



**CITY OF DOVER, DELAWARE  
REGULAR CITY COUNCIL MEETING  
Monday, November 24, 2025 at 6:30 PM**

---

*City Hall Council Chambers, 15 Loockerman Plaza, Dover, Delaware*

---

**AGENDA**

**VIRTUAL MEETING NOTICE**

**This meeting will be held in the City Hall Council Chambers with electronic access via WebEx. Public participation information is as follows:**

**Dial:** 1-650-479-3208

**Link:** <https://shorturl.at/Gd7ue>

**Event number:** 2536 250 3364

**Event password:** DOVER (if needed)

**If you are new to WebEx, get the app now at [www.webex.com/](http://www.webex.com/) to be ready when the meeting starts.**

**The meeting can also be viewed on Comcast Channel 14, Verizon Channel 20, and on the City's Streaming Player located at [www.cityofdover.com](http://www.cityofdover.com) under "Quick Links".**

**OPEN FORUM - 15 Minutes Prior to Official Meeting (6:15 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 - Elder Ellis B. Loudon**

**PLEDGE OF ALLEGIANCE - Councilwoman Pillsbury**

**ADOPTION OF AGENDA**

**ADOPTION OF CONSENT AGENDA**

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

**PROCLAMATIONS**

- 1. National Hospice and Palliative Care Month**

**CONSENT AGENDA**

**ADOPTION OF MINUTES**

- 2. Regular City Council Meeting of October 27, 2025**

**ELECTION OF OFFICERS - ROBBINS HOSE COMPANY - YEAR 2026 FIRE LINE OFFICERS**

- 3. Fire Chief - David Carey**
- 4. Deputy Fire Chief - James Iannucci**
- 5. Fire Assistant Fire Chief - Jason Boc**
- 6. Second Assistant Fire Chief - Chad Knotts**
- 7. Third Assistant Fire Chief - Troy Christiansen**
- 8. Fourth Assistant Fire Chief - Open**
- 9. First Fire Line Captain - Drew Kuntzi**
- 10. Second Fire Line Captain - Nikolas Senne**

**ITEMS NOT ON THE CONSENT AGENDA**

**ORDINANCES**

**FINAL READING** - The First Reading of the Proposed Ordinance was accomplished during the Council Meeting of **NOVEMBER 10, 2025**. The ordinance is available at the entrance of the Council Chambers and on the City's website at [www.cityofdover.com](http://www.cityofdover.com) under "Government."

- 11. Proposed Ordinance #2025-18 - Amending Chapter 2 - Administration, Article V - Finance, by adding Sec. 2-427 - New Vehicle Billable Rates (Jason Lyon, Water & Wastewater Director)**
- 12. Proposed Ordinance #2025-20 - Amending Chapter 106 - Traffic and Vehicles, Article I - In General, by adding Sec. 106-18 - Strictly Enforced (Councilman Anderson, Chief Johnson)**

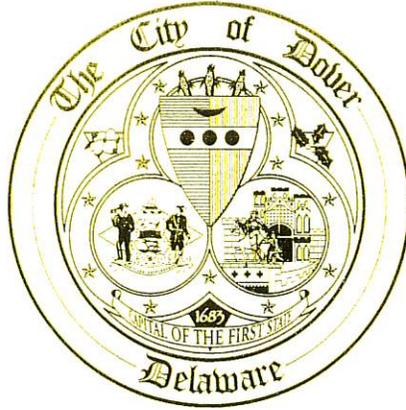
**CITY MANAGER'S ANNOUNCEMENTS**

**MAYOR'S ANNOUNCEMENTS**

**COUNCIL MEMBERS' ANNOUNCEMENTS**

**ADJOURNMENT**

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



## PROCLAMATION

*WHEREAS, during the month of November, hospice and palliative care programs across the nation raise awareness about the compassionate care that helps patients and families live as fully as possible despite serious or life-limiting illness; and*

*WHEREAS, hospice and palliative care providers offer the highest quality services focused on comfort and dignity, ensuring that patients facing serious illness receive care that aligns with their values and wishes; and*

*WHEREAS, these programs bring together professionals and volunteers, including physicians, nurses, social workers, chaplains, and therapists, who provide medical, emotional, and spiritual support to patients and their loved ones; and*

*WHEREAS, hospice and palliative care improve quality of life, reduce unnecessary hospitalizations, and provide critical assistance for families coping with end-of-life challenges and grief; and*

*WHEREAS, the City of Dover recognizes and commends the dedicated caregivers, healthcare professionals, and volunteers who devote themselves to ensuring that our residents receive compassionate care when it is needed most;*

*NOW, THEREFORE, I, ROBIN R. CHRISTIANSEN, MAYOR OF THE CITY OF DOVER, DELAWARE, do hereby proclaim November 2025 as*

## *National Hospice and Palliative Care Month*

*in the City of Dover and encourage all residents to increase their understanding and awareness of hospice and palliative care services and to observe this month with appropriate activities and appreciation for those who provide this essential care.*

  
 ROBIN R. CHRISTIANSEN  
 MAYOR

## **REGULAR CITY COUNCIL MEETING**

The Regular City Council Meeting was held on November 10, 2025 at 6:30 p.m. with Council President Neil presiding. Council members present were Ms. Hall, Mr. Boggerty, Mr. Anderson, Dr. Pillsbury, Mrs. Arndt, Mr. Rocha, Dr. Sudler, and Mr. Lewis.

Staff members present were Police Chief Johnson, Ms. Marney (via WebEx), Mr. Hugg, Mrs. Melson-Williams, Mr. Griffith, and Ms. Bennett. Mayor Christiansen was also present. Fire Chief Carey was absent.

### **OPEN FORUM**

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

William Faust Jr., 136 Orchard Avenue, addressed council to express concerns regarding communication, including unanswered questions and the lack of public items being placed on meeting agendas. He suggested that if council did not have time to answer questions, have a town hall meeting where Mayor Christiansen, council, and Mr. Hugg are present to address and answer questions for the constituents. He stated that recent council decisions have increased financial burdens on residents, such as a 10% increase in electric, a 2% raise in their taxes for square footage, and having to pay an EMS fee. He predicted that there would most likely be a rise in fees and there would be a 10% increase in taxes. He noted that at a previous Regular Council Meeting, he questioned the approval of raises for non-bargaining employees, noting that the funding appeared to have been drawn from unfilled positions, and asked whether filling those positions in the upcoming year could result in a budget deficit. He emphasized that if questions were answered, then constituents would not be upset.

Lori Albert, 444 North School Lane, emphasized that fining homeless individuals for being in the median was not a good idea and stated that they cannot afford to live. She stated that although she does not like seeing homeless individuals standing on medians, the city does not have the resources to accompany police officers at all times, and issuing tickets to individuals who are panhandling may not be the best use of time and energy, as those efforts could be directed elsewhere more effectively. She stated that the money should be spent on ordinances that focus on mental health, case managers, and other resources to determine the root of the problem.

Tyler Mock, 401 Hatchery Road, reflected that when he was homeless, he occasionally relied on the kindness of strangers, as he had no other resources and no one (1) to listen to him. He emphasized that for council to repeatedly not communicate with their constituents was a shame. He noted that council should reflect on how to be better individuals and be a better representation of their constituency. He also stated that creating a revenue source at the expense of residents who were clinging to life, and whose survival benefits the community, would be shameful, as it would amount to failing those who need help the most.

Tim Stout, 599 Roberta Avenue, expressed frustration that they were considering the notion of fining individuals at their lowest, and those who consider helping them. He stated that, as many

others would likely express, there are already not enough available resources. He urged the city to fund those services, expand them, and make them accessible, emphasizing that none of the individuals affected want to be in their current situation. He stated that when laws impose fines on individuals in those circumstances, it was not a punishment but effectively a tax, another burden placed on individuals who already have nothing.

Christopher Beardsley, 253 Abigail Crossing, Townsend, stated that he would like to speak on the ordinance cause it follows in the footsteps of the Supreme Court, which granted in a past ruling to criminalize those who were trying to find a space to live. He noted that the ordinance was cruel and ineffective, and rather than focusing on long-term solutions to homelessness and the housing crisis, city leadership was willing to arrest and fine individuals for being poor. He emphasized that it was unacceptable.

### **INVOCATION**

The invocation was given by Elder Ellis Louden.

### **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Councilman Anderson.

### **ADOPTION OF AGENDA**

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

### **ADOPTION OF CONSENT AGENDA**

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

Mr. Lewis requested that Item #14 – Proposed Ordinance #2025-21 – Amending Chapter 106 – Traffic and Vehicles, Article III – Stopping, Standing, and Parking, by adding Sec. 106-139 – Pedestrian Safety, be removed from the Consent Agenda and considered as a separate item.

Responding to Mr. Lewis, Mr. Neil stated that the request would be denied since there was no ordinance to be discussed.

Responding to Mr. Neil, Mr. Lewis requested to have a legal opinion because he had the right to have the item pulled for discussion.

Mr. Griffith, City Solicitor, stated that, to his understanding, there was no ordinance to be discussed. He explained that there was a draft ordinance that was being considered at the Committee of the Whole meeting, and the decision made by the Committee of the Whole was to refer it back to the committee for review. To his understanding, he noted that the reason the item was pulled from the agenda, that there was no ordinance.

Responding to Mr. Griffith, Mr. Lewis stated that the item was on the agenda and he had every right to pull items from the consent agenda to ask questions. He noted that he was not at the Committee of the Whole Meeting on October 28th and had the right to ask questions.

Responding to Mr. Lewis, Mr. Griffith stated that he had the right to put it to a vote if council wanted to pull the item from the consent agenda for discussion. He noted that one (1) council member could not determine what the agenda was.

Mr. Lewis made a motion to remove Item #14 from the consent agenda for discussion. The motion was seconded by Dr. Sudler.

Mr. Anderson stated that if a motion were made regarding the consent agenda, it would require only one (1) member of Council, as the consent agenda required unanimous consent. He noted that the motion made was proper. He added that he would vote in favor, not because he fully agreed, but because the matter would be sent to the committee, where everyone would have the opportunity to provide input during the Committee of the Whole Meeting, which was its intended purpose. He noted that he wanted the item to be held so there would be sufficient time for public input.

Mr. Griffith stated that it was council, not individuals, who determined what items would or would not be placed on the agenda.

Mr. Anderson raised a point of order. He reminded members of the public that they had their time during the open forum and would have another opportunity to speak later in the evening. In response to Mr. Griffith's comment, he stated the opposite was true: Mr. Lewis had the right to have the item considered separately.

Dr. Sudler stated that the item was pulled off, but the item does not reflect that on the consent agenda, and that there were constituents who were there to speak on the matter. He believed that it would be disingenuous if they did not open the floor for discussion.

Responding to Dr. Sudler, Ms. Bennett stated that the item was not pulled off the agenda; it was referred back to staff for edits and to make the suggested changes during the Council Committee of the Whole Meeting. The item would be reintroduced with edits, so they did not even have it on the agenda, but through the consent agenda. She referred to the Committee Recommendation on the consent agenda, which was sent back to staff to make edits.

Dr. Sudler stated that there might have been a misunderstanding with the constituents, but because it was confusing and very complex, council should hear from the constituents who want to speak on the matter, being that they are a public body and of the public's interest.

Responding to Dr. Sudler, Mr. Neil stated that he was prepared to remain after completing the required business, out of respect for the staff and others who were present for that purpose. He noted that he would stay and listen to every individual who wished to speak once the advertised business for the staff had been concluded.

Responding to Mr. Neil, Dr. Sudler stated that they serve at the will of their constituents and could extend the meeting because the constituents' business was their business. He noted that five (5) votes would be required; if the motion failed, they would have to wait, but if it passed, they could proceed as Mr. Lewis requested.

**Mr. Lewis made a motion to remove Item #14 from the consent agenda for discussion. The motion was seconded by Dr. Sudler, by roll call vote of seven (7) yes, (Hall, Boggerty, Anderson, Pillsbury, Rocha, Sudler, Lewis ), one (1) no (Arndt), and one (1) abstain (Neil).**

Ms. Hall requested that Item #11 – Review of the People's Community Center Economic Development Fund Application be removed from the Consent Agenda and considered as a separate item.

**Mr. Anderson moved for adoption of the consent agenda, as amended, seconded by Dr. Sudler, and carried by a unanimous roll call vote.**

**PROCLAMATION – GEOGRAPHIC INFORMATION SYSTEMS (GIS) DAY AND GEOGRAPHY WEEK**

The City Clerk read the following Proclamation into the record:

**WHEREAS**, Geographic Information Systems (GIS) provide a vital framework for gathering, managing, analyzing, and visualizing data, thereby enabling governments, businesses, schools, and communities to make informed decisions; and

**WHEREAS**, GIS technology is used daily to improve public safety, transportation, environmental management, public health, utilities, economic development, and many other essential services; and

**WHEREAS**, Geography Awareness Week, observed November 16-22, 2025, and GIS Day, observed on Wednesday, November 19, 2025, highlight the importance of geographic literacy, promote greater understanding of the interconnected world, and inspire future generations to explore careers in geography, geospatial sciences, and technology; and

**WHEREAS**, these observances provide an opportunity to recognize the dedicated professionals, educators, and students who use GIS and geographic knowledge to solve problems, expand learning, and foster innovation; and

**WHEREAS**, increasing public awareness of geography and GIS enhances civic engagement, strengthens communities, and helps citizens better understand their world;

**NOW, THEREFORE, I, ROBIN R. CHRISTIANSEN, MAYOR OF THE CITY OF DOVER, DELAWARE**, do hereby proclaim November 19, 2025, as GIS Day, and November 16-22, 2025 as GEOGRAPHY AWARENESS WEEK in the City of Dover, and encourage all residents to recognize the value of geographic education and GIS technology in shaping a smarter, safer, and more sustainable future.

On behalf of the Mayor and Council, Mayor Christiansen presented the proclamation to Mike Walker, GIS Manager.

Mr. Walker expressed his gratitude for the acceptance of the proclamation, noting that it was an exciting day for him and his team. He highlighted several accomplishments, including long-overdue improvements to network stability and upgrades to their enterprise system, which would help them stay current with the latest technology and improve their capabilities. These upgrades, he explained, would also enhance efficiency in managing the city's utilities and the associated data. He announced that on November 19th, they would celebrate GIS Day internally with staff. He noted that they have added features to the city's website where residents could explore highlights and play a game to test their knowledge of areas around town that have changed. He also mentioned that the State of Delaware would be conducting field trips for fifth-grade students at the Dover Air Force Base.

**REZONING REQUEST - PUBLIC HEARING/FINAL READING – OF PROPOSED ORDINANCE #2025-15 – Lands of Bayhealth Medical Center, Inc. at 600 South State Street**

A public hearing was duly advertised for this time and place to consider the rezoning of property located at 600 South State Street (on the southwest corner of South State Street and South Street), consisting of 1.0053+/- acres, owned by Bayhealth Medical Center, Inc. This property is currently zoned RGO (General Resident and Office Zone) and partially subject to the SWPOZ (Source Water Protection Overlay Zone), and the proposed zoning for the property is IO (Institutional and Office Zone) and partially subject to the SWPOZ (Source Water Protection Overlay Zone). (Tax Parcel: ED-05-077.13-02-48.00-000. Council District 2. Planning Reference: Z-25-01)

**Ms. Arndt moved that the final reading of the proposed ordinance be acknowledged by title only, seconded by Mr. Boggerty and unanimously carried.** (The First Reading of the Ordinance was accomplished during the Regular Council Meeting of September 22, 2025.)

Ms. Dawn Melson-Williams, Principal Planner, reviewed the petition to amend the zoning district and the findings and recommendations of the Planning Commission. She noted that the Planning Commission recommended approval of the rezoning request.

Council President Neil declared the Public Hearing open at 8:21 p.m.

Gregory Moore, of Becker Morgan Group, representing Bayhealth, spoke in favor of rezoning the property at 309 South Governors Avenue. He emphasized that the property was consistent with the surrounding neighborhood, supported the medical center, aligned with the City of Dover's comprehensive plan, and coexisted with nearby commercial areas. He noted that the rezoning was part of a Phase Two (2) campus expansion and concluded that the Planning Commission unanimously recommended approval.

Responding to Dr. Sudler, Mr. Moore outlined some of the hospital's initiatives, which included improving emergency department wait times by adding approximately 200 beds and modernizing its facilities. Questions were raised about the traffic impacts, drainage, and the overall nature of the hospital plans, and he stated that they would be returning to the Planning Commission with a detailed plan for all improvements at a later date. He explained that adding 200 beds was partly due to the growing community, but they needed to eliminate dual-use rooms. By eliminating dual-

use rooms, it would be better healthcare and better for everyone, emphasizing that it would be a huge initiative for the hospital.

Stephan Pierce, 437 Barrister Place, questioned whether the proposal would be funded by the city or privately.

Responding to Mr. Pierce, Mr. Moore stated that the funding came solely from Bayhealth. He noted that they were only changing the zoning to be consistent with the surrounding area. He added that the plans, improvements, and building towers would all be funded by Bayhealth.

Responding to Mr. Pierce, Mr. Moore clarified that no homes were in the surrounding area and that Bayhealth currently operated the property as an office. He noted that it would continue as an office through Phase One (1) and, as the campus grew, eventually would be repurposed for other uses.

Zack Prebula, Director of Business Development with the Economic Partnership, noted that as Kent County's Economic Development Organization, they supported business growth and expansion. He highlighted Bayhealth as a major local employer and emphasized that approving the rezoning would streamline operations by aligning the property under a single zoning code, allowing the organization to operate more efficiently and effectively for the community.

Mr. Faust asked whether the Dover Fire Department was equipped with the necessary fire apparatus, including a snorkel basket to safely evacuate individuals in case of a fire. Directing his question to the hospital administration, he asked if they had considered establishing a trauma unit due to rising gun violence, noting that Dover has increasingly grown. He cited a personal experience where he had to be flown to Christiana due to not having a trauma center in Dover, and emphasized that a trauma center would save lives.

Responding to Mr. Faust, Mayor Christiansen stated that, in the absence of Fire Chief Carey, he would speak from personal experience. He explained that high-rise firefighting was not done from the outside. The elevators that would be installed would be operated by the fire department when they go on location to make a rescue. Currently, he noted that the hospital has a standpipe system with a fire pump, and the firefighter would take their equipment inside with their self-contained breathing apparatus to fight the fire from inside. He also mentioned that over 90 feet, the aerial trucks that they have are similar to what New York has. Anything above nine (9) stories, the firefighter would go in and get the fire.

Responding to Mr. Faust, Mr. Moore stated that as the community continues to grow, Bayhealth would continue to add new services as needed, but they need to have the campus expansion to be able to do that. He added that a trauma center would be one (1) of those items on the radar screen to add in Dover, as they continue to grow. He was unsure if that would be included in Phase One (1) or Phase Two (2), but it would be part of their plans to make sure that a trauma center would be built.

Council President Neil declared the Public Hearing closed at 9:17 p.m.

Mr. Lewis stated he would need to abstain due to his affiliation with Bayhealth, and after consulting with Mr. Griffith, he had advised him to recuse himself.

**Dr. Sudler moved for approval of the rezoning request, as recommended by the Planning Commission. The motion was seconded by Ms. Hall, and with a roll call vote of eight (8) yes (Hall, Boggerty, Anderson, Pillsbury, Arndt, Rocha, Sudler, Neil), one (1) abstain (Lewis), Council adopted Ordinance #2025-15, as follows:**

**AN ORDINANCE #2025-15 AN ORDINANCE AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF DOVER CHANGING THE ZONING DESIGNATION OF PROPERTY LOCATED AT 600 SOUTH STREET.**

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

**WHEREAS**, it is deemed in the best interest of zoning and planning to change the permitted use of property below from RGO (General Residence and Office Zone) and partially subject to the SWPOZ (Source Water Protection Overlay Zone) to IO (Institutional and Office Zone) and partially subject to the SWPOZ (Source Water Protection Overlay Zone).

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

1. That from and after the passage and approval of this ordinance the Zoning Map and Zoning Ordinance of the City of Dover have been amended by changing the zoning designation from RGO (General Residence and Office Zone) and partially subject to SWPOZ (Source Water Protection Overlay Zone) on that property located at 600 South State Street (on the southwest corner of South State Street and South Street), consisting of 1.0053 acres+/-, owned by Bayhealth Medical Center, Inc.

(Tax Parcel: ED-05-077.13-01-48.00-000; Planning Reference: Z-25-01; Second Council 24 District)

ADOPTED: November 10, 2025

**ADOPTION OF MINUTES - REGULAR COUNCIL MEETING OF OCTOBER 27, 2025**

**The Minutes of the Regular Council Meeting of October 27, 2025 were unanimously approved by motion of Mr. Anderson, seconded by Dr. Sudler, and bore the written approval of Mayor Christiansen.**

**COUNCIL COMMITTEE OF THE WHOLE REPORT – OCTOBER 28, 2025**

The Council Committee of the Whole met on October 28, 2025, at 6:00 p.m. with Council President Neil presiding. Members of Council present were Mr. Anderson, Ms. Arndt, Mr. Boggerty, Ms. Hall, Dr. Pillsbury (via WebEx), Mr. Rocha, and Dr. Sudler. Mr. Lewis was absent. Mayor Christiansen was also present. Civilian members present for their Committee meetings were Dr. Jackson (via WebEx), and

Ms. Smack (*Safety, Advisory, and Transportation*), Mr. Iriowen, and Mr. Wilson (*Utility*), Mr. Garfinkel, and Mr. Shevock (*Legislative, Finance, and Administration*).

### **ADOPTION OF AGENDA**

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

### **SAFETY, ADVISORY, AND TRANSPORTATION COMMITTEE**

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

#### **Adoption of Agenda**

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

#### **City of Dover Infrastructure Modernization Project (Joseph Simmons, Information Technology Director)**

Mr. Joseph Simmons, Information Technology Director, reviewed the presentation entitled “Redundancy, Performance, Scalability, Resiliency, and Ease of Use”.

This item was informational; committee action was not required.

Responding to Mr. Neil, Mr. Simmons stated that the information he presented is regarding the backbone of the system and would help with any performance issues with Tyler, and any backup concerns.

Responding to Ms. Arndt, Mr. Simmons estimated that they received about \$285,000 in grant funding. He noted that a majority of the project would be funded by the grant money that was already awarded. He explained that the funding was forwarded to the State of Delaware, and he would not have to wait for the federal funding to begin the project.

Responding to Ms. Arndt, Mr. Simmons emphasized that the goal is to have the project completed by 2026. He explained that by doing the upgrades, the city will be less likely to need any upgrades for five to seven more years.

#### **Quality of Life Enforcement Initiative Final Report (Thomas Johnson, Chief of Police)**

Thomas Johnson, Chief of Police, reviewed the background and analysis of the Quality-of-Life Enforcement Initiative.

This item was informational; committee action was not required.

Responding to Ms. Arndt, Chief Johnson confirmed that under the Quality-of-Life Initiative, only twelve percent of charges were upheld. Chief Johnson noted that, as law enforcement, they input all arrests and events into a criminal justice portal. This system records event details such as dates, times, people involved, and charges. Later, as the court disposes of these events, the results are transmitted back to the police department. He mentioned that they do not have the comprehensive view that the Department of Justice maintains of the individual before the court. Therefore, if a case is settled with the individual pleading guilty to one charge and the other charges being nolle prossed in exchange for this plea, that information is reflected accordingly. He explained that when a person faces four charges, they might plead guilty to two, with the remaining two being dismissed, which is reflected in the data. The Department of Justice can see that the individual was charged with criminal trespassing in Dover, but also has five other open cases in different jurisdictions. He noted that this situation can leave property owners feeling dissatisfied that their case wasn't prosecuted fully, which is a consequence of the system.

Responding to Ms. Arndt, Chief Johnson stated that when a lower-level violation occurring in Dover is used as leverage to secure a plea for a different charge elsewhere, it raises questions about whether that approach reflects true justice. He noted that changing such systemic practices to achieve the desired accountability and measurable outcomes would be a long and difficult process. He added that it is challenging to demonstrate accountability when enforcement actions involve chronic offenders who frequently reoffend.

Ms. Arndt noted that there are a lot of referral services and not enough resources, which causes a huge disconnect.

Responding to Dr. Sudler, Dennis Kelleher, Deputy Attorney General, explained that comparing Dover's conviction rates to the Department of Justice's can be misleading. Even when defendants face multiple similar charges, probation or minor penalties are often the result, regardless of the number of counts, meaning dismissals typically occur as part of the plea agreements, not because cases are disregarded. He emphasized that low-level offenses yield proportionate sentences and that systemic challenges such as homelessness, mental health, and substance abuse cannot be solved solely through the criminal justice system. He explained that the Department of Justice remains committed to collaboration with Dover Police and other partners to address the complex, statewide issues.

Responding to Dr. Sudler, Mr. Kelleher said that both he and the Department of Justice believe that decisions about whether to arrest someone or put them into intervention diversion should be made locally. He pointed out that officers who interact directly with an individual are in a better position to determine if they would benefit from services or if an arrest is necessary.

Mayor Christiansen thanked the men and women of the Dover Police Department for their hard work day in and day out. He noted that there needs to be consequences for people who commit crimes and there must be accountability for their actions. He explained that they tried to compassionately offer services to the people that they encountered during the Quality-of-Life Initiative. He stated that as a community, they must be compassionate without enabling people to be in the current conditions and affecting the community the way that they are.

Responding to Mr. Rocha, Watara Heath, Behavioral Health Specialist, stated that there has been a contract to administer mental health treatment as well as substance abuse treatment within the Department of Corrections for the last ten years. When they know someone is being committed, they will often reach out to the Department of Corrections to provide the individual's background and initiate the process. Often, individuals are not forthcoming with certain concerns or health issues that they may have. The goal is that they will be discharged to a residential program or an outpatient program, but all of that is voluntary.

Responding to Mr. Rocha, Ms. Heath confirmed that there are supposed to be pathways that they enter, which include individualized therapy and group therapy following assessments to see what the needs of the individual are. However, the individual must be willing to accept the services, and often they see people serving their time and are released back to where they were to begin with. After they initially reach out before intake, they are not provided with whether the individual planned to participate in treatment, if they are being discharged in the area, or if they were set up for certain outpatient services. Often, people are released, unhoused, and have no follow-up appointment for services beyond incarceration. They have spent a significant amount of time sober and then become a high risk for a fatal overdose because they believe they can use the same amount of the same drug that they were using before incarceration.

Responding to Mr. Rocha, Ms. Heath stated that she is unsure why there are no incentive programs that strongly encourage them to participate, or there would be consequences. She noted that in 2008, when she first started in the field, there were consequences and court-ordered treatment. She worked in court-ordered rehab where they addressed mental health and substance abuse over six to eighteen months after being released from the Department of Corrections to their facility. If someone in the diversion program violated or tested positive for a substance, after about three times, they would be violated but not sent back to the Department of Corrections; they would be sentenced to a residential program. She explained that from her experience, the treatment was more effective. People had longer recovery times and fewer relapses. Relapses happened, but there were fewer of them. Also, things have changed with insurance policies, and companies are not being paid what they used to be paid. The longest in the State of Delaware that an individual can receive is thirty days, which is an issue within itself. Something has changed over the last fifteen years, and the funding is not there for individuals to get adequate treatment that they need.

Mr. Boggerty recalled working for Connections and offering programs such as Welfare to Work, which offered benefits based on their participation and job readiness. It provided services to help them remain sober and aid them in progressing through careers.

Responding to Ms. Hall, Mr. Kelleher explained that trespassing is a low-level offense. Trespass in the third degree, which involves being on property that is not a residence, typically results in a fine; trespass in the second degree, involving a building that is not a home, carries a maximum penalty of 30 days in jail but often results in a fine or minimal probation for first offenses. Trespass in the first degree applies to entering an occupied residence. He noted that while such cases are prosecuted, the existing laws limit sentencing options. He emphasized that addressing the issue would require changes to current laws.

Responding to Ms. Hall, Mr. Kelleher stated that there are restrictions on what the city council can do with passing ordinances with serious penalties under an ordinance-only offense. He noted that most of what the city is dealing with are state statutes, which the city council does have the ability to lobby state legislators to change penalties.

Mr. Anderson thanked Chief Johnson and everyone at the Dover Police Department. He noted that although not all the problems were solved, it definitely made a difference.

Responding to Mr. Anderson, Mr. Kelleher stated that any state official would say that adding more prosecutors would be helpful. Reducing any particular prosecutor's caseload allows them to spend more time on a particular case, which could provide better outcomes. He noted that case load varies widely depending on the court and the seriousness of the charges.

Responding to Mr. Anderson, Mr. Kelleher stated that there would be an effect on the ability to handle some of the lower-level crimes, but it would not make a significant dent in the issues the city is facing. If there were more prosecutors, they could try more criminal trespassing cases. The real impact of having more prosecutors would be obtaining better outcomes on more serious cases.

Responding to Mr. Anderson, Mr. Kelleher stated that the difference between trespassing and what is considered burglary in state law is whether the person intended to commit a crime. Therefore, if there is a homeless person who breaks into a building to sleep, then you cannot make a burden out of the case. If they have broken into a building and they are confronted by the owner and they commit a crime there, then they would be charged with a crime and burglary, which would allow for more serious offenses.

Responding to Mr. Anderson, Mr. Kelleher stated that the crime could be considered on a case-by-case basis. If it can be proven that they broke into the building and intended to commit any crime, then it could become a burglary case.

Responding to Mr. Anderson, Mr. Kelleher stated that referrals to the Dover Hope Zone and drug court are fairly regular conditions of a plea to any degree of offense. They are either directed to jail and then probation or straight to probation, and then they engage in substance abuse programs and follow the recommended treatment. The follow-up is done by the Department of Corrections in partnership with various subcontractors.

Responding to Mr. Boggerty, Mr. Kelleher stated that while everything he listed are crimes, they are not serious crimes. All trespassing offenses are misdemeanor crimes that are low-level offenses with minimal penalties. If the same person is repeatedly breaking into the same building, their bail conditions should address the concerns because they are often ordered not to have contact with the property. The difference between burglary and trespassing is that they do not just intend to break in but they intend to commit a different crime inside. Typically, people think of burglary as someone breaking in to steal something. The breaking in is part of the crime, but the intent to commit a subsequent offense in the building is what converts it from a misdemeanor offense to a felony.

Responding to Mr. Boggerty, Mr. Kelleher stated that the state legislature would have to address the fact that someone is a habitual trespasser on numerous properties and not just one property, thereby avoiding prosecution.

Responding to Dr. Sudler, Chief Johnson explained that Chapter 22, Title 16, Section 2211 of Delaware law provides a mechanism for involuntary treatment related to substance abuse, similar to the existing mental health provisions allowing immediate intervention when an individual poses a risk to themselves or others. However, he noted that this section has never been made operational due to the absence of necessary procedures and infrastructure. He stated that, if implemented, the law could allow law enforcement or medical providers to refer individuals at imminent risk, such as those facing a potentially fatal overdose, for mandatory evaluation and treatment until a professional determines it is safe for them to be released.

Responding to Dr. Sudler, Mr. Kelleher stated that, as a community member, he does believe that there are people who are such a danger to themselves that taking their free will away from them in order to force them into treatment is an appropriate approach. However, there are significant concerns for people's constitutional rights, and where the balance falls is hard to say.

Responding to Mr. Rocha, Mr. Kelleher stated that there is a big difference in the law between breaking into a dwelling or a building. A building is any structure, whether it is an occupied commercial facility or commercial property for rent; it is

still a building. A dwelling is defined in the law as a building where someone ordinarily lodges overnight. If someone breaks into your house that you are living in, that is burglary in the second degree, which is a serious felony offense. Arguments have been made about whether there is a dwelling, but nobody is actually living in it. Whether it is new construction or just a house where someone moved out, and it is on the market, but there is no one living there, that is now a building and not a dwelling.

Responding to Mr. Rocha, Mr. Kelleher stated that the property damages would be written into the resolution. Burglary does not have a dollar amount. But if criminal mischief is committed, it does go up in severity depending on the value of the damage that is done.

Responding to Mr. Neil, Mr. Kelleher stated that he disagreed with the characterization of himself as an enabler. He noted that they have a structure, they operate within that structure, and there are certain penalties provided by the state law for certain offenses. He explained that over the course of his career, he has done everything he can to ensure people who commit crimes are held responsible for their actions. However, if all they are committing are offenses that the state law views as fairly minor, there is only so much they can do.

Ms. Smack noted that Mr. Kelleher cannot be held responsible for what is being seen in the city. She suggested going to the state level, like Chief Johnson has recommended before. She also recommended looking into scholarships that get people who want to get sober out of Dover to utilize those resources.

In closing, Chief Johnson stated that the prosecutor's office and the police department share the same frustrations. There are so many things that impact the conditions that they are trying to address at the local level that begin at the state level. What the substance of the law says, what the attached penalties are, what the formula for recidivism is, whether it is the same offender in multiple places, or whether it is the same offender. The judges have their formulas for sentencing guidelines, and until the state tells the judges to change their formula, there is nothing the police department or the Department of Justice can do.

**Mr. Boggerty moved for adjournment of the Safety Advisory and Transportation Committee meeting, hearing no objection the meeting adjourned at 7:56 p.m.**

#### UTILITY COMMITTEE

The Utility Committee met with Chairman Rocha presiding.

#### Adoption of Agenda

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

**Evaluation of Proposals – SCADA Equipment Upgrade (Jason Lyon, Water & Wastewater Director)**

Mr. Jason Lyon, Water & Wastewater Director, reviewed the background and analysis of the evaluation of proposals for the SCADA Equipment Upgrade.

Staff recommended awarding the contract to Avista for the SCADA Equipment Upgrade, RFP #26-0002WW, for the amount of \$480,613.

**Dr. Sudler moved to recommend accepting the staff recommendation to award the contract to Avista for the SCADA Equipment Upgrade, RFP #26-0002WW, for the amount of \$480,613. The motion was seconded by Mr. Boggerty and unanimously carried.**

**By consent agenda, Mr. Anderson moved for approval of the Committee’s recommendation, seconded by Dr. Sudler carried by a unanimous roll call vote.**

**Sole Source Procurement – Cartanza RTU/RTAC Replacement (EE2602) (Paul Waddell, Electric Director)**

Mr. Paul Waddell, Electric Director, reviewed the background and analysis of the sole source procurement for the Cartanza RTU/RTAC Replacement (EE2602).

Staff recommended approval of the sole-source procurement of SEL RTU/RTAC hardware and associated engineering services for Project EE2602.

**Ms. Arndt moved to recommend approval of the staff recommendation for the sole source procurement for project EE2602. The motion was seconded by Ms. Hall and unanimously carried.**

**By consent agenda, Mr. Anderson moved for approval of the Committee’s recommendation, seconded by Dr. Sudler and carried by a unanimous roll call vote.**

**Sole Source Procurement – ABB to SEL Relay Replacement (Paul Waddell, Electric Director)**

Mr. Paul Waddell, Electric Director, reviewed the background and analysis of the sole source procurement for the ABB to SEL Relay Replacement.

Staff recommended approval of the sole-source procurement of SEL relay hardware and services for Project EE2615.

**Ms. Hall moved to recommend approval of the staff recommendation of the sole source procurement for the SEL relay hardware for project EE2615. The motion was seconded by Ms. Arndt and unanimously carried.**

**By consent agenda, Mr. Anderson moved for approval of the Committee’s recommendation, seconded by Dr. Sudler and carried by a unanimous roll call vote.**

**Mr. Rocha moved for adjournment of the Utility Committee meeting, hearing no objection, the meeting adjourned at 8:05 p.m.**

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

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

#### **Adoption of Agenda**

**Mr. Neil moved for adoption of the agenda, seconded by Ms. Hall, and unanimously carried.**

#### **County and Municipal General Pension Plan Update (Naomi Poole, Human Resources Director, Patricia Marney, Controller/Treasurer, David S. Hugg, III, City Manager)**

Ms. Naomi Poole provided a brief update on the status of the County and Municipal General Employee Pension Plan.

Ms. Poole noted that the staff conducted a survey to assess employee interest in joining the State Pension Plan. Of approximately 240 eligible employees, 66 responded, with 53% expressing interest in the pension plan and 47% preferring to retain the current plan. As results showed no clear consensus, it was recommended that meetings be held with all union presidents over the coming weeks to discuss the pension option, its implications, and its alignment with existing contracts, which currently include provisions for the City's 401(a) and 457 plans. Following these discussions, staff will determine whether there is a collective interest in pursuing the pension plan and will provide an update and documentation outlining next steps.

This item was informational; committee action was not required.

#### **Review of The People's Community Center Economic Development Fund Application (Councilwoman Hall and David S. Hugg, III, City Manager)**

Councilwoman Hall and Mr. David S. Hugg, III, City Manager, reviewed the background and analysis regarding the People's Community Center's Economic Development Fund application.

It was recommended to approve the People's Community Center Economic Development Fund application.

Responding to Mr. Neil, Mr. Hugg stated that one of their questions is what their goal is and how they are going to measure it.

Mr. Anderson noted that workforce development is an important part of economic development. He emphasized the importance of making sure the constituents are trained for the jobs that are being attracted to the area.

**Dr. Sudler moved to recommend referring the application back to staff and that it be brought back before the committee by the end of the year. The motion was seconded by Ms. Arndt and unanimously carried.**

During the regular council meeting, Mr. Derrick Hodge, of 5 Pine Street, reviewed supplemental information regarding the People's Community Center Economic Development Fund Application. He highlighted the center's strong track record, including three (3) rounds of ARPA funding, \$350,000 from the opioid settlement fund, \$100,000 from the Dupont/Welfare Foundation for capital projects, and prior funding from the governor's office for a sprinkler system. He emphasized that the center has a well-established reputation in Kent County for running successful programs, positive site visits from the state controller, and strong partnerships with organizations such as Delaware Alliance for Nonprofit Advancement (DANA), Polytech School District, and Neighborhood Partners for workforce development and financial literacy programs. He explained that the People's Community Center serves three main client groups: individuals in a winter shelter, children in after-school programs, and adults at varying stages of economic or addiction challenges. About one (1) third of clients struggle with severe addiction, another one (1) third cannot afford basic needs despite working or being elderly, and the final one (1) third were ready to re-enter the workforce, often early in recovery. He outlined plans for a new workforce center funded through economic development funds, emphasizing goal setting, case management, and support to overcome barriers such as obtaining identification. The center partners with organizations, including Polytech School District, Neighborhood Partners, and the Department of Labor, to provide workforce development and wraparound services, helping clients stabilize and re-enter society successfully.

Mr. Neil noted that the Police Department's quality-of-life project identified a shortage of detox centers. He asked whether the People's Community Center, which received \$350,000, has a detox facility and if they are willing to collaborate with Dr. Sudler's group, emphasizing that supporting individuals in overcoming substance use was essential for the success of their programs.

Responding to Mr. Neil, Mr. Hodge stated that the shelter helps identify individuals in need and connect them to treatment, noting that up to 75 people have received such support. He emphasized that while they support enforcement of existing laws, better enforcement could help those on the streets who cannot care for themselves.

Responding to Mr. Hodge, Mr. Neil clarified that the issue may not be with the police but with the Department of Justice. He emphasized that the lack of timely consequences in the city highlighted the need for support for individuals in need.

Responding to Mr. Neil, Mr. Hodge stated that their staff was available 24/7 with Narcan, saving two (2) to three (3) lives per week. He clarified that his discussion was focused on the workforce development for the one (1) third of clients ready to re-enter the workforce, including those early in addiction or recovery.

Responding to Mr. Hodge, Dr. Sudler acknowledged the burdensome nature of the application process and invited him to the Mayor's Blue Ribbon Opioid Task Force meeting. He expressed

interest in learning from Mr. Hodge's experience to support the workforce development initiative across Dover and the state.

Responding to Dr. Sudler, Mr. Hodge stated he would participate via Zoom while on sabbatical. He clarified that the economic development funds application was not burdensome, but the opioid commission process was, and rightly so, to ensure proper management, accountability, and use of funds according to standard accounting practices.

Responding to Mr. Hodge, Dr. Sudler suggested that someone from his organization could attend the Mayor's Blue Ribbon Opioid Task Force meeting to discuss the matter.

Responding to Mr. Lewis, Mr. Hodge confirmed that the state offered workforce programs, which was the reason why the People's Community Center partnered with the Department of Labor and Harold Stafford for guidance. He explained that one (1) third of their clients, early in recovery, felt safer in their neighborhood and trusted the center more than other institutions, such as the Blue Hen Center. He highlighted partnerships with Polytech, Neighborhood Partners, and the Department of Labor Apex Program for job training and placement, and described renovations, including a former bowling alley and the Becker Mortgage building, funded by a \$40,000 city grant and opioid settlement funds to provide counseling spaces, training rooms, and computer access. He emphasized that all efforts were collaborative and designed to help their clients access city services.

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

**Proposed Ordinance #2025-18 – Amending Chapter 2 – Administration, Article V – Finance, by adding Sec. 2-427 – New Vehicle Billable Rates (Jason Lyon, Water & Wastewater Director)**

Mr. Jason Lyon, Water and Wastewater Director, reviewed the background and analysis regarding the Proposed Ordinance #2025-18.

Staff recommended forwarding Proposed Ordinance #2025-18 to council for approval. Once adopted, staff would implement new billable rates within thirty (30) days.

Dr. Sudler moved to recommend approval of the staff recommendation to forward Proposed Ordinance #2025-18 to council for approval, and once adopted, staff will implement new billable rates within thirty days. The motion was seconded by Mr. Shevock.

Responding to Mr. Garfinkel, Mr. Lyon stated that, for example, if a fire hydrant were damaged, there is generally a police report done, insurance is taken, and the individual department would put together the costs. That would then be sent over to Customer Service, who would bill the entity that needs to pay for the damage. Typically, it is the insurance company. The same process would be used for collections as is done with any utilities.

Responding to Mr. Garfinkel, Ms. Marney noted that very rarely do the charges go to collections because they are often paid by the insurance companies.

**Dr. Sudler moved to recommend approval of the staff recommendation to forward Proposed Ordinance #2025-18 to council for approval, and once adopted, staff will implement new billable rates within thirty days. The motion was seconded by Mr. Shevock and unanimously carried.**

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

**Proposed Ordinance #2025-20 – Amending Chapter 106 – Traffic and Vehicles, Article I – In General, by adding Sec. 106-18 – Strictly Enforced (Councilman Anderson, and Chief Johnson)**

Councilman Anderson and Chief Johnson reviewed the background and analysis regarding the Proposed Ordinance #2025-20.

It was recommended to forward Proposed Ordinance #2025-20 to council for approval.

Chief Johnson stated that while the department will follow whatever direction is decided, he is uncertain how district justices will handle requests for judicial review of speeding cases. He noted that it remains to be seen whether they will apply the new standard or revert to their usual approach. Chief Johnson added that he would prefer to observe how the process unfolds before offering an assessment of the potential outcomes.

Mayor Christiansen stated that while both the Chief and Council are focused on public safety and strict law enforcement, judicial authority ultimately determines outcomes once violations reach the court. He emphasized that speed limits, such as 25 mph in neighborhoods and 20 mph in school zones, are not suggestions, and enforcement should reflect that. However, he cautioned that even with new ordinances, enforcement efforts may continue to encounter limitations within the judicial system's purview. He concluded that the city should move forward with the ordinance but noted that citizens should understand the distinction between the city's enforcement role and the judiciary's authority.

Responding to Mr. Anderson, Chief Johnson explained that the severity of injuries from a pedestrian collision increases significantly between 25-35 mph. Drawing on his past experience as an accident investigator, he noted that scientific studies show changes in injury outcomes with every five-mile increase in speed. For example, when a victim's shoes are left at the point of impact and the person is thrown from that location, it typically indicates a speed of around 35 mph. He noted that life-threatening injuries commonly occur in the 25–35 mph range, depending on the individual's health and other factors.

Responding to Dr. Sudler, Mr. Anderson stated that he supports speed cushions. He mentioned that he would like to implement a pilot program in two areas of the city if the residents in those areas agree. This would help collect data on how the community is impacted and how the ordinance functions. He explained that Ms. Main is not the only one who has voiced complaints about speeding in that area, so if they can get a majority of residents to sign a petition, they could proceed with a pilot program. Mr. Anderson suggested running the second pilot on East Lookerman Street if the roadway is not closed.

Belinda Main, 142 Reese Street, Dover, expressed concern regarding speeding issues in her neighborhood and questioned the city's limitations on using signage and other traffic-control measures. She noted that areas outside the city limits effectively utilize stop signs, speed dips, and similar low-cost options. Ms. Main observed that "Children at Play" signs in her area are inconsistently placed and not visible from both directions. She voiced support for affordable traffic-calming measures such as speed cushions, additional stop signs, and improved visibility through tree maintenance. Ms. Main encouraged continued collaboration to identify practical, cost-effective solutions that enhance safety for children and residents throughout the City of Dover.

Responding to Ms. Main, Mayor Christiansen stated that the speed dips are part of the wastewater system that was put in to take the water away, but it does help control speed, as she mentioned.

Responding to Mr. Garfinkel, Chief Johnson stated that in the real world, he does not envision his officers giving a citation for 26 mph in a 25 mph zone. He explained that due to legal standards and case law, officers typically do not pursue speeding enforcement for violations under five miles per hour over the limit, as such cases rarely hold up in court. He noted that enforcement requires proper device calibration and documentation, and that most judges give drivers the benefit of the doubt within certain tolerances. However, some individuals may choose to pay the fine rather than contest the citation.

Responding to Ms. Main, Chief Johnson stated that he agreed with Ms. Main's comments and clarified that his earlier remarks referred to general traffic enforcement practices. He explained that enforcement tolerances depend on the posted speed limit and surrounding conditions. Lower limits, such as in school or residential zones, allow for less tolerance, while higher-speed areas without pedestrian traffic allow for more. He emphasized that officers consider context, such as the presence of hazards or school zones, when determining appropriate enforcement levels.

Mr. Anderson noted that he would not be opposed to a 20 mph speed limit in a residential area. He explained that there are state laws that are involved, and the state law provides 25 mph for residential zones.

Responding to Ms. Arndt, Chief Johnson stated that the citation would be an ordinance violation, which would be a different mechanism for charging, and he does not believe that points would be issued like some of the other consequences for a speeding conviction under the state's statute. He noted he may need to have a conversation with Judge Wilson to get his opinion on what would happen if a few local ordinance citations were challenged, as they will require extra paperwork to get onto the court docket, so they could have their day in court. He explained that once he could evaluate the results by more than one judge, he could gather data on how the Justice of the Peace Court 7 would handle the workload of the ordinance-related speeding citations. He noted that he would like to see what the judges do to provide a better answer as to what strictly enforced means because it is a subjective message in signage.

Responding to Ms. Arndt, Mr. Anderson stated that no points are issued until the individual is ten miles over the speed limit. He explained that strictly enforced is something that if you are going to strictly enforce the speed limit laws, then it is required by state law as you go through the code. He said that it is a requirement because you have to warn drivers if you are going to strictly enforce the laws. He explained that the signage can be phased in over any timeframe chosen by addressing high-priority neighborhoods first and continuing until finished. He noted that it could take years, but it needs to be started.

**Mr. Garfinkel moved to recommend forwarding Proposed Ordinance #2025-20 to council for approval. The motion was seconded by Ms. Hall and unanimously carried.**

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

**Proposed Ordinance #2025-21 – Amending Chapter 106 – Traffic and Vehicles, Article III – Stopping, Standing, and Parking, Division 1 - Generally by adding Sec. 106-139 – Pedestrian Safety (Councilman Anderson, and Chief Johnson)**

Mr. David S. Hugg, III, City Manager, reviewed the background and analysis regarding the Proposed Ordinance #2025-21.

It was recommended to forward Proposed Ordinance #2025-21 to council for approval.

Dr. Sudler noted that Delaware Code, Title 21, §4186, prohibits obstructing a driver's view with objects, passengers, or vehicle loads, and provides tools to address individuals in medians who may distract drivers. He emphasized that while some individuals in medians may be in genuine need, the practice creates safety hazards for both drivers and pedestrians. Dr. Sudler suggested considering innovative solutions to balance public safety with support for those in need, such as placing QR codes in medians to direct donations to organizations or facilities

that provide sustainable assistance, rather than giving money directly to individuals. He concluded that this approach could address public concern while ensuring compliance with existing law.

Dr. Sudler also noted that the Newark, New Jersey city council implemented a code that if anyone is providing money to individuals in the medians are ticketed because it could cause a delay in traffic, which can result in road rage.

Responding to Dr. Sudler, Mr. Anderson noted that a portion of the ordinance includes a similar citation because, as long as the supply component is there, the demand will be as well. He emphasized that the proposed ordinance is not an anti-panhandling ordinance; it is focused on pedestrian safety. He explained that the ordinance is not to target any particular group of people but rather focus on activities that are dangerous.

Mr. Hugg added that panhandling is protected by an individual's constitutional right. He noted that it is not a violation to ask someone for money, and it is very hard to enforce. He emphasized that if someone is killed because they are crossing the highway to ask for money, that is a pedestrian or traffic safety issue.

Mr. Anderson noted that the proposed ordinance presented had a legal review completed prior to the meeting.

Responding to Mr. Shevock, Chief Johnson stated that the individual could be cited for being in a lane of traffic if they are not progressing with their business of crossing the street and doing the standard pedestrian motion. If the individual takes up residency in a lane of traffic, it is in the vehicle code, and the police department can enforce it.

Responding to Mr. Shevock, Chief Johnson noted that while certain panhandling behaviors may be protected under First Amendment precedent, there are circumstances, such as public intoxication or impairment, that justify intervention, such as welfare checks. He emphasized that sober individuals exercising a protected activity present a more complex legal challenge. He highlighted that discussions on this topic should remain focused on pedestrian and traffic safety, acknowledging the current legal complexities surrounding enforcement.

Responding to Mr. Shevock, Chief Johnson clarified that the act of requesting money in itself is not illegal, regardless of the person's motivation, whether due to financial need or as part of a small business effort. He noted that law enforcement monitors organized roadside solicitation, explaining that individuals in the group often coordinate among themselves to occupy the most profitable locations during different shifts.

Responding to Ms. Arndt, Mr. Hugg stated that the ordinance was based on the ordinance that was passed in Seaford. Mr. Hugg noted that he spoke to the City

Manager, and Chief Johnson spoke to the Police Chief to ascertain if the ordinance was effective, but they reported that they have not had any challenges.

Responding to Ms. Arndt, Mr. Hugg noted that the intent was for the ordinance to apply to all intersections and not just those noted on the maps presented. He explained that he and Mr. Anderson had a discussion, and he wanted to provide examples of what one hundred and two hundred feet would look like at several intersections. He questioned if the ordinance would apply to all streets, a list of streets, streets meeting a certain criterion, or if there is a set list of priority streets. Ms. Arndt stated that if the ordinance applies to all streets, then the language is pretty ambiguous. She noted that letter A states that “No person, other than a person in or on a vehicle, shall be on a City Street and approach any vehicle in operation, except a vehicle that is legally parked at the curb or the shoulder,” and she could come up situations where someone could be in the street, walking up to a neighbors car, talking to them at their legally parked car, or illegally parked car. She recommended reconsidering the language as written and tightening it up because it is fairly ambiguous. She noted that letters C and B should be reviewed as well. She explained that letter B referenced a person within the median, but there are other sanctioned activities that may be a reason to be in the median.

Responding to Ms. Arndt, Mr. Anderson stated that the ordinance does say that it provides two chances for the light to change while being in the median. He noted that the median is not a place for someone to camp out, it is a safe zone to use while crossing the road.

Mr. Rocha stated that he was in favor of not having anyone on any medians, even outside of the marked areas. He emphasized that they will not be able to stop panhandling, but no one should be obstructing the flow of traffic by standing in the median because it is unsafe.

Mayor Christiansen emphasized that the issue is one of public safety and urged the committee to move forward with the ordinance to clear street corners despite potential legal challenges. He stated he is willing to take responsibility if the ordinance is contested, noting that enforcement is necessary to protect both pedestrians and drivers, even if it results in court proceedings.

Mr. Anderson noted that the fee schedule was left out and needed to be added back in.

Dr. Sudler moved to recommend forwarding Proposed Ordinance #2025-21 to city council for approval with the amendments brought forth by Ms. Arndt and Mr. Anderson. The motion was seconded by Ms. Hall and unanimously carried.

Ms. Arndt noted that she would rather see the item referred back to a committee meeting for continued discussion.

Dr. Sudler rescinded his motion, as well as Ms. Hall as the seconder.

**Ms. Arndt moved to recommend referring Proposed Ordinance #2025-21 back to staff to incorporate the edits discussed and bring it back to the committee for further consideration. The motion was seconded by Ms. Hall and unanimously carried.**

During the regular council meeting, Mr. Lewis stated that he was unable to attend the Council Committee of the Whole meeting on October 28th, when the matter was discussed, due to illness. He noted that he had technical questions for Police Chief Johnson, which he would have asked if he were in attendance at the meeting.

Responding to Mr. Lewis, Police Chief Johnson explained that under Delaware Law Title 21, Sections 4142 and 4143, medians are considered safe havens for pedestrians who cannot cross a street in a single light cycle. The difference arises when individuals spend multiple light cycles on a median, raising First Amendment concerns, which contributed to previous loitering statutes being challenged in federal court. He noted that the balance test for an ordinance must weigh those rights, clarified that he only recommended language used successfully elsewhere, and mentioned that the state legislature may consider replacing the statute in upcoming sessions.

Responding to Mr. Lewis, Police Chief Johnson explained that there was a nuanced distinction between citing violations and actual enforcement. If the Police Department's sole goal were to issue citations for pedestrian violations, they would need to monitor every intersection continuously, which was not practical. The intent of the proposed ordinance, he emphasized, was focused on injury prevention rather than mere enforcement. He noted that, so far in 2025, the city has experienced two (2) pedestrian fatalities involving at-risk populations, and since January 1, 2024, there have been 35 injuries within city limits resulting from vehicle-versus-pedestrian incidents. Drawing on both local data and collaboration with the Office of Highway Safety, he identified two (2) main locations where pedestrians were most vulnerable: First was limited-access highways with speeds of 55 mph or higher, where pedestrians have little chance to avoid an oncoming vehicle. Second, intersections of significant size, where crash dynamics make it difficult for pedestrians to maintain their own safety. He clarified that it does not typically include neighborhood streets with speeds of 10–15 mph unless unusual circumstances occur, as such locations rarely result in severe injury or damage. He emphasized that while hard data were supporting those conclusions, anecdotal evidence from his experience also pointed to areas where pedestrians spend significant time in at-risk locations. From his perspective, the ordinance was intended to prevent "collateral damage," recognizing that vehicles overwhelmingly outweigh individuals in collisions, often leading to severe outcomes.

Responding to Mr. Lewis, Police Chief Johnson explained that traffic safety improvements, such as signage, signal timing, or crosswalk safety, were part of ongoing assessments conducted by the Department of Transportation. He clarified that only reportable accidents, those significant enough to require state reporting, were analyzed by the state's accident analytics software, while minor local incidents may not be included. The state uses the data to study conditions, verify findings on the ground, and make informed decisions about traffic regulation and safety improvements.

Responding to Mr. Lewis, Police Chief Johnson clarified that he did not consult the Department of Transportation, as the state continuously monitors traffic issues. He relied on available injury and fatality data within Dover's corporate limits, focusing specifically on pedestrians. While bicycle incidents have occurred, he excluded them from the data he referenced, noting that most metrics are similar, but his analysis was pedestrian-specific.

Responding to Mr. Lewis, Police Chief Johnson explained that they generally avoid stacking charges and focus on using laws or statutes solely to address safety issues. He noted that most offenses, four (4) out of five (5) times, required only a warning. He emphasized that the statute was necessary to provide the authority to issue warnings and request that individuals move from a specific location. He noted that, compared to a local ordinance, a state statute carries more permanence, as it becomes part of the individual's record in state systems, whereas a local ordinance violation has a more limited impact on their conduct history. He explained that when an ordinance has a similar state-level statute, he viewed it as simply another tool in the toolbox, as an alternative that allowed officers to choose between options A or B depending on the situation, with discretion as to which tool to use.

Responding to Mr. Lewis, Police Chief Johnson explained that the system would likely be less aggressive in recovering an individual to appear in court for a local ordinance violation, compared to a failure-to-appear warrant, which would be tracked in a larger, state-managed database.

Responding to Mr. Lewis, Police Chief Johnson explained that if the ordinance passes, there could be more complications for the courts if an individual received a summons and failed to pay. He noted that the department has taken a less aggressive approach since COVID-19, including limiting the use of collection agencies, due to economic conditions. He also emphasized that the council's input was regularly considered on similar issues and that there were alternative strategies available for handling unpaid fines.

Responding to Mr. Lewis, Mr. Hugg clarified that the code enforcement issues a summons, and if that individual does not pay, it will go to a collection agency.

Mr. Hugg explained that a collection agency would typically take 10–20% of any amount collected and might require a retainer fee. He also clarified that code enforcement officers would not have authority in that particular case, as it would fall under police jurisdiction.

Responding to Mr. Lewis, Mr. Hugg clarified that, yes, potentially the unpaid fine would be similar to the same retrospective where the fine would be sent to a collection agency.

Responding to Mr. Lewis, Police Chief Johnson stated that a *capias* would only come into play if the matter were converted into something that appeared on a court docket. He explained that a local ordinance violation, as handled within the Police Department, was processed entirely within the agency and did not become a warrant or a *capias* unless the individual requested their day in court. In that case, the Police Department must convert the local ordinance violation into a state violation, as that was the only way Court Seven (7) could place the matter on the docket. Once the individual elevated the unpaid fine to that level and then failed to appear in court, or appears, loses,

and still does not pay the fine, the matter can then result in a warrant, because the individual had elevated it to the jurisdiction of the Justice of the Peace (JP) Court.

Police Chief Johnson clarified that if an individual contested a summons issued under the ordinance, the police officer would be subpoenaed to appear as a witness, and the matter would proceed through the normal legal process, similar to enforcement actions under the state system.

Responding to Mr. Lewis, Police Chief Johnson clarified that if the ordinance passes, officers would be trained to enforce it with discretion, respecting First and Fourteenth Amendment rights. He stated that he was focused on pedestrian safety, using the least restrictive and least punitive methods to gain compliance and provide outreach services whenever possible. If violations escalated, cases could be subject to judicial review, potentially facing a constitutional test. He explained that if, during the constitutional review, it was determined that the ordinance was close but not fully satisfactory, or that its language did not sufficiently address First and Fourteenth Amendment concerns, the city would proceed with the ordinance as drafted, focusing on keeping major intersections clear to protect individuals vulnerable to intersection-related accidents. If the ordinance was unsuccessful through the appellate process, then as a community, having chosen to adopt it, would need to revisit and revise the language. In either case, the First and Fourteenth Amendments would be respected, whether at the outset or during judicial review.

Responding to Mr. Lewis, Mr. Griffith concurred with Police Chief Johnson, stating that he was 100% correct regarding the current state of the law and the balance between, on one (1) hand, protecting citizens' First and Fourteenth Amendment rights, freedom of expression, assembly, and speech, and, on the other hand, allowing the government to safeguard its legitimate interest in pedestrian safety. That has been an evolving issue in the courts over the years, including in Delaware. He noted that Delaware has a state statute addressing loitering, which the American Civil Liberties Union (ACLU) challenged in federal court. The matter was resolved when the Attorney General's Office agreed not to enforce the statute. He explained that although the statute technically remained on the books, the state has committed not to enforce it. He further explained that the government must balance individuals' First and Fourteenth Amendment rights against its interest in protecting pedestrians. When courts analyze a statute or ordinance, the language must be tailored to serve substantial, content-neutral government interests. Therefore, if the ordinance has passed and was later challenged, the court's determination would be based on that standard. He stated that the key question was whether the government and the city had struck an appropriate balance and narrowly tailored the ordinance to protect pedestrian safety while respecting citizens' rights to expression.

Ms. Patricia Marney, Controller/Treasurer, stated that regarding the question of collections, as Mr. Hugg indicated, there was an 18% to 20% collection fee applied to code enforcement and other receivables, such as utilities, which are referred to their third-party collector under their current contract. She added, as Police Chief Johnson noted, that fines assessed through the Police Department were governed by a separate agreement and obligation that would need to be taken into consideration.

Dr. Sudler agreed with the importance of keeping individuals safe and ensuring that they are not in the median, noting how their presence can obstruct drivers' views and disrupt traffic flow. He

suggested that individuals should be guided off the median and directed to areas that offer a range of resources, such as mental health support, sexual abuse services, or assistance with concurrent issues, rather than advocating for their arrest. He emphasized that the situation cannot be resolved through enforcement alone and stressed the need for resources to address the underlying challenges these individuals face.

Tony Jordan, 99 Pine Valley Road, Opioid Task Force Committee member, emphasized the importance of keeping citizens safe while directing individuals in need to appropriate resources. She noted that not everyone panhandling has an addiction or mental health issue, and that each situation was different. She acknowledged that the Police Department could not address the issue alone, nor could the individuals at NorthNode Group Counseling. She expressed excitement about the opportunity to partner with others, such as Boots on the Ground, Grassroots Organizations, and various agencies, to explore evidence-based methods for reaching individuals and providing support. She referenced the Screening, Brief Intervention, and Referral to Treatment (SBIRT) method used at NorthNode Group Counseling, noting that follow-up support was critical. She advocated for approaches that would help individuals without penalizing them for panhandling in medians.

Mr. Neil expressed concern that the Police Department's quality-of-life initiative highlighted that many individuals refuse the help being offered. He noted that it was a challenge, as there was little that could be done when individuals declined assistance, even when help was available.

Dr. Sudler suggested using a QR code system to allow individuals to donate directly to organizations that provide housing, health services, or other resources for individuals on the median. That would ensure donations would go to the intended programs and could serve as a substitute for giving directly to individuals on the median.

Mr. Anderson addressed misconceptions about the proposed ordinance, emphasizing that it was not intended to ban panhandling but to ensure pedestrian safety and accountability. He explained that state law alone was vague and could unnecessarily involve individuals in the criminal justice system, whereas the ordinance sought to connect people to services while maintaining safety. He noted that prohibiting panhandling would be problematic, as it constituted a form of protected speech. He also emphasized that individuals have a constitutional right to safe travel and that the government has a duty under the Constitution to protect life and property. He acknowledged that some may disagree with accountability as a component, but stressed that without it, more individuals could be harmed or even killed. He noted that the city was working on workforce development initiatives, including funding community kitchens to feed individuals. Hundreds of thousands of dollars have been allocated to affordable housing projects, and resources have been set aside to assist unsheltered individuals. He, along with former Councilman Ralph J. Taylor, Jr., and former Councilman Tanner Polce, also helped incorporate a mental health component into the Dover Police Department. As highlighted in the extensive Quality of Life report, enforcement and accountability are essential components to ensure the success of those initiatives.

Mr. Anderson recommended referring the proposed ordinance back to the Council Committee of the Whole and encouraged the public to continue providing input, so the committee could develop

the strongest version of the ordinance with broad support, which he believed would result in the best outcome.

Mr. Anderson moved to recommend referring Proposed Ordinance #2025-21 back to the committee for further consideration.

For clarity, Mr. Rocha asked about Proposed Ordinance #2025-21, which had been removed from the consent agenda and placed on the agenda. He noted that if public comment were limited to the open forum, the public would not be able to address specific agenda items. However, if the open forum were opened, the public could comment on the item directly.

Mr. Anderson raised a point of order, stating that during the open forum, the public was allowed to address agenda items, except for those items that are part of a public hearing. He noted that he had no issue with hearing from the public who had signed up for a particular issue, as they would be addressed anyway. He added that a second to the motion was still required to proceed.

Responding to Mr. Anderson, Mr. Neil stated that there was no motion on the floor, so the final motion was not yet known. He noted that since there was nothing to vote on at the moment, they were simply listening to the public. He added that they would continue to hear from the public, but asked whether they wanted to address that at that moment or proceed with the business they were scheduled to handle.

Mr. Boggerty asked for clarity on for procedural; the item was pulled from the consent agenda and replaced on the agenda.

Responding to Mr. Boggerty, Ms. Bennett stated that the item was not to take action, but technically, the item was already on the consent agenda, and sending it back to the committee.

Mr. Boggerty asked, since the item had been removed from the agenda, under what procedure was it scheduled to be heard, and when would the hearing would take place. He also inquired whether, given that no action had been taken, the item could be placed back on the agenda for consideration.

Responding to Mr. Boggerty, Ms. Bennett stated that since the proposed ordinance was still in draft form, it had been sent back to the committee.

Responding to Mr. Boggerty, Mr. Griffith stated that the council voted to amend the agenda, removing the item from the consent agenda and placing it on the agenda for discussion among council members.

Responding to Mr. Boggerty, Ms. Bennett stated that the public would have the opportunity to comment on the proposed ordinance when the item returns to the committee.

Responding to Mr. Boggerty, Mr. Neil stated that they would hold the open forum when the meeting was completely over to hear everyone, as long as they wished to talk about the item for three (3) minutes at a time.

Mr. Boggerty expressed that it was unfair to prolong the discussion on the ordinance for another three (3) weeks, noting that taking action was not necessary. He described observing panhandlers along Saulsbury Road and Forrest Avenue, some of whom were incoherent, creating unsafe traffic conditions. He emphasized that the risk was inevitable and stressed the importance of moving individuals safely off medians to prevent accidents, without issuing fines or jail time, so nobody had to endure the trauma of injury or death.

Dr. Sudler raised a point of order, stating that there was a motion on the floor. He noted that he was unsure whether the motion had been seconded; if it had not, the motion would fail and the item would be reopened for discussion.

Responding to Dr. Sudler, Ms. Bennett stated that Mr. Anderson had reiterated the same motion that was made two (2) weeks ago at the Council Committee of the Whole Meeting.

Mr. Anderson moved to recommend referring Proposed Ordinance #2025-21 back to the committee for further consideration. The motion was seconded by Ms. Arndt.

Mr. Neil stated that the proposed ordinance would be brought back to council at a later date for consideration and to schedule a public hearing.

**Mr. Anderson moved to recommend referring Proposed Ordinance #2025-21 back to the committee for further consideration. The motion was seconded by Ms. Arndt, eight (8) yes (Hall, Boggerty, Anderson, Pillsbury, Arndt, Rocha, Sudler, Neil) and one (1) no (Lewis).**

**Dr. Sudler moved to open the discussion to the public and to suspend their current rules, now that they have not completed all of the agenda items and listened to the community. The motion was seconded by Ms. Arndt and unanimously carried.**

Mr. Neil stated that the same rules would apply for the open forum, continuing with the starting list where it had ended, with a maximum of three (3) minutes per speaker.

The open forum was reopened at 8:21 p.m.

Jeannie Anderson, 217 Cecil Street, shared her concerns about homelessness and drug situations, recounting an incident at an Aldi's intersection where a man approached multiple cars, putting himself at risk of being hit. She emphasized the need for action to prevent potential accidents, noting that panhandling could continue safely without occurring in intersections.

Chelle Paul, 501 Silverside Drive, expressed concerns about the safety of individuals in medians and noted that existing Title 21 laws already address those issues beyond loitering. Referring to Police Chief Johnson, she emphasized that enforcement should focus on directing individuals to services rather than arresting them. She highlighted that medians are already protected under the law, and police contact does not need to result in fines or arrests. She stressed the importance of offering individuals choices, such as treatment instead of incarceration, so they can access necessary services. She cautioned against creating a new ordinance that could worsen the situation, emphasizing that the goal should be to ensure safety while connecting individuals to support.

Apostle Chester Watson, 21 Par Haven Drive, expressed concern about the homeless, individuals in medians, tents, residents' yards, and parking lots. He questioned how an ordinance could address the needs of hungry individuals, emphasizing that help must reach those individuals where they are, as many have nowhere else to go.

Cleveland Wilson, 234 North Kirkwood Street, expressed concern for the homeless and individuals in the median strip. He shared that he had given money to a hungry individual and observed that many remain hungry or fear getting hurt. He emphasized that punishing those who cannot do better was wrong, recalling his mother's rule that individuals should care for those who try to care for themselves while teaching them how to become self-sufficient. He stressed that fining and discarding those individuals was not a solution.

Vonda Smack, 1001 White Oak Road, Apartment #F12, expressed concerns with the Proposed Ordinance #2025-21. Referring to Mr. Anderson, she stated that she could not agree with the proposed ordinance because it opposed her principles. She shared that she regularly speaks with individuals on medians and found that most unhoused individuals were trying to raise money for hotel stays due to a lack of local resources in Dover and Kent County. She argued that the ordinance should be discarded, not amended, as it was unconstitutional and violated individuals' rights.

Melissa Jeter, Dover resident, referencing Mr. Anderson's comments on accountability, emphasized that it involves four (4) components: evaluation, transparency, and feedback mechanisms. She related that to Abraham Maslow's hierarchy of needs, noting that when physiological needs are unmet, an individual's sense of belonging is compromised. She expressed concern over the leadership's inability to come together and questioned their relational integrity, emphasizing that serving begins with leadership.

Shyanne Miller, a Wilmington resident, raised concerns about homelessness in Dover, noting that despite the ordinance being framed as a traffic safety issue, the discussion focused on homelessness. She explained that Kent County has only 165 year-round shelter beds, which are insufficient for the 266 individuals living outside. She also noted that the state annually tracks the number of students experiencing homelessness in schools. She highlighted that 458 students in the Capital School District, 345 in Caesar Rodney, and 234 in Smyrna are experiencing homelessness. She also cited that half of the 338 drug overdose deaths in Delaware last year involved unhoused individuals. She emphasized that issuing fines and sending out police officers to do sweeps make it harder for outreach services to build trust that was necessary for individuals and urged council to invest in housing, permanent supportive units, wrap-around services, and an office of homeless services to better meet the community's needs.

Mikahela Ray, a Dover resident, stated that she was opposed to the Proposed Ordinance #2025-21, which would fine individuals for helping others.

Aaron Snoen, of 39 South State Street, expressed frustration with the negative attitudes toward homelessness. He urged individuals to see unhoused individuals as sons, daughters, spouses, children, veterans, and survivors of trauma rather than criminals. He warned that denying help could push many toward crime, emphasizing that it was far better for someone to stand with a sign asking for help than to resort to stealing food or clothing.

Eve Dorman, Dover resident, shared that she and her fiancé, Mr. David Green, were currently homeless and struggling to stay together due to inadequate resources. She noted that although Mr. Green has a housing voucher, rents in Delaware were too high, and they needed help securing stable housing for themselves and their child. She emphasized that current assistance through EBT and WIC, only \$75 per week for the three of them, was insufficient and needed to have the \$200 per month that they were receiving previously to meet basic needs.

Responding to Ms. Dorman, Mayor Christiansen asked if she could see him after the meeting, and stated that he was a part of the Mayor's Challenge to End Veterans Homelessness. He noted that if she had her DD-214 form for her discharge paperwork, he would need to see that so they could get her some help.

Responding to Mayor Christiansen, Ms. Dorman stated that her DD-214 form was burned in a house fire.

Responding to Ms. Dorman, Mayor Christiansen stated that he would need her name, branch of service, and whether she had received an honorable discharge, and that they would be able to get her some help.

Responding to Ms. Dorman, Dr. Sudler stated that the Veterans Multi-Service Center (VMC), located next to 9 East Tap house on the first floor, could assist her and noted that Mayor Christiansen probably has a connection there as well.

Responding to Dr. Sudler, Ms. Dorman noted that some of her family members, including her mother and two uncles, had previously been homeless and never received services. She emphasized that, having lived in Dover, her mother had not received such help and expressed high expectations that the council would assist her in accessing these services.

Responding to Ms. Dorman, Dr. Sudler stated that he would give her his number and that he was involved with housing, so he could provide her with housing resources.

Mayor Christiansen emphasized that he would do his best to assist Ms. Dorman and noted that he could not promise success, but would do his best.

Branden Fletcher, a Wilmington resident, volunteer organizer with the Housing, Opportunity, Mobility, Equity, Stability Campaign (HOMES), urged council to reject Proposed Ordinance #2025-21, arguing that it criminalizes poverty rather than addressing homelessness. He noted that even considering the ordinance demonstrated a misunderstanding of how to address homelessness, emphasizing that fining or arresting individuals would not solve the problem, only worsen it and waste taxpayer money. He urged council to invest in housing, a proven approach that provides stable shelter and connects individuals to necessary support services. He emphasized that housing was foundational to helping individuals stabilize their lives, while punitive policies raised serious constitutional concerns, as courts consistently protected peaceful panhandling under the First Amendment. Implementing such a policy could lead to costly lawsuits and harm Dover's reputation for a policy that does not solve anything. He urged the council not to bring back or repackage the proposed ordinance, but instead to pursue evidence-based solutions such as

affordable housing, outreach, and compassionate programs that support and uplift individuals rather than punish them.

True London, Dover resident, argued that the proposed ordinance would harm homeless individuals in the medians. She noted that some council members viewed homeless individuals as needing to be jailed or told to find a job or occupy their time with something to do. Sharing her own experience of childhood trauma and being silenced by her mother, Ms. Hall, Ms. London questioned how council could assist vulnerable individuals when her own mother could not protect her daughter. She believed that some council members, including Ms. Hall, only cared about the protection of appearances over providing support and protection.

Ronald Eads, Dover resident speaking for Lorrie Wagman, shared that they have been homeless since January, relying on panhandling and staying in costly motels. He described the challenges of daily survival and criticized those who display religious symbols yet fail to offer genuine help. He also noted misconceptions about homelessness and substance use, emphasizing that not all individuals experiencing homelessness were on drugs, citing his own sobriety since 1990.

Stephan Pierce, 437 Barrister Place, stated that the city needed to work collaboratively, on a non-partisan basis, to bring revitalization to the city. He questioned how the city would ensure those who receive funding were actually fulfilling their responsibilities, rather than making promises without delivering results. He noted that the city needed to ensure it was fulfilling its responsibilities to allow the community to continue thriving. He also mentioned that homelessness had become a business, with resources often set aside as a fallback for those in deficit.

Belinda Main, 142 Reese Street, emphasized that the city must work together to support all residents, including those who are homeless or struggling with substance use. She stressed that everyone in Dover, regardless of their living situation, deserves access to safe, warm housing and essential resources, and the city should ensure citizens can obtain the help they need.

The open forum concluded at 9:17 p.m.

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

**City of Dover Vehicle Use Policy (Councilman Anderson)**

Councilman Anderson and Mr. David S. Hugg, III, City Manager, reviewed the background and analysis regarding the City of Dover Vehicle Use Policy.

It was recommended that an Ordinance be properly drafted and forwarded to council for approval.

Responding to Dr. Sudler, Mr. Hugg stated that he could later provide the budgetary cost of all the department heads having a city vehicle. He noted that there are only a handful of non-police-related vehicles that are taken home on a regular basis. He

explained that the on-call Fire Marshal and the on-call employee from the Electric Department. He noted that he does not have a take-home vehicle, nor does any other department head.

Mr. Anderson pointed out that the policy was put into effect when Ms. Mitchell was City Manager. He explained that the policy requires that the employee have a city business purpose to utilize the vehicle. He noted that he would expect the police chief to be approved to take home a vehicle because he is on duty 24/7. He stated that it requires the level of scrutiny that it is reviewed before the department head uses a vehicle to make sure that it complies with the code. The code states that the vehicle cannot be used for an employee's own business or another job, which is also included in the policy.

Responding to Mr. Rocha, Mr. Anderson stated that the suggestion would be to confirm the policy, and the date would automatically be updated and go into effect.

Responding to Mr. Rocha, Mr. Hugg stated that the acceptance of the policy would mean that it was endorsed by council rather than being something staff wrote four years ago, and everyone states they will follow it, but the policy had not officially been adopted.

Responding to Ms. Arndt, Mr. Hugg stated that he cannot confirm that the policy is being followed in every department to every degree, but to the best of his knowledge, that is the current process. He noted that he has requested a department head place justification for needing a vehicle in writing.

Mr. Waddell stated that most of his employees, except for about ten, are on call at some point during the year. He explained that vehicle use is authorized based on this status, noting that employees may take city vehicles home when traveling for work-related training or conferences.

Responding to Ms. Arndt, Mr. Waddell stated that there is a caveat that the response time is capped at thirty minutes, and they are aware of where everyone lives from their division and how many miles it takes to get back to the city.

Mr. Waddell explained that he works with his team by allowing them to make minor, direct stops on their way home, such as stopping in Walmart when they live in Cheswold. He emphasized that extended personal trips or multiple stops are not permitted. He also noted that some employees may stop at a nearby gym before work, as long as it does not add extra mileage and they remain available for calls. This practice aligns with the policy proposed by Ms. Mitchell.

Responding to Mr. Garfinkel, Mr. Hugg stated that no one has a personal service contract.

Responding to Mr. Garfinkel, Mr. Waddell stated that the policy falls in line with the union contract.

Responding to Dr. Sudler, Ms. Poole stated that there are concerns from an insurance standpoint. She explained that a list of drivers needs to be compiled for insurance purposes. Also, the policy needs to be compared to the current policy that they are drafting for vehicle usage from an insurance standpoint. She noted that there are liability concerns when they do not know what the drivers are doing. Also, all the drivers need their motor vehicle records run, and that is currently not being done.

Responding to Dr. Sudler, Ms. Poole emphasized the importance of reviewing the policy comprehensively to ensure organizational compliance and minimize liability. She recommended consulting with insurance providers and Human Resources to identify necessary updates and ensure adherence to proper procedures, noting that current practices may not fully align with these standards.

Responding to Ms. Poole, Mr. Anderson stated that the policy is currently in effect for all City Manager departments, and they are looking to apply the policy to the entire city.

**Mr. Neil moved to recommend that the policy be properly drafted and forwarded to council with the consideration of the insurance and cost factors. The motion was seconded by Dr. Sudler and unanimously carried.**

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

**Discussion – Open Forum Improvements (Councilwoman Arndt)**

Councilwoman Arndt reviewed the background and analysis regarding the Open Forum improvements.

This item was informational; committee action was not required.

Dr. Sudler recommended starting the open forum at 6:00 p.m. He noted that the open forum started half an hour before the meeting previously. Also, he recommended having continuity in the process of not commenting during the open period, rather than commenting sometimes and not commenting other times. Dr. Sudler suggested removing language implying that public concerns may be addressed at a later date, noting it could create a false expectation of follow-up. He recommended instead that concerns be forwarded to the respective district council member, allowing constituents to discuss issues directly with their representative, who could then present them to the appropriate committee. This approach would help ensure fairness and clarity in the process.

Mr. Rocha stated that he liked Dr. Sudler's idea to refer the constituents' concerns to the district council member to have them placed on the appropriate committee.

He recommended that they continue with the open forum at the beginning of the meeting, and whether it is for fifteen minutes or thirty minutes, they need to cut it off at that time, get through the business on the agenda, and then go back to the open forum if need be.

Mr. Neil emphasized that the meeting should remain focused on essential city business rather than functioning as a town hall. He noted the importance of respecting staff time, highlighting that city and council personnel have obligations and should not be kept waiting, as many of the public comments that are made are repetitive. He noted that many public concerns, such as employee pay raises and taxation, have been previously discussed at the public meetings. He explained that in order not to raise taxes, enterprise funds and services fees were created. He expressed support for limiting public comment to the designated time and ensuring meetings proceed efficiently, while acknowledging a willingness to stay after the meeting to hear all public comments, while allowing staff the ability to go home.

Ms. Bennett noted support for Dr. Sudler's suggestion regarding follow-up on constituent concerns. She noted that it can be challenging to obtain complete address information from some individuals, which may complicate providing timely follow-up. She emphasized the need to develop a process to ensure staff receive the necessary contact information, while acknowledging that some individuals may choose not to disclose full addresses. She confirmed the staff's willingness to provide follow-up once the information is available, whether it comes from the constituent stopping at the clerk's desk in the back of the chambers or some other means.

Mr. Anderson noted that some people have good reasons for not wanting to disclose their address in front of everyone, as it could be used to harm them or their families. He recalled several times where contact information was provided to council members directly rather than publicly. He noted that the members of council cannot be held responsible for contacting a constituent if they do not provide their phone number, email address, or address to contact them.

Mr. Rocha recommended allowing those who provide public comment but did not sign up to sign the sign-in sheet after they provided their comments. He noted that if they do not want to write down their address, then they should be directed to call the Clerk's Office to find out who their council representatives are. He also requested using the small timer that can be displayed on the television screen for each constituent's public comment period.

Responding to Mr. Garfinkel, Mr. Anderson stated that citizens have the right to express their opinions even if it means that there are twenty repetitive statements. Mr. Anderson noted that constituents who agree with a previous speaker can be managed through informal methods such as gauging agreement via a show of hands. By doing so, that limits the need for speakers to feel the need to come forward and say two words.

Responding to Mr. Garfinkel, Mr. Anderson stated that it would be at the Council President's discretion if a leader should be chosen and provide that person five minutes to speak. He stated that everyone has the right to be heard and individuals may have their own point of view or story that they feel council needs to hear.

Ms. Arndt recapped the need for a consistent process regarding public comment, whether comments will be addressed or not, and the role of staff or district representatives in responding to questions afterward. She suggested reviewing the language used by the Council President to announce the open forum to ensure clarity, and noted that displaying a timer would help monitor the three-minute speaker limit. Ms. Arndt requested clarification on whether the Council President retains the discretion to shorten speaking time to accommodate all speakers, and emphasized the importance of starting meetings on time as a courtesy to those on the agenda.

**Mr. Anderson moved for adjournment of the Legislative, Finance, and Administration Committee meeting, hearing no objection the meeting adjourned at 10:23 p.m.**

**Mr. Neil moved for adjournment of the Council Committee of the Whole meeting, hearing no objection the meeting adjourned at 10:23 p.m.**

**By consent agenda, Mr. Anderson moved for acceptance of the Council Committee of the Whole Report, seconded by Dr. Sudler and carried by unanimous roll call vote.**

**MONTHLY REPORTS – SEPTEMBER 2025**

**By motion of Mr. Anderson, seconded by Dr. Sudler, the following monthly reports were accepted by consent agenda:**

City Council's Community Enhancement Fund Report  
City Manager's Report  
Controller/Treasurer's Budget Report  
Fire Chief's Report  
Police Chief's Report

**APPOINTMENTS/REAPPOINTMENTS RECOMMENDED BY MAYOR CHRISTIANSEN**

**By motion of Mr. Anderson, seconded by Dr. Sudler, the following appointments were accepted by consent agenda:**

A. Belinda L. Main

**FIRST READING - PROPOSED ORDINANCE #2025-18 – AMENDING CHAPTER 2 – ADMINISTRATION, ARTICLE V – FINANCE, BY ADDING SEC. 2-427 – NEW VEHICLE BILLABLE RATES (JASON LYON, WATER & WASTEWATER DIRECTOR)**

Council President Neil reminded the public that copies of the proposed ordinance were available on the City's website at [www.cityofdover.com](http://www.cityofdover.com) under "Government," or by contacting the City Clerk's Office at 302-736-7008 or [cityclerk@dover.de.us](mailto:cityclerk@dover.de.us). Final action by Council on the proposed ordinance will take place during the Council Meeting of November 24, 2025.

Mr. Dave Hugg, III, City Manager, reviewed the Proposed Ordinance #2025-18, Amending Chapter 106 – Traffic and Vehicles, Article I – In General, By Adding Sec. 106-18 – Strictly Enforced.

In accordance with Section 1-9 of the Dover Code, Council acknowledged the First Reading of the proposed Ordinance #2025-18, as read by the City Clerk, by title only, as follows:

ORDINANCE #2025-18 – AMENDING CHAPTER 2 – ADMINISTRATION,  
ARTICLE V – FINANCE, BY ADDING SEC. 2-427 – NEW VEHICLE  
BILLABLE RATES

**FIRST READING OF PROPOSED ORDINANCE #2025-20 – AMENDING CHAPTER 106 – TRAFFIC AND VEHICLES, ARTICLE I – IN GENERAL, BY ADDING SEC. 106-18 – STRICTLY ENFORCED (COUNCILMAN ANDERSON, CHIEF JOHNSON)**

Mr. David Anderson, Council member, reviewed the Proposed Ordinance #2025-20 – Amending Chapter 106 – Traffic and Vehicles, Article I – In General, By Adding Sec. 106-18 – Strictly Enforced.

In accordance with Section 1-9 of the Dover Code, Council acknowledged the First Reading of Proposed Ordinance #2025-20, as read by the City Clerk, by title only, as follows:

ORDINANCE #2025-20 – AMENDING CHAPTER 106 – TRAFFIC AND  
VEHICLES, ARTICLE I – IN GENERAL, BY ADDING SEC. 106-18 –  
STRICTLY ENFORCED

**CITY MANAGER'S ANNOUNCEMENTS**

Mr. Hugg wanted to encourage everyone to take a few minutes on November 11<sup>th</sup> to remember the veterans.

**MAYOR'S ANNOUNCEMENTS**

Mayor Christiansen concurred with Mr. Hugg's remarks for Veteran's Day, to remember the individuals who have served in the military, who allowed everyone to meet, dialogue, and speak their peace. He emphasized that they are the greatest nation on the face of the earth, if not in the history of the world, and that they are the only nation that offered that ability uninhibited. He announced that it was the 250<sup>th</sup> anniversary of the United States Marine Corps.

**COUNCIL MEMBERS' ANNOUNCEMENTS**

Mr. Boggerty wanted to wish Happy Veteran's Day to those individuals who proudly served and every aspect of the way. He also noted that his fellow federal government employees, who have been enduring without being paid since October, said that it was almost over, but they were strong. He announced that on Thanksgiving Day, the Well Life Church, under his leadership, and with his wife, Dream Bake, LLC, would be providing free breakfast to go. The location will be at 300 Lookerman Street, under construction, Home of the Well Life Center, from 8:00 a.m. to 10:00 a.m.

Mr. Anderson announced Happy Veterans' Day to all those who have served. He stated that on November 14<sup>th</sup>, at the Dover Probation Office, 511 Maple Parkway, the Mobile Food Bank would be there, as well as on November 15<sup>th</sup> at the Blue Hen Conference Center, 655 Bay Road, beginning at 10:00 a.m. He noted that everyone could find the information online. He mentioned that the Mobile Foodbank truck travels through the communities to serve families directly near their homes, filled with non-perishable items, fresh produce, dairy beverages, and other refrigerator and frozen items, as well as personal products when available. He stated that individuals would need to provide proof of Delaware residency. They could register on the website, and if they had a vehicle, volunteers would load the items for them, or they could come to pick up the items themselves. He also noted that proof of residency could include several things, such as a valid driver's license, state-issued ID, a bill in your name and address, etc.

Mr. Lewis announced that on November 11<sup>th</sup>, starting at 2:00 p.m., there will be a ceremony at the Vietnam Memorial Veterans Monument, off of South Little Creek Road. He also mentioned that they do not forget the homeless veterans that are out in the cold, standing on the medians and walking the streets, and also the service men overseas.

Dr. Sudler announced that the Mountain Army Church at 101 North Queens Street will be celebrating the completion of its newly constructed addition to the church. The rededication service will be on Sunday, November 23<sup>rd</sup>, and in addition to celebrating the election of its former pastor, Reverend Erica Crawford, who was elected and consecrated as the 143<sup>rd</sup> bishop of the African Methodist Episcopal Church on Saturday, November 22<sup>nd</sup>. He noted that there will be detailed information and that it has been emailed to Mayor Christiansen and to all the council members. He also announced that the Mayor's Blue Ribbon Opioid Task Force Committee will be having another meeting on Monday, November 17<sup>th</sup>, and will be discussing the grant process. He mentioned that Mr. Brad Owens will be discussing the application process for being awarded the opioid money; in addition, Dr. Nancy Bookhart from Delaware State University will be giving tips relating to grant writing for the application. The last item for that meeting will be in regard to reaching out to peer-to-peer staff and the task force, hopefully in conjunction with the Dover Police Department Behavioral Unit, to see what they could do in regard to ushering those individuals off the medium into some resources for them. He expressed gratitude for all the veterans at the meeting, and those who serve on the city council, and those who are spouses of veterans.

Mayor Christiansen piggybacked on Mr. Lewis's announcement that the venue has been changed for the Veterans Ceremony sponsored by Chapter 850 of the Veterans Organization in Delaware. He noted that the location would be at the Kent County Levy Court chambers due to the cold weather.

Responding to Mr. Neil, Dr. Sudler stated that he wanted to apologize if he seemed abrupt earlier, explaining that he had spoken out of compassion for the people. He offered a heartfelt apology if he came across as impolite.

The meeting adjourned at 10:33 p.m.

ANDRIA L. BENNETT  
CITY CLERK

All ordinances, resolutions, motions, and orders adopted by the City Council during their Regular Meeting of November 10, 2025, are hereby approved.

ROBIN R. CHRISTIANSEN  
MAYOR

/AB



**ROBBINS HOSE COMPANY No. 1**  
**DOVER'S VOL. FIRE DEPT.**  
**Since 1882**

Date: 11/20/2025

To: Andria Bennett, City Clerk

From: President Eric Dawson

Reference: Annual Election

During the November 3, 2025 Company meeting, nominations were accepted in accordance with our Constitution & By Laws for the Fire Line Officer positions. The following positions were uncontested:

- Fire Chief, David Carey
- Deputy Chief, James Iannucci
- 1<sup>st</sup> Assistant Chief Jason Boc
- 2<sup>nd</sup> Assistant Chief Chad Knotts
- 3<sup>rd</sup> Assistant Chief Troy Christiansen
- 4<sup>th</sup> Assistant Chief, Open
- 1<sup>st</sup> Fire Line Captain, Drew Kuntzi

The nominees for the positions of 2<sup>nd</sup> Fire Line Captain were the following:

- Nickolas Senne
- Andrew Hatfield

Per Article I, Section 1 of the By-laws of the Robbins Hose Company No. 1 Inc., an Election would have been held on November 17, 2025, from 7:00pm to 8:00pm at Station 1. However, due to the withdrawal of Nomination of Andrew Hatfield. The 2<sup>nd</sup> Fire Line Captain position became uncontested, making Nickolas Senne, 2<sup>nd</sup> Fire Line Captain. All elected officers meet the requirements to hold these positions. In accordance with our Constitution & Bylaws and City Ordinances, I submit these results to you for City Council approval.

If there are any questions, concerns, or if you need anything additional, please feel free to contact me at any time.

Yours in Service,



Eric Dawson  
President





**PROPOSED ORDINANCE #2025-18**

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

3  
4 That Chapter 2 – Administration, Article V – Finance, be amended by inserting the text indicated in  
5 bold, blue font and deleting the text indicated in red strikethrough as follows:

6  
7 **Sec. 2-421. – Bond financing approval.**

8  
9 Whenever approval of the jurisdiction where real property is situated is required as a condition  
10 of bond financing for the acquisition, operation, or renovation of real property in the city by any state  
11 or federal law prior to the approval and issuance of such bonds, no such approval shall be complete  
12 until approval is sought and granted by the city, and agreed upon and acted upon at the discretion of  
13 the council, even though approval may have been granted by the county.

14  
15 **Sec. 2-422. – Tax increment financing, purpose, and findings.**

- 16  
17 (a) The city council of the City of Dover has determined that a need exists within the city for  
18 improvements and reinvestment throughout the city. Such improvements will enhance the  
19 taxable base of the city, directly and indirectly, encourage the development and redevelopment  
20 of commercial and residential areas of the city, increase commercial activity, increase  
21 employment, and benefit the general health and welfare of residents; and  
22  
23 (b) The city council on February 14, 2017, passed Resolution #2017-02 supporting changes to the  
24 Delaware Code to enable Dover and Kent County to utilize the provisions of the TIF and  
25 Special District code provisions; and  
26  
27 (c) 22 Delaware Code, Section 1703 provides "In addition to whatever other powers it may have,  
28 and notwithstanding any limitation by law, any municipality may borrow money by issuing  
29 and selling bonds, at any time and from time to time, for the purpose of financing the  
30 development of an industrial, commercial or residential area."; and  
31  
32 (d) Delaware Code was amended to authorize the City of Dover to use the provisions of 22  
33 Delaware Code, Chapter 17, Municipal Tax Increment Financing Act, including specific Dover  
34 provisions in 22 Del. C, Section 1716; and  
35  
36 (e) Tax increment financing (TIF) is a financing method that allows the use of future tax revenues  
37 generated by economic development projects to help pay for the project; allows for the issuance  
38 of revenue bonds for such purposes, such bonds being tax-exempt and not a pledge of good

- 39 faith or credit of the city; and by capturing the tax revenue increment between the original  
40 assessed value and the value resulting from the project; and  
41  
42 (f) Due to the condition, age, and design of buildings and infrastructure, configuration and size of  
43 parcels, competition from commercial activities throughout the city, and other factors, the costs  
44 and complexities of development, redevelopment, and reinvestment tend to limit investment;  
45 and  
46  
47 (g) Tax increment financing is frequently used by local governments to enable funding of certain  
48 development and infrastructure projects but the availability of alternative financing options for  
49 these projects might not occur otherwise.  
50

51 **Sec. 2-423. – Authorization to consider issuance of tax increment financing (TIF) district bonds.**  
52

- 53 (a) Before issuing bonds under the Municipal Tax Increment Financing Act, the city must  
54 designate by resolution, an area as a TIF District, obtain from the city assessor an assessment  
55 of the original assessed value in the district, create a special fund for the purpose of receiving  
56 the tax revenue increment, and comply with all other provisions of the Municipal Tax  
57 Increment Financing Act.  
58  
59 (b) By enactment of this Ord. No. 2022-22 the city council indicates its intention to issue bonds,  
60 notes, or similar instruments in one or more series from time to time for projects and amounts  
61 to be determined in the future, prior to the bond offering, for the purposes set forth in the  
62 resolution and as allowed under Municipal Tax Increment Financing Act.  
63  
64 (c) "Council shall have the power by Resolution to establish terms of the bonding and financial  
65 arrangement and enter a cooperating agreement with other taxing entities such as State,  
66 County, and school districts."  
67

68 **Sec. 2-424. Effective date.**  
69

70 This ordinance shall be effective immediately upon final passage by the city council of the City  
71 of Dover. Passed on December 12, 2022.  
72

73 **Sec. 2-425. Sale and disposition of real property.**  
74

- 75 (a) *Authorized.* Except as otherwise provided and upon approval of the city council, the city  
76 manager is hereby authorized to sell or dispose of excess property.  
77  
78 (b) *Determination of excess status.* The city manager, upon determining that a city owned parcel  
79 of land is excess in nature and that the disposal of such land would be beneficial to the City of  
80 Dover, will request, through the legislative, finance, and administration committee, that city  
81 council consider disposal of such land.  
82  
83 (c) *Costs of conveyance.* Unless otherwise specified by the city council, all fees and costs, legal or  
84 otherwise, associated with the sale and conveyance of all excess lands shall be paid by the  
85 purchaser.

86  
87  
88  
89  
90  
91  
92  
93  
94  
95  
96  
97  
98  
99  
100  
101  
102  
103  
104  
105  
106  
107  
108  
109  
110  
111  
112  
113  
114  
115  
116  
117  
118  
119  
120  
121  
122  
123  
124  
125  
126  
127  
128  
129  
130  
131  
132

(d) *Standard method of disposition.*

- (1) The legislative, finance, and administration committee, upon receiving a request to dispose of excess real property, shall, prior to making a recommendation to city council, request all pertinent information including, but not limited to, the following:
  - a. Determination that subject parcel is not required by any other city department.
  - b. Written explanation of why subject parcel is now surplus.
  - c. Determination of whether a zoning change would enhance the sale value of subject parcel and recommend said change if warranted.
  - d. Determination if the parcel's exact location and size is known and, if not, recommend whether said parcel should be surveyed by the city prior to any sale attempts.
- (2) City council, after receiving a positive recommendation from the legislative, finance, and administration committee to dispose of a surplus parcel of land, shall, as part of its deliberations:
  - a. Determine if disposal of the parcel is in the city's best interests.
  - b. Determine if disposal by sale, gift, or some other means would best serve the city's interests.
  - c. Determine if the city planner should be requested to initiate rezoning procedures.
  - d. Publicize the pertinent information concerning the surplus parcel and its availability for purchase to the general public at least once a week for two weeks in a local newspaper.
  - e. Make public, and a part of the record, all written correspondence received and, after the publicizing requirements of subsection (2)d. are met, hold a public hearing to receive any other citizen input.
- (3) City council, after voting to proceed with the sale of surplus land, shall determine:
  - a. If an unbiased appraisal is needed to establish a minimum acceptable price.
  - b. Whether to sell the parcel by public auction or by sealed bid, and what the minimum acceptable offer will be.
  - c. The degree and scope of advertising, with a minimum of exposure being advertisement once a week for two weeks in a newspaper of general circulation within the county.

133  
134 d. Whether the circumstances of and surrounding a particular sale may be such that  
135 the best interests of the city would be served by listing the property for sale with a  
136 licensed real estate agent.

137  
138 (4) City staff shall, with city council's direction:

- 139 a. Arrange for advertisement of the sale.  
140  
141 b. Draft the sale bill setting out a description of the parcel to be sold, time, date, and  
142 place of sale or bid opening, the terms and conditions of sale, and the city's  
143 reservation of acceptance or rejection of any or all bids received at the time of sale  
144 or bid opening.  
145  
146 c. Order and distribute a sufficient number of sale bills for posting and distribution in  
147 the county courthouse, at the site, and in the general area of the parcel.  
148  
149 d. Obtain the services of a professional auctioneer if said sale is to be a public auction.  
150  
151 e. Conduct the sale and submit the results to city council.  
152  
153 f. Obtain the services of a licensed real estate agent if the sale is to be brokered.  
154  
155

156 (5) City council, after confirming the sale, shall:

- 157 a. Request the city solicitor to prepare a deed for execution and to arrange for final  
158 settlement with the purchaser, at which time the city will deliver the deed, the  
159 purchaser will pay all balances due, and the city solicitor will record said deed in  
160 the Recorder of Deeds Office for Kent County.  
161  
162

163 (e) *Exceptions to standard method of disposition.*

164  
165 (1) Exception A—Sale to an abutting owner. When, in the opinion of city council, a public  
166 sale would be detrimental to the lands of an abutter, and/or that a public sale would place  
167 the abutter at undue risk; or that the combination of abutter's land and city's land would be  
168 substantially greater in value than that of the sum of the parcels considered individually,  
169 city council may direct the city assessor to have prepared one or more unbiased fee  
170 appraisals of the parcel. Thereafter, the subject land will be offered for sale to the said  
171 abutter at the appraisal price, plus the appraisal fees, plus the legal costs. In the event the  
172 offer is not accepted, a public sale may be ordered.  
173

174 Examples of detrimental affect might be when the surplus city parcel lies between an  
175 abutting property and the street and development of the parcel would obstruct visibility of  
176 the abutter's property, or when the surplus parcel is zoned multi-family and abuts a single-  
177 family parcel.  
178

179 (2) Exception B—Trade of lands. Trade of lands may be approved when it is shown beyond

180 doubt that such a trade will be equal to or better than the lands to be traded either on a  
181 "square foot for square foot" measure and/or on a "dollar for dollar" measure.

182  
183 (3) Exception C—Conveyance of odd shaped and/or unbuildable parcels. City acquisitions for  
184 roads, utility usages, etc. may, after such usage is accomplished, leave a small strip of land  
185 that is odd shaped and unbuildable. City council may approve the conveyance of this strip  
186 of land to an abutting property owner on request of said owner. The price for these lands  
187 shall be at the same cost basis as that paid by the city. If conveyance is made in excess of  
188 two years after the date of city acquisition, then the consideration shall either be based on  
189 a price established by an unbiased fee appraisal made on the basis of the value added to the  
190 abutting property by the acquisition of said lands, or on the city's cost basis for the parcel  
191 adjusted for inflation, whichever city council shall select. All fees, legal or otherwise,  
192 associated with the conveyance are to be paid by the purchaser.

193  
194 (4) Exception D—Sale of small or irregular shaped lot to an abutting owner. If any excess  
195 parcel of land is too small or irregular in shape to be of any value to anyone other than an  
196 abutting owner, it may be sold to such owner at either its fee appraised fair market value,  
197 or at its fair market value as established by the city's assessment records, whichever city  
198 council shall select. The costs of the appraisal and all legal costs shall be paid by the owner  
199 requesting the conveyance.

200  
201 (5) Exception E—Donation of land to non-profit organizations. If, in the opinion of city  
202 council, the donation of a parcel of excess land to a non-profit organization would be in the  
203 best interest of the city, council then reserves unto itself the right to make such donation.

204  
205 **Sec. 2-426. – Credit card processing fees.**

206  
207 A credit/debit card processing fee, as provided for in Appendix F—Fees and Fines, shall be  
208 imposed for any tax, fee, fine, summons, utility bill, or any other payment made with a credit, debit,  
209 or charge card accepted by the City of Dover.

210  
211 **Sections ~~2-427—2-500~~. Reserved.**

212  
213 **Sec. 2-427. – New vehicle billable rates.**

214  
215 **At times, the City of Dover provides services that are deemed billable. When equipment**  
216 **is used for said billable event, the city shall utilize the most recent published schedule of**  
217 **equipment rates provided by the Federal Emergency Management Agency (FEMA). This**  
218 **schedule will be calculated on an hourly basis and will not include any labor or material costs**  
219 **for the service. If the city utilizes a piece of equipment that is not included in the FEMA schedule**  
220 **of equipment rates, city staff will utilize industry standards for the hourly rate.**

221  
222 **Sections 2-428 – 2-500. Reserved.**

223  
224  
225 ADOPTED: \*

226

227  
228  
229  
230  
231  
232  
233  
234  
235  
236  
237  
238  
239  
240

**SYNOPSIS**

This ordinance provides a standardized hourly rate for billable equipment that is used for a service. This could include repairing infrastructure and billing an insurance company. The current rates have not been evaluated in over ten (10) years and are outdated. Having the schedule of rates tied to FEMA will provide an equitable and fair hourly rate for city equipment.

(SPONSORS: ARNDT, NEIL, ROCHA)

Actions History

11/24/2025 – Scheduled for Final Reading – City Council  
11/10/2025 – First Reading – City Council  
10/28/2025 - Introduction - Council Committee of the Whole/Legislative, Finance, and Administration Committee

DRAFT



**PROPOSED ORDINANCE #2025-20  
WITH CITY COUNCIL AMENDMENT #1  
(CITY COUNCIL AMENDMENT#1 IS INDICATED IN GREEN TEXT)**

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

That Chapter 106 – Traffic and Vehicles, Article I – In General, be amended by adding Sec. 106-18 – Strictly Enforced by inserting the text indicated in bold, blue font and deleting the text indicated in red strikeout as follows:

**Sec. 106-18. – Strictly Enforced**

- (a) Residential district speed limits shall be consistent with Title 21, Chapter 41, §4169 and be strictly enforced.**

{For purposes of this section, “residential district” shall mean any area designated and posted as a residential speed zone on public roadways maintained by the City. This section shall not apply to private driveways, parking lots, or property not constituting a public roadway. Enforcement shall apply only to traffic movement and operation occurring on the vehicular travel portion of public streets.}

- (1) This section applies exclusively to public roadways, intersections, medians, shoulders, and vehicular travel lanes under the jurisdiction of the City of Dover.**
- (2) This section does not apply to or authorize enforcement upon public sidewalks, private property, private roads, private communities, parking areas, or driveways.**
- (3) Enforcement authority is confined strictly to the public right-of-way intended for vehicular travel. No enforcement shall occur outside such areas.**

- (b) The City Manager shall cause proper signage announcing strict enforcement in residential neighborhoods to be placed in accordance with state law.**  
{Such signage shall be installed only on public rights-of-way under the City’s jurisdiction and shall comply with all requirements of the Manual on Uniform Traffic Control Devices (MUTCD). No signage shall be placed on private property without the owner’s consent.}

- (c) Penalties. Whoever violates this section shall be fined as provided for in Appendix F – Fees and Fines.**

{Any enforcement under this section shall be limited to conduct occurring on public str

or highways within the City of Dover and shall be applied in a viewpoint-neutral, non-discriminatory manner consistent with the First and Fourteenth Amendments to the United States Constitution and applicable provisions of the Delaware Constitution.}

This ordinance shall take effect on the first day of July after passage and approval.

Secs. 106-18 19– 106-50. – Reserved.

**BE IT FURTHER ORDAINED:**

That Appendix F – Fees and Fines, be amended by inserting the text indicated in bold, blue font as follows:

**Chapter 106. – Traffic and Vehicles**

<b>Chapter 106. Traffic and Vehicles</b>	<b>Fees and Fines</b>
<i>Article I. In General</i>	
Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.	
Sec. 106-7. Obedience to state law; violation of any provision of 21 Del. C. § 101 et seq. (except Sec. 106-7(1)—Handicapped parking and Sec. 106-7(2)—Fire lanes)	A fine of not less than \$25.00, nor more than \$1,000.00
Subsec. (1) Handicapped parking	Minimum fine, as defined in 21 Del. C. § 4183, at the time the violation occurs
Subsec. (2) Fire lanes	Minimum fines, as defined in 21 Del. C. § 7001(a), at the time the violation occurs
Sec. 106-14. Off-road motor vehicle regulations	
Subsec. (d) Penalties	A minimum fine of \$25.00 and a maximum fine of \$100.00
Sec. 106-15. Failure to stop for a red traffic signal; traffic light signal violation monitoring program; penalties	
Subsec. (b)(3) Traffic light signal violation monitoring program; civil or administrative assessment	
Failure to comply with a traffic light signal	\$75.00
If not paid within 14 days, an additional assessment shall be added to the original assessment	\$10.00

**FINAL READING**

Additional assessment shall be increased if the assessment is not paid within 45 days	\$20.00
Additional assessment shall be increased if the assessment is not paid within 90 days	\$30.00
Court costs or similar administrative fees may also be assessed if the owner requests a hearing to contest the violation, and is ultimately found to be in violation or fails to pay or contest the violation in a timely manner	Maximum \$30.00
<b>Sec. 106-16. Violations; except as otherwise provided</b>	
Subsec. (a)(1) Moving offense	Minimum of \$10.00
Subsec. (a)(2) Nonmoving offense	Minimum of \$15.00
Subsec. (a)(3) Parking violation	\$20.00 for each offense, if the fine is paid within 72 hours from the date the offense is recorded in time, the fine shall be \$15.00
<b>Sec. 106-18. Strictly Enforced</b>	<b>As defined in 21 Del. C. § 4169, at the time the violation occurs</b>

ADOPTED: \*

**SYNOPSIS**

This Ordinance shall take effect on the first day of July after passage and approval.

(SPONSORS: \* and \*)

Action History

11/24/2025 – Scheduled for Final Reading – City Council

11/10/2025 – First Reading – City Council

10/25/2025 - Introduction – Council Committee of the Whole/ Legislative, Finance, and Administration Committee -