of a three (3) unit multiplex residential building (multi-family dwelling) with adjoining parking spaces.

Board of Adjustment

The Board of Adjustment did not meet on February 21, 2018. The next regular scheduled meeting of the Board of Adjustment is scheduled for March 21, 2018.

Historic District Commission

The Historic District Commission met on February 15, 2018. The next Historic District Commission meeting is scheduled for March 15, 2018. There were no applications.

COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

CDBG FY17 Projects

Homeownership Assistance Program

CDBG funds will be used to provide homeownership assistance to first-time homebuyers who purchase affordable housing in the City of Dover. Three (3) families have purchased affordable housing in the City of Dover, and two (2) families are scheduled to go to settlement in late March.

Dover Interfaith Mission for Housing

CDBG funds will be used to provide operation costs for the shelter. This project is underway. Dover Interfaith has partnered with the property owner of 2-4 Forest Street to acquire affordable housing for homeless men.

Connections Community Support Program

CDBG funds will be used to provide rapid re-housing/rental assistance services for homeless households within the City. Two families has been provided rental assistance for affordable housing and one (1) motel voucher has been issued for emergency housing for one family.

Milford Housing Homeowner Rehabilitation/Emergency Home Repair Programs

CDBG funds will be used to rehabilitate existing owner occupied housing in the City that is in violation of the City's Housing Code and complete emergency home repairs to eliminate housing conditions that threaten the health and safety of low income homeowners. Five (5) families have received emergency home repairs, and bids have been advertised for one (1) single family home to be fully renovated.

Habitat for Humanity

CDBG funds will be used to complete exterior renovations to existing owner-occupied homes in the Restoring Central Dover Revitalization area. This project is underway.

NSP Program

The City provided \$59,000 in NSP grant funds to Diamond State Community Land Trust to assist in acquiring a vacant or foreclosed property in the City of Dover. This property has been fully renovated and will be sold to a low to moderate income family. This property is a townhouse located in the Village of Westover. This property is scheduled to go to settlement by the end of March.

Code Enforcement Activity—FEBRUARY

Case Type	# cases current month	# cases YTD (July to December)	% staff initiated current month	% staff initiated YTD
No valid Rental Permit	10	21	20%	65%
No valid Building Permit	8	52	100%	84%
Tall grass and weeds	0	190	0%	75%
Unregistered vehicle	10	77	60%	70%
Abandoned vehicle	9	26	33%	64%
Annual Housing Inspection	48	193	90%	84%
Property Maintenance – Exterior	39	205	49%	55%
Electric Termination	14	70	100%	95%
Dover Code of Ordinances	48	214	42%	60%
Zoning	5	20	25%	71%
Total Cases Opened	191	1067		
Total # of Inspections For Month	314			



938 Shank Road—Interior Condemnation

Dangerous Buildings, Vacant Buildings & Demolitions

- ◆ *954 Lincoln Street*—The property was condemned and taken forward to City Council as a dangerous building on November 7, 2016. Council ordered the owner to demolish the structure by December 7, 2016. The asbestos survey and abatement have been completed. The mortgage company has requested time to make renovations. No repairs have been made as of December. The demolition specifications have been submitted for review by City Staff.
- ◆ *1175 Horsepond Road*—The property was condemned on November 14, 2016 due to the dilapidated condition of the home. Notice was sent to the owner to repair or demolish the structure by February 23, 2017, or City Staff would take the property forward to City Council as a dangerous building. Property was presented to City Council on March 6, 2017; Council declared the property dangerous and ordered the owner to demolish by April 7, 2017. The owner is working to have the building demolished.
- ◆ *803 Westview Terrace*—The in-ground swimming pool has been condemned. Notice has been sent to all lien holders regarding the code violations to the in-ground swimming pool. Staff took this property to City Council on August 7, 2017 as a dangerous building and Council ordered the Owner to demolish the pool by September 7, 2017, or City Staff would have the pool demolished. Notice has been sent to the lien holders to remove all items related to the pool removed and demolition specifications are being worked on.
- ◆ *2292 White Oak Road*—The dwelling was condemned as unfit for human occupancy and notice was sent to the owner to repair or demolish the structure. City Staff took this property to City Council on August 7, 2017 as a dangerous building and Council ordered the Owner to demolish the house by September 7, 2017, or City Staff would have the structure demolished. Notice has been sent to the lien holders to remove all items from the property that they wish to keep. The demolition specifications are due in February.
- ◆ *526 Fulton Street*—The dwelling is condemned and a lien search has been requested. At the council meeting on January 2, 2018, City Council approved staff's recommendation for demolition of the structure. Notice was sent to all lien holders to make repairs to the dwelling by February 2, 2018, or the City Staff would have the structure demolished.
- ◆ *113 Davis Circle*— The dwelling is condemned and a lien search has been requested. At the council meeting on January 2, 2018, City Council approved staff's recommendation for the demolition of the structure. Notice was sent to all lien holders to make repairs to the dwelling by February 2, 2018, or City Staff would have the structure demolished.
- ◆ *Vacant Buildings*—During the month of February, twenty (20) additional buildings were registered as vacant, and \$12,750.00 in vacant building registration fees were collected.

Building Inspections & Licensing Summary

	Current	July 2017– February 2018	February 2017	July 2016– February 2017
PERMITTING AND LICENSING				
Permits Issued	FEB (2018) FY 18	FYTD 18	FEB (2017) FY17	FYTD 17
Administrative Permit	2	22	1	12
Building Addition/Renovation Permits	18	202	22	235
Building Permits	18	190	18	207
Demolition Permits	2	22	4	23
Fence Permits	5	69	4	55
Fire Prevention Permits	8	84	2	75
Mechanical Permits	93	420	14	321
Plumbing Permits	69	433	17	313
Sign Permits	13	98	10	123
Swimming Pool Permits	1	3	0	5
Subtotal		1543		1369
Business Licenses				
Business Licenses	20	2073	26	2128
Merchant Licenses	1	368	6	365
Contractor Licenses	29	1143	23	1204
Subtotal		3584		3697
Lodging House Licenses				
Lodging House Licenses	2	2	6	45
Public Occupancy	80	128	102	375
Rental Dwelling	937	1020	922	2807
Subtotal		1150		3227
Manufactured Homes				
Manufactured Homes	1	363	4	433
BUILDING INSPECTIONS				
Inspections	FEB (2018) FY 18	FYTD 18	FEB (2017) FY17	FYTD 17
Building (Inspections/CBI/Site Meetings)	806	3772	374	3137
Plumbing/Mechanical	1016	4668	365	3502
Certificate of Occupancy	30	176	15	127

Fire Marshal's Office—At a Glance

The Fire Marshal's Office investigated a total of three (3) incidents during the month of February.

Staff attended training in regards to the 2000 Seton Hall dormitory fire.

We are continuing public office building inspections, reinspection's, and monthly daycares.

Dover Police made an arrest in regards to an Arson fire which occurred on 12/26/17 at Delmarva Kenworth.



	Month	Year to Date	Previous Year to Date
Annual Fire & Life Safety Inspections	40	157	188
Deficiencies From the Above Inspections	163	676	684
Fire Code Violations/Deficiencies/Complaints	16	220	288
C/O & Fire Equipment Acceptance Tests	14	98	110
Meetings & Walk Through	20	150	161
Fire Plan Review & DAC	19	127	98

	Month	Year to Date	Previous Year to Date
Accidental	1 totaling \$7,500	21 totaling \$201,600	\$562,003
Undetermined	2 totaling \$27,500	4 totaling \$2,542,500	\$775,501
Incendiary	0	18 totaling \$284,002	\$121,600
Arrest Made with DPD	1	1	-
Investigation Time	14 hours	126 hours	-
Injuries	0	1	-
Deaths	0	0	-

Please feel free to contact our office at any time with any questions or concerns. Thank you!

CITY OF DOVER

FINANCE DEPARTMENT & PROCUREMENT AND INVENTORY



FEBRUARY 2018

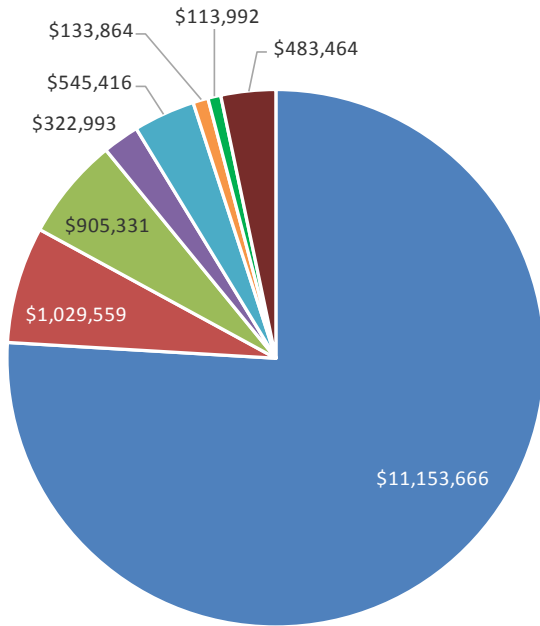
PLEASE NOTE – THIS REPORT PROVIDES TOP LINE INFORMATION ON THE OPERATING FUNDS. IF YOU WOULD LIKE ADDITIONAL INFORMATION, PLEASE FEEL FREE TO CONTACT THE FINANCE DEPARTMENT.

CITY OF DOVER ACTIVITY REPORTS FEBRUARY 2018

FINANCE DEPARTMENT ACTIVITY LEVELS

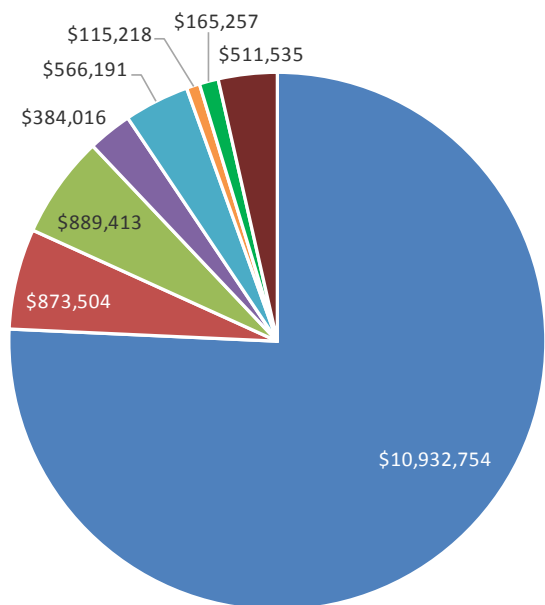
BANK TRENDS		FY17 YTD	FY18 YTD
Number of Deposits Made (Hand, ACH & Wire, Lockbox)		4,716	4,483
Total Amount of All Deposits		\$ 90,868,356	\$ 90,794,271
Other Activity			
Number of Pay Periods		17	17
Number of Payroll Checks & Direct Deposits Issued		6,841	6,586
Number of Pension Checks Issued		2,019	2,041
Total Pension Benefits Paid - Defined Benefit Plan		\$ 3,482,902	\$ 3,183,055
ACCOUNTS PAYABLE			
Number of Check Vouchers		3,912	4,279
Number of EFT Vouchers		1,762	1,711
Vouchers Dollar Amount Disbursed		\$ 45,156,752	\$ 50,698,883

FY17 YTD Wages



- Regular
- All over time
- Vacation
- Sick
- Terminal Leave - Retiree Vacation/Sick Payout
- Personal
- Comp Time

FY18 YTD Wages



- Regular
- All over time
- Vacation
- Sick
- Terminal Leave - Retiree Vacation/Sick Payout
- Personal
- Comp Time
- Other

**City of Dover
General Fund Summary
Fiscal Year to Date (February 2018)**

Revenues

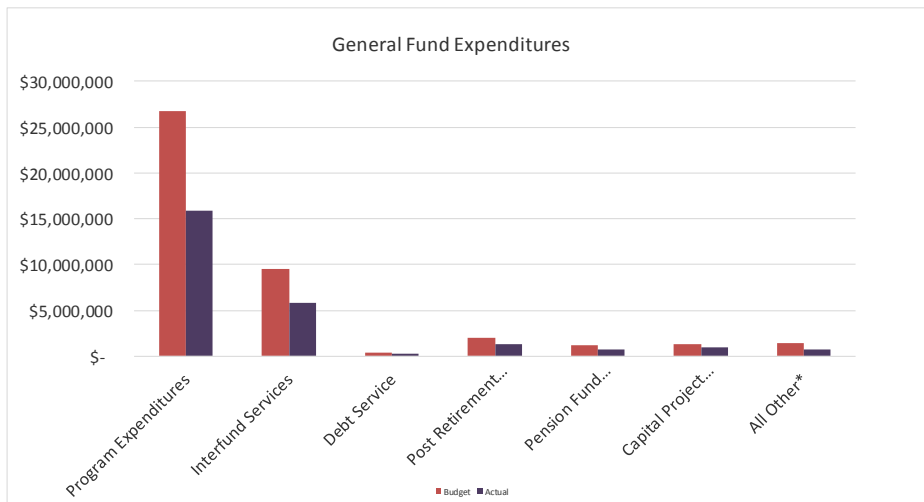
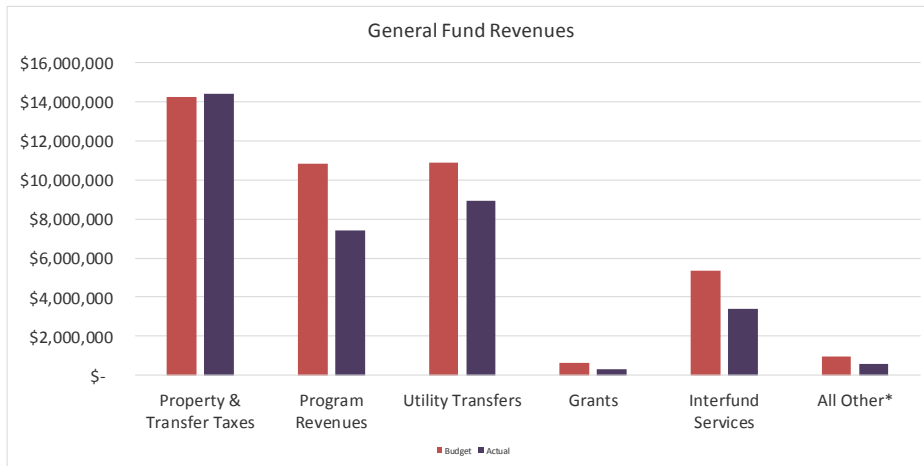
	<u>Budget</u>	<u>Actual</u>	<u>%</u>
Property & Transfer Taxes	\$ 14,234,900	\$ 14,381,569	101%
Program Revenues	10,834,900	7,431,069	69%
Utility Transfers	10,900,000	8,946,668	82%
Grants	605,000	297,813	49%
Interfund Services	5,376,200	3,423,064	64%
All Other*	980,000	574,896	59%
	<u>\$ 42,931,000</u>	<u>\$ 35,055,079</u>	<u>82%</u>

*Includes: Franchise Fees, Miscellaneous Revenues, Garrison Farm Rent, Verizon Grant and Other Reserves

Expenditures

	<u>Budget</u>	<u>Actual</u>	<u>%</u>
Program Expenditures	\$ 26,724,500	\$ 15,898,248	59%
Interfund Services	9,553,300	5,786,130	61%
Debt Service	443,100	305,349	69%
Post Retirement Benefits	2,063,000	1,376,000	67%
Pension Fund Contributions	1,224,900	792,989	65%
Capital Project Transfers	1,368,700	1,026,350	75%
All Other*	1,483,500	741,519	50%
	<u>\$ 42,861,000</u>	<u>\$ 25,926,585</u>	<u>60%</u>

*Includes: DDP Contribution, Misc. Grant Exp., Bank and CC Fees, Street Lights Expense, Inventory write-offs, & Uncollectibles: Trash and Other, Other Employment Exp.



City of Dover
Water/Wastewater Fund Summary
Fiscal Year to Date (February 2018)

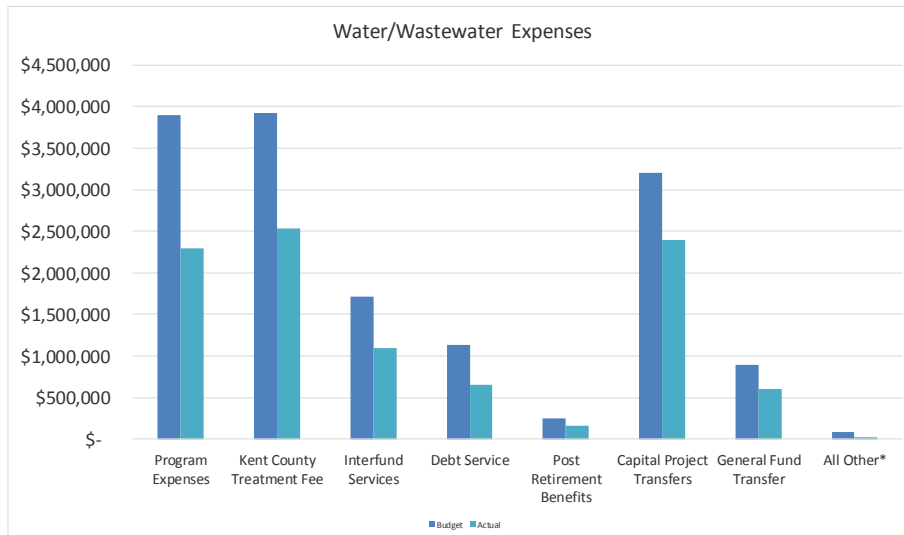
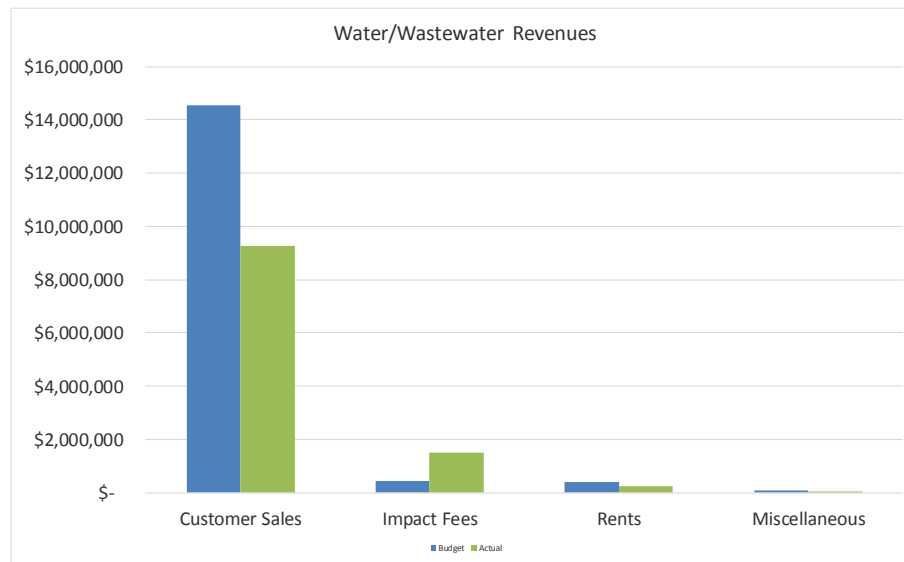
Revenues

	<u>Budget</u>	<u>Actual</u>	<u>%</u>
Customer Sales	\$ 14,535,200	\$ 9,276,270	64%
Impact Fees	440,000	1,518,173	345%
Rents	391,400	241,628	62%
Miscellaneous	72,400	46,587	64%
	<u>\$ 15,439,000</u>	<u>\$ 11,082,658</u>	<u>72%</u>

Expenditures

	<u>Budget</u>	<u>Actual</u>	<u>%</u>
Program Expenses	\$ 3,896,800	\$ 2,289,691	59%
Kent County Treatment Fee	3,926,500	2,533,229	65%
Interfund Services	1,716,100	1,094,103	64%
Debt Service	1,137,400	648,596	57%
Post Retirement Benefits	249,700	161,480	65%
Capital Project Transfers	3,200,000	2,400,000	75%
General Fund Transfer	900,000	608,000	68%
All Other*	91,900	18,665	20%
	<u>\$ 15,118,400</u>	<u>\$ 9,753,764</u>	<u>65%</u>

*Includes: Bank & CC Fees, Bond Issuance Cost, Other Employment Expenses



City of Dover
Electric Fund Summary
Fiscal Year to Date (February 2018)

Revenues

	<u>Budget</u>	<u>Actual</u>	<u>%</u>
Customer Sales	\$ 80,892,200	\$ 57,045,838	71%
Distribution of Earnings	(6,176,700)	(4,388,535)	71%
All Other*	982,000	610,483	62%
	<u>\$ 75,697,500</u>	<u>\$ 53,267,786</u>	<u>70%</u>

*Includes: Weyandt Hall Rents, Miscellaneous Revenue, Interest Earnings

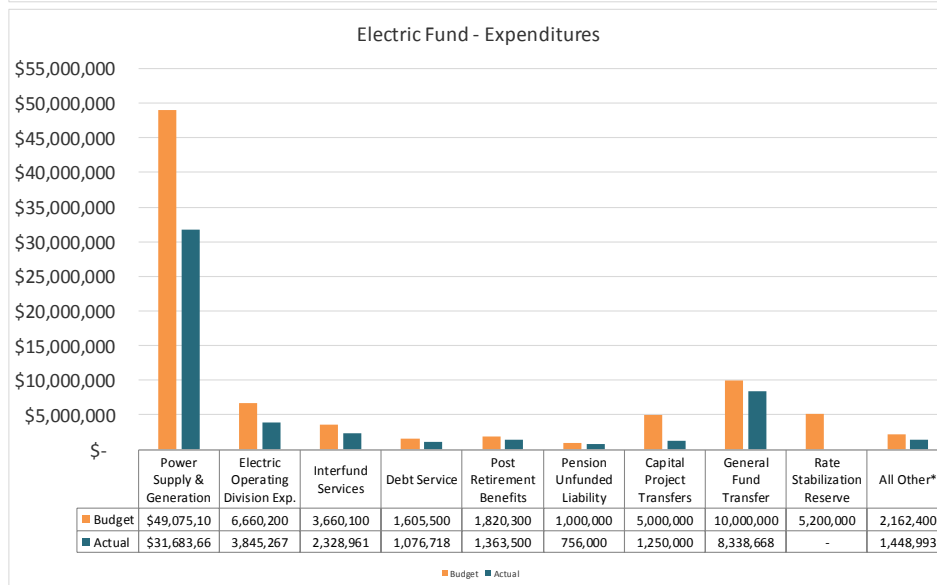
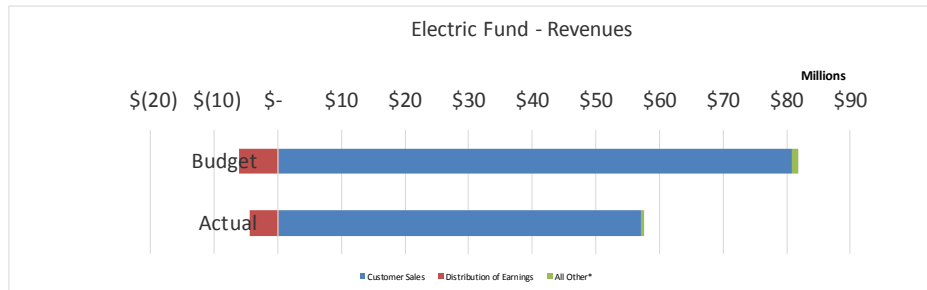
Expenditures

	<u>Budget</u>	<u>Actual</u>	<u>%</u>
Power Supply & Generation	\$ 49,075,100	\$ 31,683,663	65%
Electric Operating Division Exp.	6,660,200	3,845,267	58%
Interfund Services	3,660,100	2,328,961	64%
Debt Service	1,605,500	1,076,718	67%
Post Retirement Benefits	1,820,300	1,363,500	75%
Pension Unfunded Liability	1,000,000	756,000	76%
Capital Project Transfers	5,000,000	1,250,000	25%
General Fund Transfer	10,000,000	8,338,668	83%
Rate Stabilization Reserve	5,200,000	-	0%
All Other*	2,162,400	1,448,993	67%
	<u>\$ 86,183,600</u>	<u>\$ 52,091,770</u>	<u>60%</u>

*Includes: Bank & CC Fees, Utility Tax, Interest on Deposit, Legal Exp., Green Energy, A/R Write-offs, Contractual Services, Other Employment Expenses

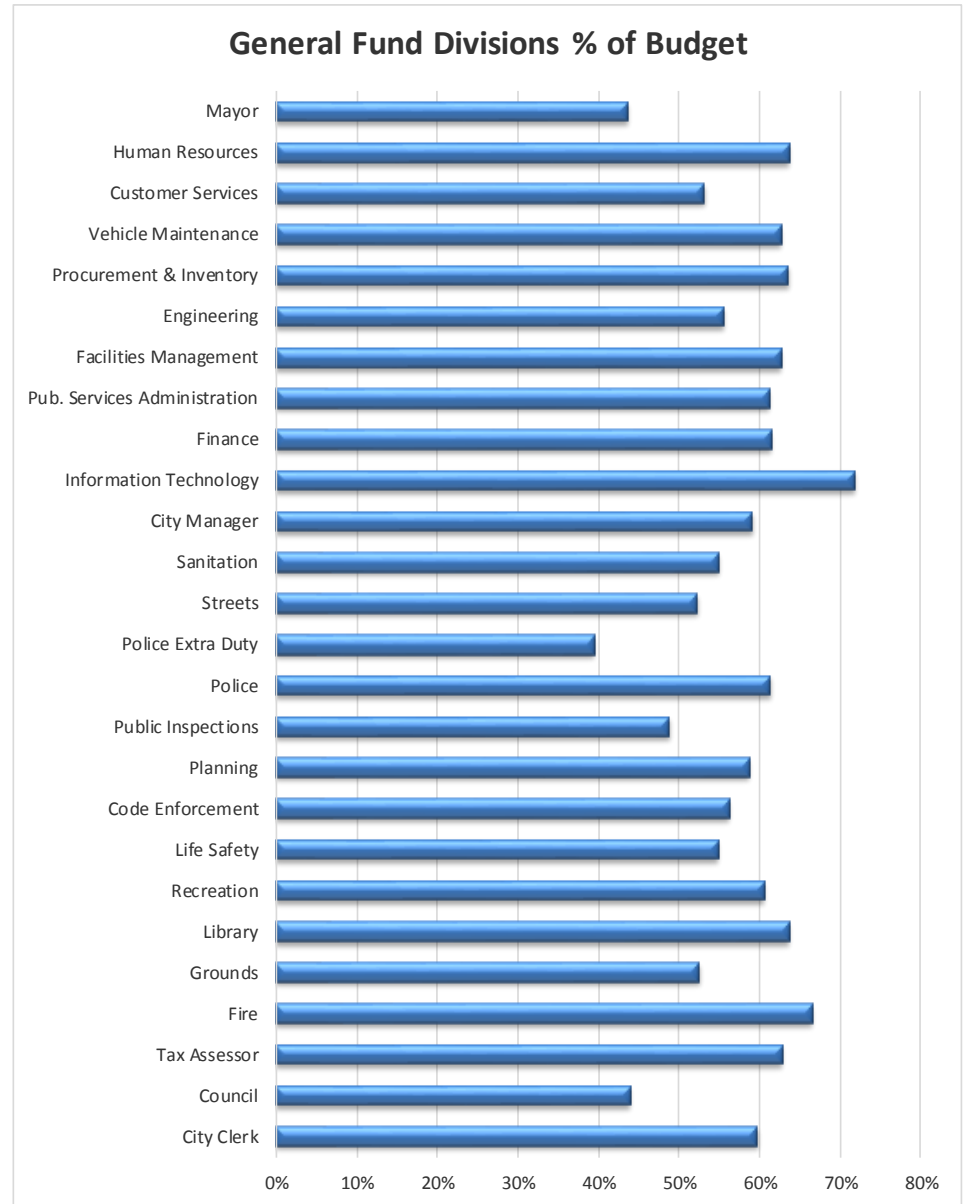
Megawatt Hours Sold & Purchased

	<u>Budget</u>	<u>Actual</u>
Sales to Customers MWh (excl. Street Light MWh)	713,501	513,883
Sales per MWh	\$102.98	\$100.81
Purchased/Generated MWh	763,129	525,745
All In MWh Supply & Generation	\$64.31	\$60.24



City of Dover
Division Expense Summary (General Fund)
Fiscal Year to Date (February 2018)

	<u>Budget</u>	<u>Actual</u>	<u>%</u>
City Clerk	\$ 436,700	\$ 260,316	60%
Council	155,100	68,065	44%
Tax Assessor	238,500	149,760	63%
Fire	774,900	515,601	67%
Grounds	1,142,000	598,325	52%
Library	1,708,300	1,086,884	64%
Recreation	764,200	462,992	61%
Life Safety	499,600	273,821	55%
Code Enforcement	449,700	252,964	56%
Planning	563,400	330,503	59%
Public Inspections	721,000	351,129	49%
Police	16,483,900	10,107,023	61%
Police Extra Duty	560,000	220,654	39%
Streets	1,119,400	585,278	52%
Sanitation	2,563,900	1,407,354	55%
City Manager	751,500	443,439	59%
Information Technology	777,400	557,703	72%
Finance	1,038,900	637,784	61%
Pub. Services Administration	718,300	439,718	61%
Facilities Management	629,700	394,007	63%
Engineering	277,700	154,285	56%
Procurement & Inventory	605,100	384,606	64%
Vehicle Maintenance	838,200	524,464	63%
Customer Services	1,169,500	620,574	53%
Human Resources	436,600	277,936	64%
Mayor	119,300	52,078	44%
	<u>\$ 35,542,800</u>	<u>\$ 21,157,263</u>	



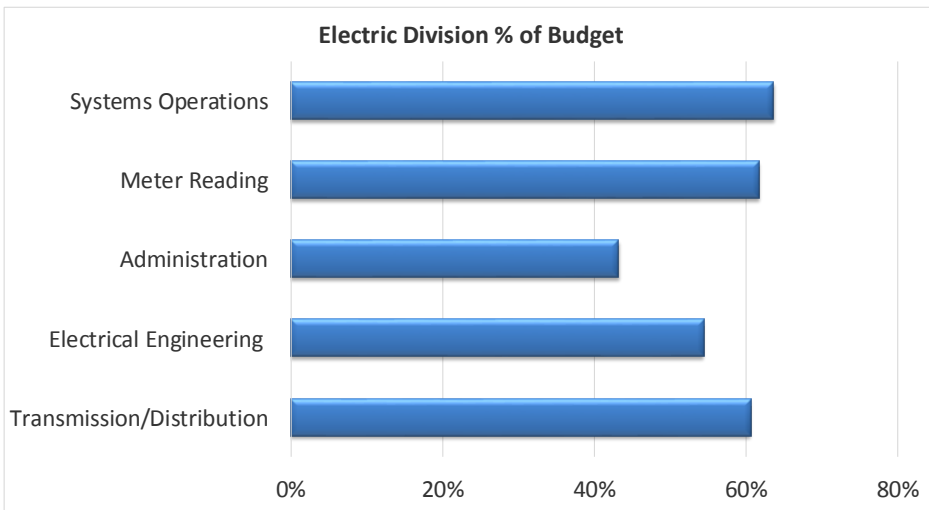
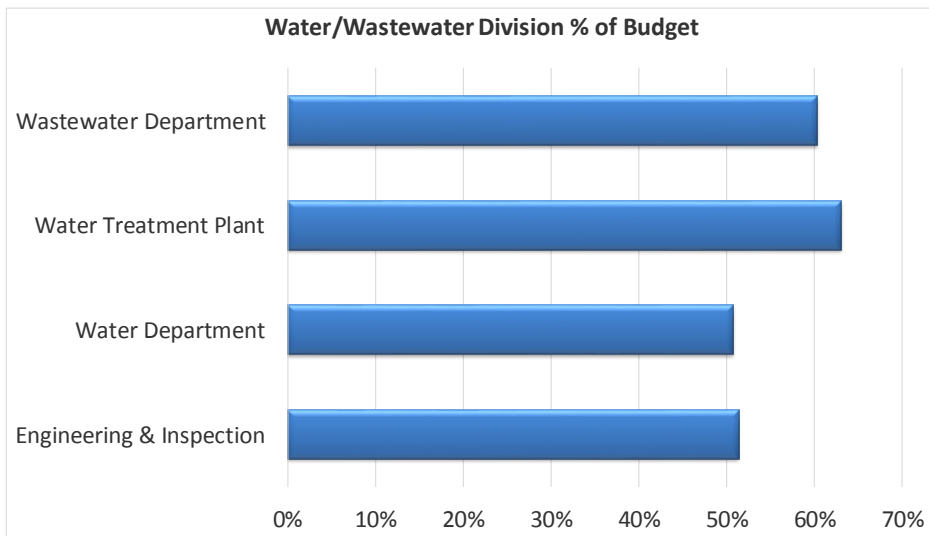
**City of Dover
Utilities Summary
Fiscal Year to Date (February 2018)**

Water/Wastewater Division Expenses

	<u>Budget</u>	<u>Actual</u>	<u>%</u>
Engineering & Inspection	\$ 517,800	\$ 265,785	51%
Water Department	635,700	322,364	51%
Water Treatment Plant	1,780,500	1,121,428	63%
Wastewater Department	962,800	580,114	60%
	<u>\$ 3,896,800</u>	<u>\$ 2,289,691</u>	

Electric Division Expenses

	<u>Budget</u>	<u>Actual</u>	<u>%</u>
Transmission/Distribution	\$ 3,599,600	\$ 2,180,552	61%
Electrical Engineering	1,226,400	667,492	54%
Administration	797,000	344,565	43%
Meter Reading	392,500	242,399	62%
Systems Operations	644,700	410,259	64%
	<u>\$ 6,660,200</u>	<u>\$ 3,845,267</u>	

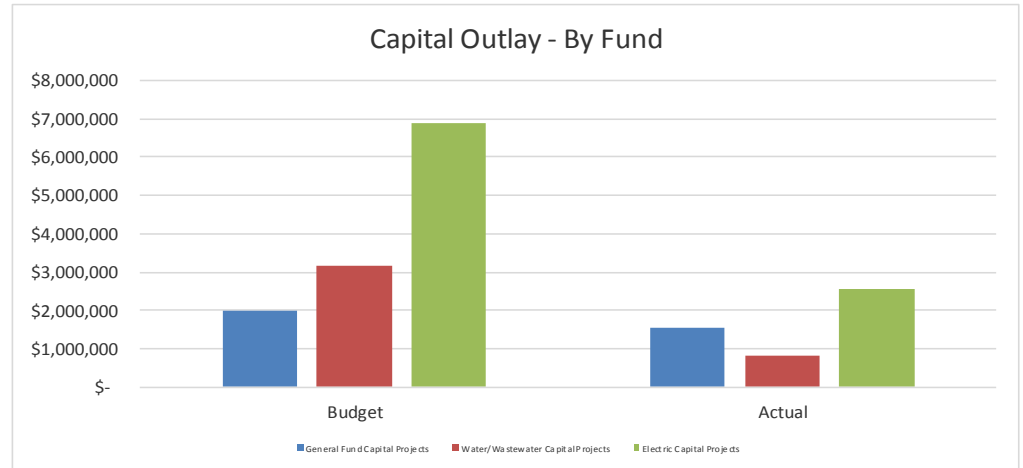
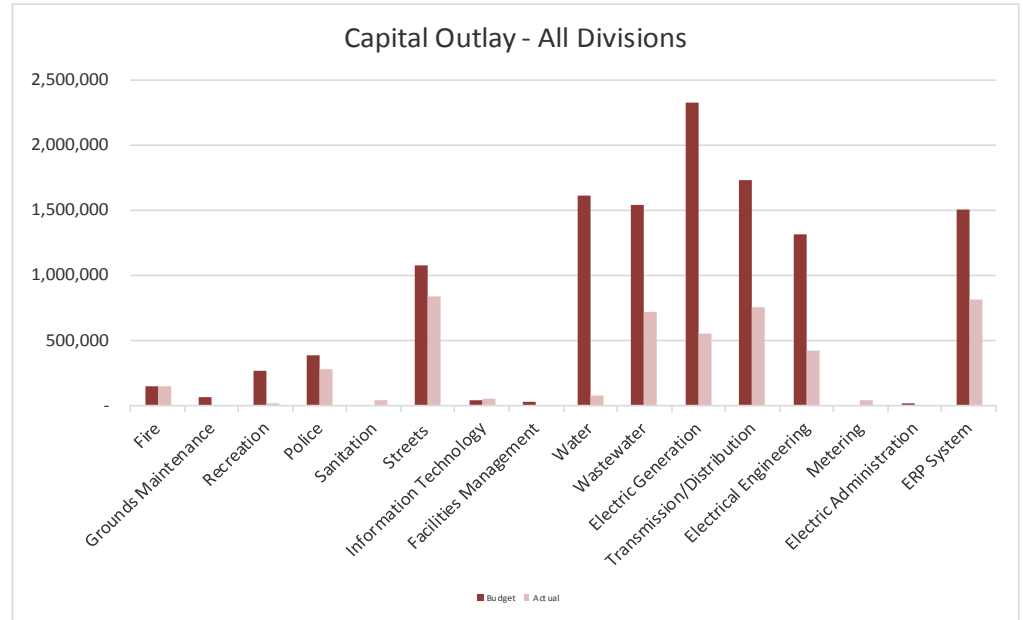


City of Dover
Capital Outlay Summary (All Funds)
Fiscal Year to Date (February 2018)

<u>General Fund</u>	<u>Budget</u>	<u>Actual</u>	<u>%</u>
City Clerk	\$ -	\$ 156,188	0%
Fire	145,700	145,614	100%
Grounds Maintenance	62,500	-	0%
Recreation	271,000	17,814	7%
Police	379,900	275,698	73%
Sanitation	-	39,994	0%
Streets	1,070,000	841,938	79%
Information Technology	36,600	54,079	148%
Facilities Management	25,100	-	0%
Transfer to Parkland Reserve	-	25,723	0%
General Fund Capital Projects	\$ 1,990,800	\$ 1,557,047	78%

<u>Water/Wastewater Fund</u>	<u>Budget</u>	<u>Actual</u>	<u>%</u>
Water	\$ 1,608,400	\$ 77,245	5%
Wastewater	1,543,000	717,115	46%
Water Treatment Plant	-	7,703	
Water/Wastewater Capital Projects	\$ 3,151,400	\$ 802,063	25%

<u>Electric Fund</u>	<u>Budget</u>	<u>Actual</u>	<u>%</u>
Electric Generation	\$ 2,328,000	\$ 546,678	23%
Transmission/Distribution	1,725,500	750,245	43%
Electrical Engineering	1,315,000	423,791	32%
Metering	-	35,986	0%
Electric Administration	8,500	-	0%
ERP System	1,500,000	815,816	54%
Electric Capital Projects	\$ 6,877,000	\$ 2,572,516	37%
Total Capital Projects	\$ 12,019,200	\$ 4,931,626	41%



February 2018 Procurement & Inventory Report

Measure	FY 2018	FY 2017	DIFFERENCE
<i>Issue Effectiveness – How often the warehouse has what the departments need when it's needed. [issues / (issues + back orders)] * 100</i>	FY 2018 (To date) [2,908/(2,908+109)]*100 96.39%	FY 2017 (Total) [4,581/(4,581+119)]*100 97.47 %	- 1.08%
Turn Over Rate – Indicates that the material stocked is the material being used. (2016-2017 Goal 1 per year) WITHOUT TRANSFORMERS	February 2018 1.01 Turnovers per year	February 2017 0.72 Turnovers per year	+0.29 Turnovers per year

COMMODITY	BID NUMBER	TERM	REQUESTING DEPARTMENT	STATUS as of March 8, 2018
Ambulance Services for the City of Dover	18-0010CM	Three Years	City Manager's Office	Forwarded to Kay Sass on 12/19/2017
Diversity and Inclusion	18-0012HR	One time	Human Resources	Scheduled for City Council on 3/12/2018
Water Treatment Plant Process Improvements	18-0014PW	One time	Public Works	Bids forwarded to Public Works on 12/26/2017
Professional Support for HVAC Repair Design Weyandt Hall	18-0015PW	One time	Public Works	Only one RFP received. Forwarded to Public Works on 12/13/2017.
Electric Utility Management & Benchmarking Assessment for the City of Dover Electric Utility	18-0016CM	One time	City Manager's Office	Awarded to Avant Energy by Council on 02/26/2018.
Construction Support Services for the Water Treatment Plant Project	18-0018PW	One time	Public Works	Forwarded to Public Works on 2/7/2018
Demolition of 954 Lincoln Street	18-0019PI	One time	Inspections	Forwarded to Inspections on 2/7/2018
Demolition of 2292 White Oak Road	18-0020PI	One time	Inspections	Forwarded to Inspections on 2/7/2018
Puncheon Run Wastewater Pump Station Improvements Engineering Design Support	18-0023PW	One time	Public Works	RFP opening scheduled for March 14, 2018 @ 2:00 pm
Electric Distribution Transformer Disposal	18-0024EL	One Time	Electric	RFP opening scheduled for April 10, 2018 @ 2:00 pm

FUEL USE FY 2017 TO DATE FY 2018 TO DATE

Unleaded:	87,908 gallons	86,583 gallons
Diesel:	53,171 gallons	49,649 gallons
Dollars Spent:	\$227,458.73	\$244,619.82

STOCK WITH OVER 60 MONTH SUPPLY (5 YEARS)

Electric:	\$ 435,876.76	313 Line Items
Water:	\$ 19,536.86	52 Line Items
General:	\$ 36,181.73	145 Line Items
Total:	\$ 491,595.35	510 Line Items

Purchase Orders for Stock by Fund

	<u>FY 2017 TO DATE</u>	<u>FY 2018 TO DATE</u>
Electric:	\$ 733,332.52	\$ 958,524.94
Water:	\$ 185,084.19	\$ 91,577.10
General:	\$ 72,455.15	\$ 84,725.26
Total:	\$ 990,871.86	\$1,134,827.30

Issues from Stock by Fund

	<u>FY 2017 TO DATE</u>	<u>FY 2018 TO DATE</u>
Electric:	\$744,299.66	\$1,071,061.65
Water:	\$186,252.18	\$ 88,924.66
General:	\$ 81,619.99	\$ 83,228.02
*Total:	\$1,012,238.03	\$1,243,283.38

Warehouse Stock

	<u>FY 2017</u>	<u>FY 2018</u>
Total Dollar Value:	\$ 2,387,169.57	\$ 2,077,106.41
Total Line Items:	1,320	1,301

Money Spent for Postage/Postal Services

<u>FY 2017 TO DATE</u>	<u>FY 2018 TO DATE</u>
\$81,633.72	\$77,846.39

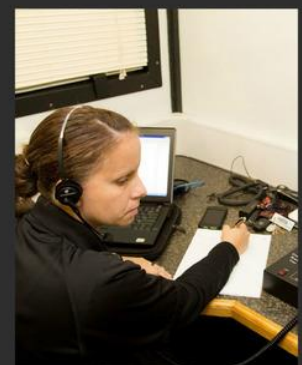
- Total of Issues from Stock by Fund includes Issues from Sale from Stock (SS) and Electric Returns (ER).



**DOVER POLICE
DEPARTMENT
MONTHLY REPORT**



**FEBRUARY 2018
CHIEF MARVIN C. MAILEY**



DEPARTMENT OF POLICE

Marvin C. Mailey
Chief of Police



400 South Queen Street
Dover, Delaware 19904
302-736-7111
Fax: 302-672-1842

April 9, 2018

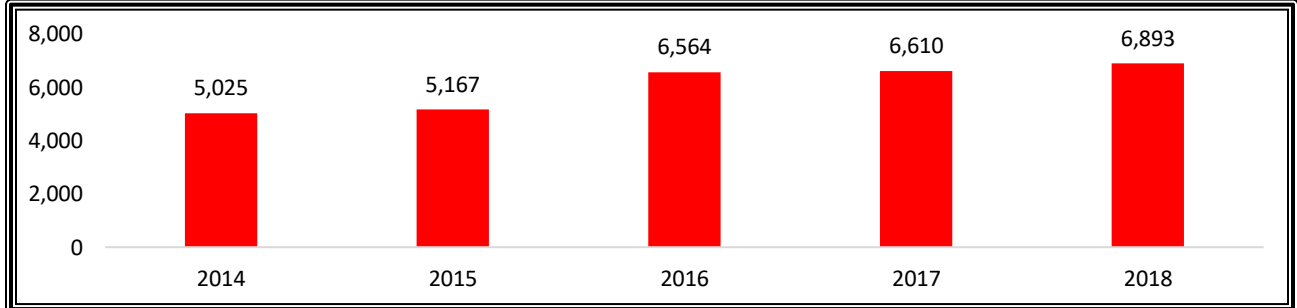
Honorable Robin Christiansen, Mayor
Member of Dover City Council
City Hall
Dover, DE 19901

Mayor Christiansen and Council Members:

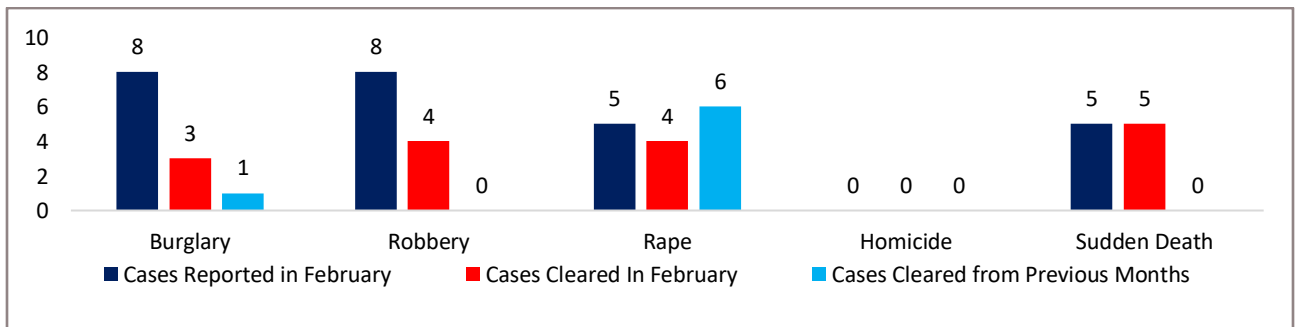
The following is the monthly report for Dover Police Department activities for the month of February 2018:

COMPLAINTS

Total complaints received through February 28, 2018, numbered 6,893 this is an increase of 283 complaints over the same period last year.

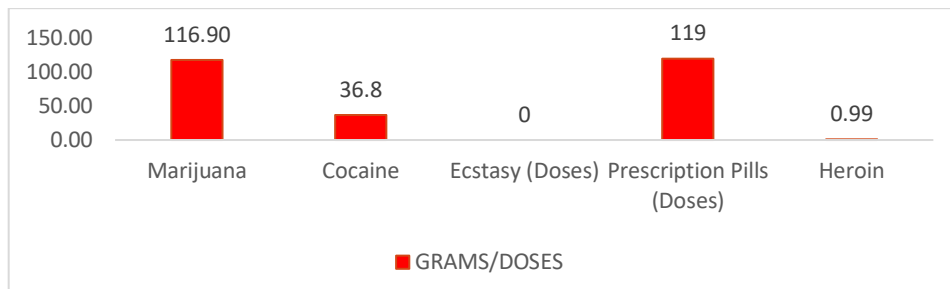


CRIMINAL INVESTIGATIONS

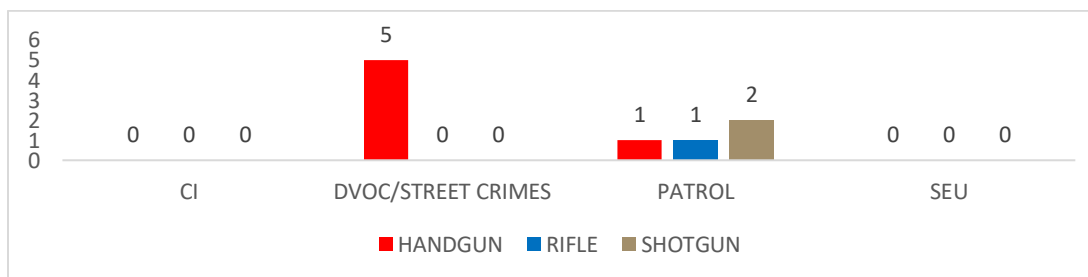


DRUGS, VICE, & ORGANIZED CRIME (DVOC) AND STREET CRIMES SECTION SEIZURES

Along with the drug seizures below, the units also recovered 3.0 grams of miscellaneous other drugs and \$3,648.00 USD during the month of February.



FIREARM SEIZURES



COMMUNITY POLICING

COMMUNITY POLICING	CONTACTS
ABANDONED VEHICLES	4
ALCOHOL VIOLATIONS/DUI'S	0
ASSIST OTHER	62
WARRANTS ON FILE	0
CRIMINAL ARRESTS	0
PARKING DCO'S	41
LOUD MUSIC	0
MISCELLANEOUS DCO'S	4
PARKING COMPLAINTS	0
PEDDLER	0
COMMUNITY OUTREACH	93
CRIME PREVENTION CHECK	3
TRAFFIC ARRESTS	0
BIKE PATROL	0
PROPERTY CHECKS	122
WARNINGS	2
TOTAL CONTACTS	331

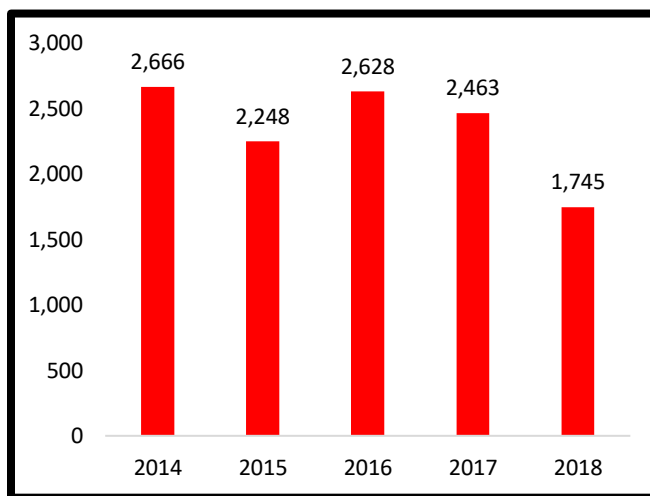
CADETS	CONTACTS
DCO'S	126
PARKING	87
SMOKING	8
OPEN CONTAINER	13
LOUD NOISE	0
OTHER DCO's	18
PROPERTY CHECKS	88
BUSINESS CONTACTS	239
LIBRARY CHECKS	23
COMPLAINTS ASSIGNED	29
SPECIAL EVENT	3
TOTAL CONTACTS	634

STREET CRIMES

STREET CRIMES ENFORCEMENT	CONTACTS
ABANDONED VEHICLES	0
ALCOHOL VIOLATIONS/DUI'S	0
ASSIST OTHER	4
WARRANTS ON FILE	0
CITY PARK VIOLATIONS	0
CRIMINAL ARRESTS	47
DRUG RELATED ARRESTS	12
LOUD MUSIC	0
MISCELLANEOUS VIOLATIONS	0
PARKING VIOLATIONS	0
PEDDLER	0
MEETINGS	0
CURFEW CHECKS	100
CRIME PREVENTION CHECKS	0
TRAFFIC ARRESTS	12
WARNINGS	45
FUGITIVES	6
DCO'S	0
PROSTITUTION	0
TOTAL CONTACTS	226

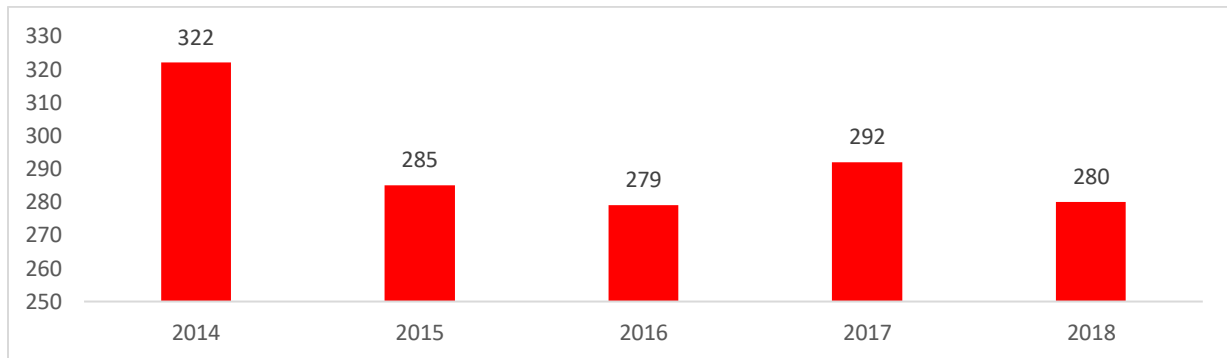
TRAFFIC ARRESTS

The department issued 1,745 traffic citations through this reporting period; this is a decrease of 718 citations over the number issued during the same period last year.



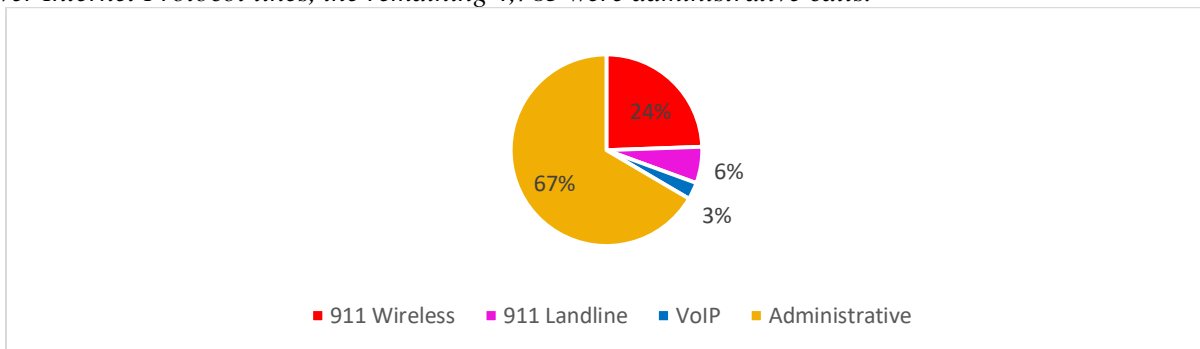
TRAFFIC CRASHES

Through February 28, 2018, the Dover Police investigated 280 traffic crashes, a decrease of 12 crashes investigated during the same period last year.



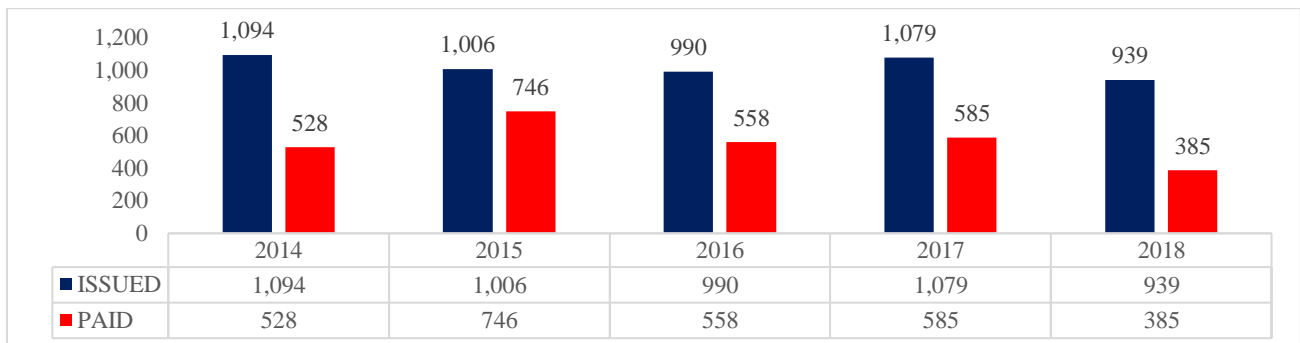
911 Center

During the month of February, the Dover Police Department handled 7,188 calls averaging 257 calls per day. Dispatchers handled 1,756 on the 911 wireless lines, 442 on the 911 landlines, and 207 on the Voice over Internet Protocol lines, the remaining 4,783 were administrative calls.



CITY ORDINANCE SUMMONS

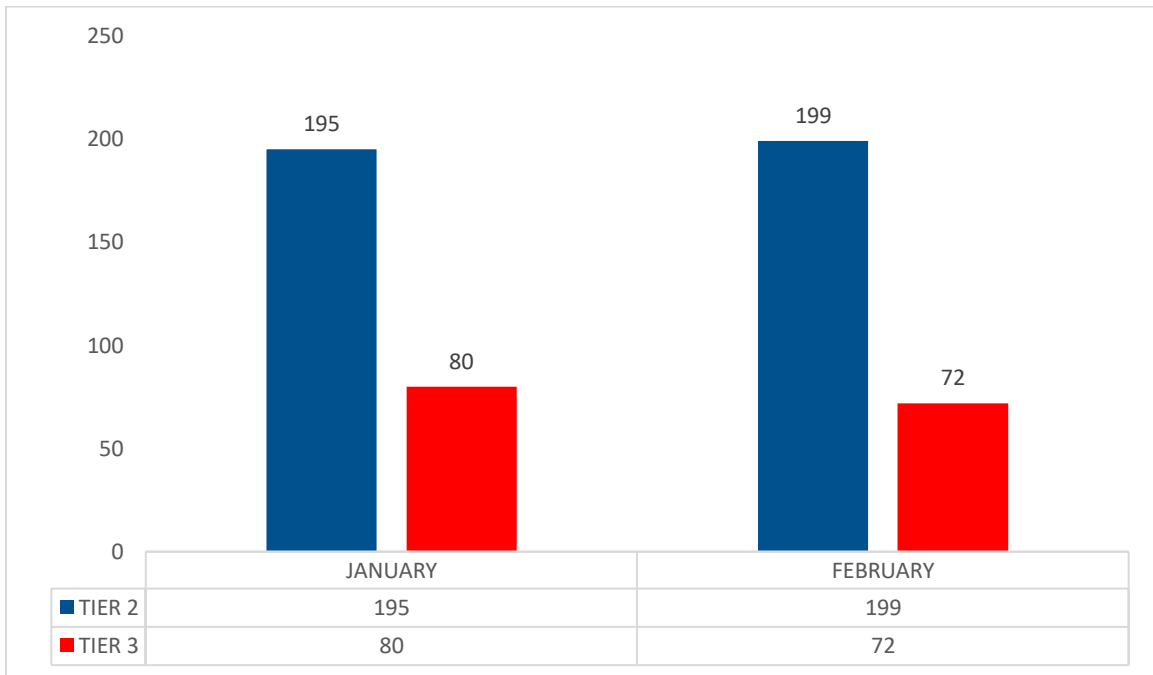
Through February 28, 2018, we issued 939 city ordinance summons, a decrease of 140 summonses for the same period last year. Note: Of those summonses issued in February, 5 DCO's were issued for handicapped parking violations and 0 for fire lane parking violations, 134 for false alarms 121 for 1-2 alarms, 10 for 3-5 alarms, 1 for 6-9 alarms, 2 for 10-15 alarms, and 0 for 16 or more alarms) and 3 for noise violations 0 for vehicle violations and 3 for residence violations).



SEX OFFENDER STATISTICS/FEBRUARY

	VERIFICATIONS	NOTIFICATIONS	MONTHLY REVERIFICATIONS	NON COMPLIANT WARRANTS
TIER 1	0	0	0	0
TIER 2	12	1116	32	3
TIER 3	5	465	24	2

ACTIVE SEX OFFENDERS THAT RESIDE IN THE CITY OF DOVER (please note, Tier 1 offenders are not contacted by Dover Police Sex Offender Agents).



(Please note, Tier 1 offenders are not contacted by Dover Police Sex Offender Agents).

Please visit our website at www.doverpolice.org for up to date information on crimes and activities in the City of Dover.

Respectfully Submitted,

Marvin C. Mailey
Chief of Police

**CITY OF DOVER ORDINANCE # 2018-02
2017-2018 BUDGET ORDINANCES**

1 **BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:**
 2 The amount hereinafter named aggregating Forty Nine Million Three Thousand Two Hundred dollars
 3 (\$49,003,200) or so much thereof as may be necessary are hereby appropriated from current revenues
 4 and other funds for the use by several departments of the Municipal Government for the fiscal year
 5 beginning July 1, 2017 and ending June 30, 2018:

**GENERAL FUND
CASH RECEIPT SUMMARY FOR 2017-2018**

	2017/18 BUDGET	2017/18 REVISED
10 BEGINNING BALANCE	\$ 4,597,100	\$ 6,072,200
11 RECEIPTS		
12 FINES AND POLICE REVENUE	746,600	746,600
13 LIBRARY REVENUES	100,000	100,000
14 KENT COUNTY BOOK REIMBURSEMENT	300,000	300,000
15 BUSINESS LICENSES	1,467,000	1,467,000
16 PERMITS AND OTHER FEES	1,956,000	1,956,000
17 MISCELLANEOUS CHARGES	57,000	57,000
18 POLICE EXTRA DUTY	500,000	500,000
19 PROPERTY TAXES	13,025,600	13,025,600
20 RECREATION REVENUE	150,000	150,000
21 FRANCHISE FEE	688,100	688,100
22 SANITATION FEES	3,080,400	3,080,400
23 RENT REVENUE - GARRISON FARM	96,900	96,900
24 COURT OF CHANCERY FEES	1,350,000	1,350,000
25 INVESTMENT INCOME	138,000	138,000
26 RECEIPTS SUBTOTAL	23,655,600	23,655,600
27 INTERFUND SERVICE RECEIPTS		
28 INTERFUND SERVICE RECEIPTS W/WW	1,716,100	1,716,100
29 INTERFUND SERVICE RECEIPTS ELECTRIC	3,660,100	3,660,100
30 INTERFUND SERVICE RECEIPTS SUBTOTAL	5,376,200	5,376,200
31 GRANTS:		
32 POLICE RELATED/EXTRA DUTY	60,000	60,000
33 POLICE PENSION GRANT	415,000	415,000
34 GREEN ENERGY GRANT	98,500	98,500
35 MISC GRANT REVENUE	25,000	31,500
36 HISTORIC DISTRICT GRANT	6,500	
37 GRANTS SUBTOTAL	605,000	605,000
38 TRANSFERS FROM:		
39 TRANSFER TAX	1,209,300	1,209,300
40 MUNICIPAL STREET AID	673,100	673,100
41 CIVIL TRAFFIC PENALTIES	511,800	511,800
42 WATER/WASTEWATER	900,000	900,000
43 ELECTRIC	10,000,000	10,000,000
44 TRANSFERS FROM SUBTOTAL	13,294,200	13,294,200
45 TOTAL REVENUES	42,931,000	42,931,000
46 TOTAL BEGINNING BALANCE & REVENUE	\$ 47,528,100	\$ 49,003,200

47

2017-2018 BUDGET ORDINANCES - FIRST AMENDMENT

48

GENERAL FUND - EXPENDITURES AND BUDGET BALANCE FOR 2017-2018

49

50 DEPARTMENT EXPENSES

51 CITY CLERK

	2017/18	2017/18
	BUDGET	REVISED
\$	436,700	\$ 440,700

52 COUNCIL

155,100 145,100

53 TAX ASSESSOR

238,500 241,200

54 FIRE

774,900 774,900

55 GROUNDS MAINTENANCE

1,142,000 1,101,200

56 LIBRARY

1,708,300 1,715,800

57 RECREATION

764,200 811,500

58 LIFE SAFETY

499,600 500,900

59 CODE ENFORCEMENT

449,700 452,100

60 PLANNING

563,400 568,000

61 INSPECTIONS

721,000 724,800

62 POLICE

16,483,900 16,713,300

63 POLICE EXTRA DUTY

560,000 560,000

64 STREETS

1,119,400 1,202,100

65 SANITATION

2,563,900 2,566,600

66 CITY MANAGER

751,500 820,500

67 INFORMATION TECHNOLOGY

777,400 781,200

68 FINANCE

1,038,900 1,038,900

69 PUBLIC WORKS - ADMINISTRATION

718,300 720,100

70 FACILITIES MANAGEMENT

629,700 633,200

71 PUBLIC WORKS - ENGINEERING

277,700 278,800

72 PROCUREMENT & INVENTORY

605,100 610,600

73 FLEET MAINTENANCE

838,200 840,200

74 CUSTOMER SERVICE

1,169,500 1,174,700

75 HUMAN RESOURCES

436,600 538,600

76 MAYOR

119,300 119,300

77 DEPARTMENT SUBTOTALS**35,542,800 36,074,300****78 OTHER EXPENSES**

79 DEBT SERVICE

443,100 443,100

80 CONTRIBUTION TO DDP

150,000 150,000

81 MISCELLANEOUS GRANT RELATED EXP

25,000 25,000

82 INSURANCE

735,000 735,000

83 RETIREES HEALTH CARE

2,063,000 2,063,000

84 OTHER EMPLOYMENT EXPENSES

367,500 70,900

85 BANK & CREDIT CARD FEES

21,000 21,000

86 UNCOLLECTIBLES - TRASH AND OTHER

100,000 100,000

87 STREET LIGHTS

810,000 810,000

88 OTHER EXPENSE SUBTOTAL**4,714,600 4,418,000****89 TRANSFERS**

90 TRANSFER TO CAPITAL FUND - PROJECTS

1,368,700 1,368,700

91 TRANSFER TO THE CAPITAL ASSET RESERVE

- 214,700

92 APPROP. TO THE POLICE PENSION FUND

761,500 811,500

93 APPROP. POLICE PENSION - STATE GRANT

415,000 415,000

94 APPROP. TO THE GENERAL PENSION FUND

48,400 619,000

95 TRANSFER TO INVENTORY WRITE-OFFS

10,000 10,000

96 TRANSFERS SUBTOTAL**2,603,600 3,438,900****97 TOTAL EXPENDITURES****42,861,000 43,931,200****98 CURRENT YEAR BALANCE****4,667,100 5,072,000****99 TOTALS****\$ 47,528,100 \$ 49,003,200**

100 The City Manager is hereby authorized, without further approval of the City Council, to make
 101 interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any
 102 department with the exception of any transfers prohibited by City Procedure #F306.

103 ADOPTED:

2017-2018 BUDGET ORDINANCES
GOVERNMENTAL CAPITAL PROJECTS FUND
REVENUES AND BUDGET FOR 2017-2018

104

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106

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

108 The amount hereinafter named aggregating Three Million Seven Hundred Thirty One Thousand Three Hundred dollars
 109 (\$3,731,300) or so much thereof as may be necessary are hereby appropriated from current revenues and other
 110 funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2017
 111 and ending June 30, 2018:

112

REVENUES

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	2017/18 BUDGET	2017/18 REVISED
BEGINNING BALANCE - PROJECTS	\$ 412,900	\$ 1,637,200
REVENUES		
STATE GRANTS - Other	33,000	63,000
INTEREST EARNINGS	8,300	8,300
TRANSFER FROM GENERAL FUND	1,368,700	1,368,700
TRANSFER FROM PARKLAND RESERVE	205,000	235,800
TRANSFER FROM CAPITAL ASSET RESERVE	418,300	418,300
SUBTOTAL PROJECT RECEIPTS	2,033,300	2,094,100
TOTAL FUNDING SOURCES	2,033,300	2,094,100
TOTAL BEGINNING BALANCE AND REVENUES	\$ 2,446,200	\$ 3,731,300

EXPENSE SUMMARY

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	2017/18 BUDGET	2017/18 REVISED
EXPENDITURES		
CITY CLERK	-	156,200
FIRE	145,700	145,700
GROUND	62,500	62,500
RECREATION	271,000	331,800
POLICE	379,900	379,900
STREETS	1,070,000	1,977,000
SANITATION	-	42,000
INFORMATION TECHNOLOGY	36,600	63,600
FACILITIES MANAGEMENT	25,100	25,100
DEPARTMENT SUBTOTAL	1,990,800	3,183,800
TRANSFERS		
TRANSFER TO PARKLAND RESERVE	-	25,800
TRANSFERS SUBTOTAL	-	25,800
TOTAL EXPENDITURES	1,990,800	3,209,600
BUDGET BALANCE	455,400	521,700
TOTAL BUDGET BALANCE & EXPENDITURES	\$ 2,446,200	\$ 3,731,300

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

2017-2018 BUDGET ORDINANCES

**GOVERNMENTAL CAPITAL ASSET RESERVE
CASH RECEIPTS/REVENUES AND BUDGET FOR 2017-2018**

148

149

150

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

152 The amount hereinafter named aggregating One Million Eight Hundred Nine Thousand Three Hundred
153 dollars (\$1,809,300) or so much thereof as may be necessary are hereby appropriated from current
154 revenues and other funds for the use by several departments of the Municipal Government for the fiscal
155 year beginning July 1, 2017 and ending June 30, 2018:

156

CASH RECEIPTS

157

158

159 **BEGINNING BALANCE**

	2017/18 BUDGET	2017/18 REVISED
\$	1,525,700	\$ 1,576,100

160 **RECEIPTS**

161 INTEREST EARNINGS

18,500 18,500

162 TRANSFER FROM GENERAL FUND

- 214,700

163 **TOTAL RECEIPTS**

18,500 233,200

164 **TOTALS**

\$ 1,544,200 \$ 1,809,300

165

EXPENSE SUMMARY

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168 TRANSFER TO GOVERNMENTAL CAPITAL PROJECTS FUND

	2017/18 BUDGET	2017/18 REVISED
\$	418,300	\$ 418,300

169 CARRY FORWARD TO NEXT YEAR

1,125,900 1,391,000

170 **TOTALS**

\$ 1,544,200 \$ 1,809,300

171 The City Manager is hereby authorized, without further approval of the City Council, to make
172 interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any
173 department with the exception of any transfers prohibited by City Procedure #F306.

174 ADOPTED:

2017-2018 BUDGET ORDINANCES

**PARKLAND/RECREATION RESERVE
CASH RECEIPTS/REVENUES AND BUDGET FOR 2017-2018**

175

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

179 The amount hereinafter named aggregating Three Hundred Forty One Thousand Two Hundred dollars

180 (\$341,200) or so much thereof as may be necessary are hereby appropriated from current revenues and

181 other funds for the use by several departments of the Municipal Government for the fiscal year

182 beginning July 1, 2017 and ending June 30, 2018:

183

OPERATING REVENUES

184

185

186 **BEGINNING BALANCE**

	2017/18 BUDGET	2017/18 REVISED
	\$ 376,300	\$ 336,300
187 INTEREST INCOME	4,900	4,900
188 TOTALS	\$ 381,200	\$ 341,200

187 INTEREST INCOME

188 **TOTALS**

189

OPERATING EXPENSES

190

191

192 TRANSFER TO GOVERNMENTAL CAPITAL PROJECTS FUND

	2017/18 BUDGET	2017/18 REVISED
192 TRANSFER TO GOVERNMENTAL CAPITAL PROJECTS FUND	\$ 205,000	\$ 235,800
193 CURRENT YEAR BALANCE	176,200	105,400
194 TOTALS	\$ 381,200	\$ 341,200

193 CURRENT YEAR BALANCE

194 **TOTALS**

195 The City Manager is hereby authorized, without further approval of the City Council, to make

196 interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any

197 department with the exception of any transfers prohibited by City Procedure #F306.

198 ADOPTED:

2017-2018 BUDGET ORDINANCES

199
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201

**WATER/WASTEWATER FUND
REVENUES AND BUDGET FOR 2017-2018**

202 **BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:**
203 The amount hereinafter named aggregating Eighteen Million Five Hundred Nineteen Thousand Two Hundred
204 dollars (\$18,519,200) or so much thereof as may be necessary are hereby appropriated from current revenues
205 and other funds for the use by several departments of the Municipal Government for the fiscal year
206 beginning July 1, 2017 and ending June 30, 2018:

	2017/18 BUDGET	2017/18 REVISED
207		
208		
209 BEGINNING BALANCE - WATER	\$ 1,330,900	\$ 1,680,500
210 BEGINNING BALANCE - WASTEWATER	1,166,800	1,399,700
211 TOTAL BEGINNING BALANCES	2,497,700	3,080,200
212 BASE REVENUE		
213 WATER SERVICES	5,914,600	5,914,600
214 WASTEWATER SERVICES	3,768,000	3,768,000
215 WASTEWATER TREATMENT SERVICES	2,952,900	2,952,900
216 GROUNDWATER INFLOW ADJUSTMENT	1,899,700	1,899,700
217 WATER TANK SPACE LEASING	391,400	391,400
218 WATER IMPACT FEES	231,000	231,000
219 WASTEWATER IMPACT FEES	209,000	209,000
220 INTEREST - WATER	5,700	5,700
221 INTEREST - WASTEWATER	5,700	5,700
222 MISCELLANEOUS SERVICE FEE	61,000	61,000
223 TOTAL REVENUES	15,439,000	15,439,000
224 TOTAL BEGINNING BALANCES AND REVENUES	\$ 17,936,700	\$ 18,519,200

2017-2018 BUDGET ORDINANCES - FIRST AMENDMENT

225

226

WATER/WASTEWATER FUND - EXPENSES AND BUDGET BALANCE FOR 2017-2018

227

DIRECT EXPENSES

229 ENGINEERING & INSPECTION

230 WATER DEPARTMENT

231 WASTEWATER DEPARTMENT

232 WATER TREATMENT PLANT

233 **DIRECT EXPENDITURE SUBTOTAL****OTHER EXPENSES**

235 DEBT SERVICE - WATER

236 DEBT SERVICE - WASTEWATER

237 RETIREES HEALTH CARE

238 OTHER EMPLOYMENT EXPENSES

239 PENSION UNFUNDED LIABILITY

240 KENT COUNTY TREATMENT CHARGE

241 INTERFUND SERVICE FEES

242 BANK & CREDIT CARD FEES

243 BOND ISSUE COSTS

244 **OTHER EXPENSES SUBTOTAL****TRANSFER TO:**

246 GENERAL FUND FROM WATER

247 GENERAL FUND FROM WASTEWATER

248 WATER IMP AND EXT

249 WASTEWATER IMP AND EXT

250 GENERAL EMPLOYEES PENSION

251 **TRANSFER TO SUBTOTAL****TOTAL EXPENSES****BUDGET BALANCES**

254 BUDGET BALANCE WATER

255 BUDGET BALANCE WASTEWATER

256 **BUDGET BALANCE SUBTOTALS****TOTAL CURRENT YEAR BALANCES AND EXPENSES**

258 The City Manager is hereby authorized, without further approval of the City Council, to make

259 interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any

260 department with the exception of any transfers prohibited by City Procedure #F306.

261 ADOPTED:

	2017/18 BUDGET	2017/18 REVISED
	\$ 517,800	\$ 523,300
	635,700	650,300
	962,800	981,000
	1,780,500	1,791,100
	3,896,800	3,945,700
	524,600	524,600
	612,800	612,800
	242,200	242,200
	25,900	4,000
	-	144,800
	3,926,500	3,926,500
	1,716,100	1,716,100
	26,000	26,000
	40,000	40,000
	7,114,100	7,237,000
	500,000	500,000
	400,000	400,000
	1,600,000	1,586,500
	1,600,000	1,586,500
	7,500	7,500
	4,107,500	4,080,500
	15,118,400	15,263,200
	1,575,600	1,849,400
	1,242,700	1,406,800
	2,818,300	3,256,200
	\$ 17,936,700	\$ 18,519,400

2017-2018 BUDGET ORDINANCES

**WATER/WASTEWATER IMPROVEMENT & EXTENSION FUND
CASH RECEIPTS/REVENUES AND BUDGET FOR 2017-2018**

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

266 The amount hereinafter named aggregating Nine Million One Hundred Forty Three Thousand Two Hundred
267 dollars (\$9,143,200) or so much thereof as may be necessary are hereby appropriated from current revenues
268 and other funds for the use by several departments of the Municipal Government for the fiscal year
269 beginning July 1, 2017 and ending June 30, 2018:

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CASH RECEIPTS

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273 BEGINNING BALANCE - WATER

274 BEGINNING BALANCE - WASTEWATER

275 **TOTAL BEGINNING BALANCES**

276 REVENUES

277 MISC REVENUES

278 TRANS FR OPERATING FUND - WATER

279 TRANS FR OPERATING FUND - WW

280 INTEREST INCOME

281 **TOTAL REVENUES**

282 **TOTAL BEGINNING BALANCES & REVENUES**

	2017/18 BUDGET	2017/18 REVISED
\$	2,042,000	\$ 4,836,100
	1,195,100	1,008,500
	3,237,100	5,844,600
	-	32,400
	1,600,000	1,586,500
	1,600,000	1,586,500
	93,200	93,200
	3,293,200	3,298,600
\$	6,530,300	\$ 9,143,200

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EXPENSE SUMMARY

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285 EXPENSES

286 WATER

287 WASTEWATER

288 WATER TREATMENT PLANT

289 **TOTAL EXPENSES**

290 BUDGET BALANCE - WATER

291 BUDGET BALANCE - WASTEWATER

292 **CURRENT YEAR BALANCE SUBTOTALS**

293 **TOTAL BUDGET BALANCES & EXPENSES**

	2017/18 BUDGET	2017/18 REVISED
\$	1,608,400	\$ 1,742,000
	1,543,000	2,569,500
	-	2,468,200
	3,151,400	6,779,700
	2,080,200	2,275,200
	1,298,700	88,300
	3,378,900	2,363,500
\$	6,530,300	\$ 9,143,200

294 The City Manager is hereby authorized, without further approval of the City Council, to make
295 interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any
296 department with the exception of any transfers prohibited by City Procedure #F306.

297 ADOPTED:

2017-2018 BUDGET ORDINANCES

**WATER/WASTEWATER IMPACT FEE RESERVE
CASH RECEIPTS/REVENUES AND BUDGET FOR 2017-2018**

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BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:
The amount hereinafter named aggregating Four Million Two Hundred Thirty Nine Thousand Four Hundred dollars (\$4,239,400) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2017 and ending June 30, 2018:

CASH RECEIPTS

	2017/18 BUDGET	2017/18 REVISED
BEGINNING BALANCE - WATER	\$ 249,800	\$ 652,500
BEGINNING BALANCE - WASTEWATER	2,909,500	3,540,600
TOTAL BEGINNING BALANCES	3,159,300	4,193,100
RECEIPTS		
INTEREST EARNINGS - WATER	4,200	4,200
INTEREST EARNINGS - WASTEWATER	42,100	42,100
TOTAL RECEIPTS	46,300	46,300
TOTALS	\$ 3,205,600	\$ 4,239,400

EXPENSE SUMMARY

	2017/18 BUDGET	2017/18 REVISED
CURRENT YEAR BALANCE - WATER	\$ 254,000	\$ 656,700
CURRENT YEAR BALANCE - WASTEWATER	2,951,600	3,582,700
CURRENT YEAR BALANCE SUBTOTALS	3,205,600	4,239,400
TOTALS	\$ 3,205,600	\$ 4,239,400

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

2017-2018 BUDGET ORDINANCES

**WATER/WASTEWATER CONTINGENCY RESERVE
CASH RECEIPTS/REVENUES AND BUDGET FOR 2017-2018**

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BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:
The amount hereinafter named aggregating Five Hundred Thirty Seven Thousand Six Hundred dollars (\$537,600) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2017 and ending June 30, 2018:

CASH RECEIPTS

	2017/18 BUDGET	2017/18 REVISED
BEGINNING BALANCE - WATER	\$ 251,600	\$ 251,700
BEGINNING BALANCE - WASTEWATER	278,200	278,300
TOTAL BEGINNING BALANCES	529,800	530,000
RECEIPTS		
INTEREST EARNINGS - WATER	3,500	3,500
INTEREST EARNINGS - WASTEWATER	4,100	4,100
TOTAL RECEIPTS	7,600	7,600
TOTALS	\$ 537,400	\$ 537,600

BUDGET SUMMARY

	2017/18 BUDGET	2017/18 REVISED
CURRENT YEAR BALANCE - WATER	\$ 255,100	\$ 255,200
CURRENT YEAR BALANCE - WASTEWATER	282,300	282,400
CURRENT YEAR BALANCE SUBTOTALS	537,400	537,600
TOTAL EXPENSES AND CURRENT YEAR BALANCES	\$ 537,400	\$ 537,600

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

2017-2018 BUDGET ORDINANCES

**ELECTRIC REVENUE FUND
REVENUES AND BUDGET FOR 2017-2018**

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BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:
The amount hereinafter named aggregating Ninety Seven Million Nine Hundred Fifty Thousand dollars (\$97,950,000) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2017 and ending June 30, 2018:

	2017/18 BUDGET	2017/18 REVISED
BEGINNING BALANCE	\$ 20,290,200	\$ 22,252,500
DISTRIBUTION OF EARNINGS - PCA CREDIT	(6,176,700)	(6,176,700)
BEGINNING BALANCE - ADJUSTED	14,113,500	16,075,800
BASE REVENUE		
DIRECT SALES TO CUSTOMER	79,656,000	79,656,000
UTILITY TAX	1,236,200	1,236,200
MISCELLANEOUS REVENUE	531,200	531,200
RENT REVENUE	104,500	104,500
GREEN ENERGY	130,000	130,000
INTEREST EARNINGS	216,300	216,300
TOTAL REVENUES	81,874,200	81,874,200
TOTAL BEGINNING BALANCE & REVENUES	\$ 95,987,700	\$ 97,950,000

2017-2018 BUDGET ORDINANCES - FIRST AMENDMENT

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ELECTRIC REVENUE FUND EXPENSES AND BUDGET BALANCE FOR 2017-2018

382

EXPENSES

	2017/18 BUDGET	2017/18 REVISED
384 POWER SUPPLY	\$ 22,807,900	\$ 22,557,900
385 SOLAR ENERGY	2,661,300	2,661,300
386 SOLAR RENEWAL ENERGY CREDITS	371,200	371,200
387 POWER SUPPLY MANAGEMENT	835,000	835,000
388 REC'S (Renewable Energy Credits)	578,300	578,300
389 RGGI (Regional Greenhouse Gas Init.)	64,000	64,000
390 PJM CHARGES - ENERGY	6,024,400	6,024,400
391 PJM CHARGES - TRANSMISSION & FEES	6,900,200	6,900,200
392 CAPACITY CHARGES	10,482,500	10,482,500
393 SUB-TOTAL POWER SUPPLY	50,724,800	50,474,800
394 PLANT OPERATIONS	6,146,500	6,146,500
395 GENERATIONS FUELS	817,400	817,400
396 PJM SPOT MARKET ENERGY	(958,100)	(958,100)
397 PJM CREDITS	(535,400)	(535,400)
398 CAPACITY CREDITS	(7,120,100)	(7,120,100)
399 GENERATION SUBTOTAL	(1,649,700)	(1,649,700)
400 POWER SUPPLY & GENERATION SUBTOTAL	49,075,100	48,825,100
401 DIRECT EXPENDITURES		
402 TRANSMISSION/DISTRIBUTION	3,599,600	3,609,700
403 ELECTRICAL ENGINEERING	1,226,400	1,247,900
404 ADMINISTRATION	797,000	777,000
405 METER READING	392,500	393,500
406 SYSTEMS OPERATIONS	644,700	656,700
407 DIRECT EXPENDITURE SUBTOTALS	6,660,200	6,684,800
408 OTHER EXPENSES:		
409 UTILITY TAX	1,236,200	1,236,200
410 ALLOW FOR UNCOLLECTIBLES	250,000	250,000
411 CONTRACTUAL SERVICES - RFP'S	100,000	250,000
412 LEGAL EXPENSES	25,000	125,000
413 RETIREES HEALTH CARE	820,300	820,300
414 OTHER EMPLOYMENT EXPENSES	105,200	80,600
415 PENSION UNFUNDED LIABILITY	1,000,000	1,234,500
416 OPEB UNFUNDED LIABILITY	1,000,000	1,000,000
417 GREEN ENERGY PAYMENT TO DEMEC	130,000	130,000
418 INTERFUND SERVICE FEES	3,660,100	3,660,100
419 INTEREST ON DEPOSITS	21,000	21,000
420 BANK & CREDIT CARD FEES	295,000	295,000
421 DEBT SERVICE	1,605,500	1,605,500
422 OTHER EXPENSES SUBTOTAL	10,248,300	10,708,200
423 TRANSFER TO:		
424 IMPROVEMENT & EXTENSION	5,000,000	5,000,000
425 GENERAL FUND	10,000,000	10,000,000
426 RATE STABILIZATION RESERVE	5,200,000	5,200,000
427 TRANSFER TO SUBTOTAL	20,200,000	20,200,000
428 TOTAL EXPENSES	86,183,600	86,418,100
429 BUDGET BALANCE - WORKING CAPITAL	9,804,100	11,531,900
430 TOTALS	\$ 95,987,700	\$ 97,950,000

431 The City Manager is hereby authorized, without further approval of the City Council, to make
 432 interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any
 433 department with the exception of any transfers prohibited by City Procedure #F306.

434 ADOPTED:

2017-2018 BUDGET ORDINANCES

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**ELECTRIC UTILITY IMPROVEMENT AND EXTENSION FUND
CASH RECEIPTS/REVENUES AND BUDGET FOR 2017-2018**

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

439 The amount hereinafter named aggregating Fifteen Million Eight Hundred Forty Five Thousand Five Hundred
440 dollars (\$15,845,500) or so much thereof as may be necessary are hereby appropriated from current revenues
441 and other funds for the use by several departments of the Municipal Government for the fiscal year
442 beginning July 1, 2017 and ending June 30, 2018:

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REVENUES

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BEGINNING BALANCE

	2017/18 BUDGET	2017/18 REVISED
\$	6,600,300	\$ 10,365,700

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REVENUES

448

TRANSFER FROM ELECTRIC

5,000,000 5,000,000

449

GENERAL SERVICE BILLING

370,000 370,000

450

INTEREST EARNINGS

109,800 109,800

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TOTAL REVENUES

5,479,800 5,479,800

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TOTALS

\$ **12,080,100** \$ **15,845,500**

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EXPENSE SUMMARY

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EXPENSES

	2017/18 BUDGET	2017/18 REVISED
\$	8,500	\$ 8,500

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ELECTRIC ADMINISTRATION

2,328,000 2,816,600

457

ELECTRIC GENERATION

1,725,500 1,725,500

458

TRANSMISSION AND DISTRIBUTION

1,315,000 1,485,100

459

ELECTRICAL ENGINEERING

-

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ELECTRIC METERING

36,000

461

ERP SYSTEM

1,500,000 2,441,700

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TOTAL EXPENSES

6,877,000 8,513,400

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BUDGET BALANCE

5,203,100 7,332,100

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TOTAL BUDGET BALANCE & EXPENSES

\$ **12,080,100** \$ **15,845,500**

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The City Manager is hereby authorized, without further approval of the City Council, to make
466 interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any
467 department with the exception of any transfers prohibited by City Procedure #F306.

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ADOPTED:

2017-2018 BUDGET ORDINANCES

**ELECTRIC UTILITY CONTINGENCY RESERVE
CASH RECEIPTS/REVENUES AND BUDGET FOR 2017-2018**

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BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:
The amount hereinafter named aggregating Eight Hundred Seventy Six Thousand Three Hundred dollars (\$876,300) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2017 and ending June 30, 2018:

CASH RECEIPTS

	2017/18 BUDGET	2017/18 REVISED
BEGINNING BALANCE	\$ 863,500	\$ 862,500
RECEIPTS		
INTEREST EARNINGS	13,800	13,800
TOTAL RECEIPTS	13,800	13,800
TOTALS	\$ 877,300	\$ 876,300

EXPENSE SUMMARY

	2017/18 BUDGET	2017/18 REVISED
CURRENT YEAR BALANCE	\$ 877,300	\$ 879,300
TOTALS	\$ 877,300	\$ 876,300

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

2017-2018 BUDGET ORDINANCES

**ELECTRIC UTILITY DEPRECIATION RESERVE
SOURCES AND USE OF FUNDS FOR 2017-2018**

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BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:
The amount hereinafter named aggregating Thirteen Million Two Hundred Forty Seven Thousand dollars (\$13,247,000) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2017 and ending June 30, 2018:

CASH RECEIPTS

	2017/18 BUDGET	2017/18 REVISED
BEGINNING BALANCE	\$ 13,042,800	\$ 13,038,300
INTEREST EARNINGS	208,700	208,700
TOTALS	\$ 13,251,500	\$ 13,247,000

BUDGET SUMMARY

	2017/18 BUDGET	2017/18 REVISED
CURRENT YEAR BALANCE	\$ 13,251,500	\$ 13,247,000
TOTALS	\$ 13,251,500	\$ 13,247,000

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

2017-2018 BUDGET ORDINANCES

**ELECTRIC UTILITY FUTURE CAPACITY RESERVE
SOURCES AND USE OF FUNDS FOR 2017-2018**

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520 **BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:**
521 The amount hereinafter named aggregating Thirteen Million Four Hundred Four Thousand Four Hundred
522 dollars (\$13,404,400) or so much thereof as may be necessary are hereby appropriated from current revenues
523 and other funds for the use by several departments of the Municipal Government for the fiscal year
524 beginning July 1, 2017 and ending June 30, 2018:

		CASH RECEIPTS	
		2017/18 BUDGET	2017/18 REVISED
528	BEGINNING BALANCE	\$ 13,197,700	\$ 13,193,200
529	INTEREST EARNINGS	211,200	211,200
530	TOTALS	\$ 13,408,900	\$ 13,404,400
		BUDGET SUMMARY	
		2017/18 BUDGET	2017/18 REVISED
534	CURRENT YEAR BALANCE	\$ 13,408,900	\$ 13,404,400
535	TOTALS	\$ 13,408,900	\$ 13,404,400

536 The City Manager is hereby authorized, without further approval of the City Council, to make
537 interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any
538 department with the exception of any transfers prohibited by City Procedure #F306.

539 ADOPTED:

2017-2018 BUDGET ORDINANCES

**ELECTRIC UTILITY INSURANCE STABILIZATION RESERVE
SOURCES AND USE OF FUNDS FOR 2017-2018**

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BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:
The amount hereinafter named aggregating Seven Hundred Eighty Seven Thousand One Hundred dollars (\$787,100) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2017 and ending June 30, 2018:

CASH RECEIPTS

	2017/18 BUDGET	2017/18 REVISED
BEGINNING BALANCE	\$ 775,800	\$ 774,700
INTEREST EARNINGS	12,400	12,400
TOTALS	\$ 788,200	\$ 787,100

BUDGET SUMMARY

	2017/18 BUDGET	2017/18 REVISED
CURRENT YEAR BALANCE	\$ 788,200	\$ 787,100
TOTALS	\$ 788,200	\$ 787,100

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

2017-2018 BUDGET ORDINANCES

**ELECTRIC UTILITY RATE STABILIZATION RESERVE
SOURCES AND USE OF FUNDS FOR 2017-2018**

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

567 The amount hereinafter named aggregating Sixteen Million Seven Thousand Six Hundred dollars
568 (\$16,007,600) or so much thereof as may be necessary are hereby appropriated from current
569 revenues and other funds for the use by several departments of the Municipal Government
570 for the fiscal year beginning July 1, 2017 and ending June 30, 2018:

571 CASH RECEIPTS

	2017/18 BUDGET	2017/18 REVISED
574 BEGINNING BALANCE	\$ 10,635,500	\$ 10,637,400
575 INTEREST EARNINGS	170,200	170,200
576 TRANSFER FROM ELECTRIC OPERATING FUND	5,200,000	5,200,000
577 TOTALS	\$ 16,005,700	\$ 16,007,600

578 BUDGET SUMMARY

	2017/18 BUDGET	2017/18 REVISED
581 CURRENT YEAR BALANCE	\$ 16,005,700	\$ 16,007,600
582 TOTALS	\$ 16,005,700	\$ 16,007,600

583 The City Manager is hereby authorized, without further approval of the City Council, to make
584 interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any
585 department with the exception of any transfers prohibited by City Procedure #F306.

586 ADOPTED:

2017-2018 BUDGET ORDINANCES

WORKERS COMPENSATION FUND

CASH RECEIPTS/REVENUES AND BUDGET FOR 2017-2018

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

591 The amount hereinafter named aggregating Two Million One Hundred Eighty Four Thousand Five Hundred
 592 dollars (\$2,184,500) or so much thereof as may be necessary are hereby appropriated from current
 593 revenues and other funds for the use by several departments of the Municipal Government for the
 594 fiscal year beginning July 1, 2017 and ending June 30, 2018:

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OPERATING REVENUES

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598 **BEGINNING BALANCE**

599 INTEREST INCOME

600 PREMIUM FROM CITY

601 **TOTALS**

	2017/18 BUDGET	2017/18 REVISED
\$	1,487,800	\$ 1,257,700
	22,500	22,500
	904,300	904,300
\$	2,414,600	\$ 2,184,500

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OPERATING EXPENSES

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605 PROGRAM EXPENSES/SUPPLIES - CLAIMS

606 INSURANCE

607 STATE OF DEL - SELF INSURANCE TAX

608 CONTRACTUAL SERVICES

609 **TOTAL EXPENSES**

610 CURRENT YEAR BALANCE

611 **TOTALS**

	2017/18 BUDGET	2017/18 REVISED
\$	565,000	\$ 565,000
	110,800	110,800
	39,000	39,000
	25,000	25,000
	739,800	739,800
	1,674,800	1,444,700
\$	2,414,600	\$ 2,184,500

612 The City Manager is hereby authorized, without further approval of the City Council, to make
 613 interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any
 614 department with the exception of any transfers prohibited by City Procedure #F306.

615 ADOPTED:

2017-2018 BUDGET ORDINANCES

**COMMUNITY TRANSPORTATION IMPROVEMENT FUND
CASH RECEIPTS/REVENUES AND BUDGET FOR 2017-2018**

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BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:
The amount hereinafter named aggregating Five Hundred Seventy Thousand Nine Hundred dollars (\$570,900) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2017 and ending June 30, 2018:

OPERATING REVENUES

	2017/18 BUDGET	2017/18 REVISED
PRIOR YEAR BALANCE	\$ 85,200	\$ 70,900
GRANTS REVENUE	500,000	500,000
TOTALS	\$ 585,200	\$ 570,900

OPERATING EXPENSES

	2017/18 BUDGET	2017/18 REVISED
PROGRAM EXP. GRANT RELATED	\$ 500,000	\$ 500,000
CURRENT YEAR BALANCE	85,200	70,900
TOTALS	\$ 585,200	\$ 570,900

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

2017-2018 BUDGET ORDINANCES

LIBRARY GRANT FUND

CASH RECEIPTS/REVENUES AND BUDGET FOR 2017-2018

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

The amount hereinafter named aggregating Three Hundred One Thousand Five Hundred dollars (\$301,500) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2017 and ending June 30, 2018:

OPERATING REVENUES

	2017/18 BUDGET	2017/18 REVISED
PRIOR YEAR BALANCE	\$ -	\$ 18,900
STATE GRANT	281,700	280,800
FEDERAL GRANT	2,500	1,800
TOTALS	\$ 284,200	\$ 301,500

OPERATING EXPENSES

	2017/18 BUDGET	2017/18 REVISED
STATE GRANTS		
FURNITURE/FIXTURES	\$ 1,500	\$ 5,500
OFFICE SUPPLIES	30,000	28,000
PRINTING AND DUPLICATING	13,000	13,700
PROGRAM EXPENSES/SUPPLIES	23,500	25,500
BOOKS	126,400	128,800
COMPUTER SOFTWARE	2,100	2,500
COMPUTER HARDWARE	1,000	5,300
AUDIO VISUAL SUPPLIES	74,700	79,000
POSTAGE	100	200
TRAINING/CONF/FOOD/TRAV	2,500	4,200
OFF EQP/REPAIRS & MAINT	4,900	4,000
OTHER EQUIP - LEASE	2,000	2,100
SUBTOTAL EXPENSES STATE GRANTS	281,700	298,800
FEDERAL GRANTS		
PROGRAM EXPENSES/SUPPLIES	2,500	2,700
SUBTOTAL EXPENSES FEDERAL GRANTS	2,500	2,700
GRAND TOTAL EXPENSES	284,200	301,500
CURRENT YEAR BALANCE	-	-
TOTALS	\$ 284,200	\$ 301,500

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

2017-2018 BUDGET ORDINANCES

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**POLICE GRANTS FUND
CASH RECEIPTS/REVENUES AND BUDGET FOR 2017-2018**

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

686 The amount hereinafter named aggregating Seven Hundred Ninety Three Thousand Five hundred dollars
687 (\$793,500) or so much thereof as may be necessary are hereby appropriated from current revenues
688 and other funds for the use by several departments of the Municipal Government for the fiscal year
689 beginning July 1, 2017 and ending June 30, 2018:

690

OPERATING REVENUES

691

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693 **PRIOR YEAR BALANCE**

694 STATE AND FEDERAL GRANTS RECEIVED

695 **TOTALS**

	2017/18 BUDGET	2017/18 REVISED
\$	72,400	\$ 121,600
	358,000	671,900
\$	430,400	\$ 793,500

696

OPERATING EXPENSES

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699 **EXPENDITURES**

700 **PERSONNEL EXPENDITURES**

701 CADET PROGRAM SALARIES

702 CADET PROGRAM FICA

703 CADET PROGRAM W/COMP

704 **MATERIALS AND SUPPLIES**

705 POLICE EQUIPT & PROG SUPP

706 **ADMINISTRATIVE EXPENDITURES**

707 CELL PHONE CHARGES

708 CONTRACTUAL SERVICES

709 TRAINING

710 AUDIT FEES

711 **TOTAL EXPENDITURES**

712 **OTHER FINANCING USES**

713 OPERATING TRANSFERS-OUT

714 **TOTAL FINANCING USES**

715 **CURRENT YEAR BALANCE**

716 **TOTALS**

	2017/18 BUDGET	2017/18 REVISED
\$	11,900	\$ 11,900
	900	900
	700	700
	312,000	365,900
	20,000	20,000
	-	210,000
	15,000	25,000
	1,000	1,000
	361,500	635,400
	60,000	100,000
	60,000	100,000
	8,900	58,100
\$	430,400	\$ 793,500

717 The above budget represents the combination of all State & Federal Grants.

718 The City Manager is hereby authorized, without further approval of the City Council, to make
719 interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any
720 department with the exception of any transfers prohibited by City Procedure #F306.

721 ADOPTED:

2017-2018 BUDGET ORDINANCES

CDBG GRANT FUND

CASH RECEIPTS/REVENUES AND BUDGET FOR 2017-2018

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

726 The amount hereinafter named aggregating Three Hundred Twenty Thousand Eight Hundred dollars

727 (\$320,800) or so much thereof as may be necessary are hereby appropriated from current revenues

728 and other funds for the use by several departments of the Municipal Government for the fiscal year

729 beginning July 1, 2017 and ending June 30, 2018:

730

OPERATING REVENUES

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733 **PRIOR YEAR BALANCE**

734 CDBG GRANTS RECEIVED

735 **TOTALS**

	2017/18 BUDGET	2017/18 REVISED
	\$ 2,100	\$ 2,100
	216,700	318,700
	\$ 218,800	\$ 320,800

736

OPERATING EXPENSES

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739 **EXPENDITURES**

740 PRIOR YEAR CONNECTION SUPP PROGRAM

741 PRIOR YEAR CLOSING COST/DOWN PAYMENT PROGRAM

742 PRIOR YEAR MHDC HOMEOWNER REHAB.

743 PRIOR YEAR MHDC EMERGENCY HOME REPAIR

744 PRIOR YEAR ADMIN EXPENSE

745 CURRENT YEAR CLOSING COST/DOWN PAYMENT PROGRAM

746 CURRENT YEAR CONNECTION SUPP PROGRAM

747 CURRENT YEAR DOVER INTERFAITH MINISTRY

748 CURRENT YEAR MHDC EMERGENCY HOME REPAIR

749 CURRENT YEAR HABITAT FOR HUMANITY

750 CURRENT YEAR MHDC HOMEOWNER REHAB.

751 CURRENT YEAR ADMIN EXPENSE

752 **TOTAL EXPENDITURES**

753 **CURRENT YEAR BALANCE**

754 **TOTALS**

	2017/18 BUDGET	2017/18 REVISED
	\$ -	\$ 6,800
	-	11,800
	-	35,900
	-	15,000
	-	18,800
	60,000	70,000
	3,000	3,000
	24,000	24,000
	25,000	26,000
	21,300	21,300
	40,000	40,000
	43,400	46,100
	216,700	318,700
	2,100	2,100
	\$ 218,800	\$ 320,800

755 The City Manager is hereby authorized, without further approval of the City Council, to make

756 interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any

757 department with the exception of any transfers prohibited by City Procedure #F306.

758 ADOPTED:

2017-2018 BUDGET ORDINANCES

**SUBSTANCE ABUSE GRANTS FUND
CASH RECEIPTS/REVENUES AND BUDGET FOR 2017-2018**

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BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:
The amount hereinafter named aggregating One Hundred Forty Eight Thousand Four Hundred dollars (\$148,400) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2017 and ending June 30, 2018:

OPERATING REVENUES

	2017/18 BUDGET	2017/18 REVISED
PRIOR YEAR BALANCE	\$ 45,300	\$ 87,400
STATE GRANTS RECEIVED	28,000	28,000
RECREATION REVENUE	33,000	33,000
TOTALS	\$ 106,300	\$ 148,400

OPERATING EXPENSES

	2017/18 BUDGET	2017/18 REVISED
EXPENDITURES		
TEMPORARY HELP/BENEFITS	\$ 67,700	\$ 67,700
PROGRAM EXPENSES/SUPPLIES	35,000	35,000
TOTAL EXPENDITURES	102,700	102,700
CURRENT YEAR BALANCE	3,600	45,700
TOTALS	\$ 106,300	\$ 148,400

The above budget represents the combination of all State & Federal Grants.
The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED: