

CITY OF DOVER, DELAWARE
COUNCIL COMMITTEE OF THE WHOLE MEETING
Tuesday, February 10, 2026 at 6:00 PM

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

AGENDA

THIS AGENDA AND PACKET HAVE BEEN REVISED BY REMOVING PARKS, RECREATION, AND COMMUNITY ENHANCEMENT COMMITTEE MEETING ITEM #2 – SILVER LAKE DAM- ANNUAL INSPECTION REVIEW (JASON LYON, WATER & WASTEWATER DIRECTOR)

Public comments are welcomed on any item and will be permitted at the appropriate time. When possible, please notify the City Clerk (302-736-7008 or email at cityclerk@dover.de.us) should you wish to be recognized.

VIRTUAL MEETING NOTICE

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

Dial: 1-650-479-3208

Link: <https://shorturl.at/CaJZp>

Event number: 2535 469 9970

Event password: DOVER (if needed)

If you are new to WebEx, get the app now at <https://www.webex.com/> to be ready when the meeting starts.

CALL COUNCIL COMMITTEE OF THE WHOLE MEETING TO ORDER

ADOPTION OF AGENDA

PRESENTATIONS

- 1. Procurement/Bid Process Presentation (Mike Hamlett, Central Services Director)**

COUNCIL REPORTS - JANUARY 2026

- 1. First District**
- 2. Second District**

3. **Third District**
4. **Fourth District**
5. **At-Large**
6. **Council President Neil**

PARKS, RECREATION, AND COMMUNITY ENHANCEMENT COMMITTEE

ADOPTION OF THE AGENDA

1. **Review of Active Recreation Plan – Bay Pointe Apartments at 1100 Bay Road** (Property of 3.302 acres +/- located on the southwest side of Bay Road at the intersection with Lafferty Lane, as owned by Patel Hospitality Properties, LLC. Planning Reference: Conditional Use Site Plan: C-26-01)

(Staff Recommendation: Approval of the Active Recreation Area Plan for the project, subject to the conditions outlined in the Active Recreation Review Report)

ADJOURNMENT OF THE PARKS, RECREATION, AND COMMUNITY ENHANCEMENT COMMITTEE MEETING

UTILITY COMMITTEE

ADOPTION OF THE AGENDA

1. **Annexation Request - 7 Nixon Lane, Owned by Lupe N. Fuller (Dawn Melson-Williams, Principal Planner)**

(Staff Recommendation: Upon consideration of utility services, it is found that electric, water, and sanitary sewer services are provided and/or available to the property located at 7 Nixon Lane. The Electric Department and Department of Water and Wastewater have no objection to its annexation.)

2. **Annexation Request - 1624 N. Little Creek Road and Two Adjacent Parcels, Owned by United Worldwide Express, LLC (Dawn Melson-Williams, Principal Planner)**

(Staff Recommendation: Upon consideration of utility services, it is found that electric, water, and sanitary sewer services are provided and/or available to the property located at 1624 North Little Creek Road and the two adjacent parcels. The Electric Department and Department of Water and Wastewater have no objection to its annexation.)

ADJOURNMENT OF THE UTILITY COMMITTEE MEETING

LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE

ADOPTION OF THE AGENDA

1. Presentation on Affordable Housing (Michelle Williams, Living Well Inc.)

(Committee Action Not Required)

2. Animal Control Officer Briefing (Caitlyn Smith, Animal Control Officer, and Sergeant Christopher Peer)

(Committee Action Not Required)

3. Draft Annual Comprehensive Financial Report (ACFR) (Patricia Marney, Controller/Treasurer)

(Staff Recommendation: Acceptance of the draft report)

4. Update from the Dover Organization of Employees (DOE) on Membership Priorities (Matthew Brown, President of the DOE Union)

(Committee Action Not Required)

5. Higher Education Public Safety Fund Disbursements (Chief Carey, Dover Fire Department)

A. Volunteer Firefighter Stipend Program

B. Dover Fire Department Security Fence

(Staff Recommendation: Approval of the disbursements as requested)

6. Amendment - Proposed Ordinance #2025-21 - Amending Chapter 106 - Traffic and Vehicles, Article III - Stopping, Standing, and Parking, by adding Sec. 106-139 - Pedestrian Safety (Councilman Anderson, David S. Hugg, III, City Manager, and Chief Johnson)

(Recommendation: Forward Proposed Ordinance #2025-21 as amended to council for approval)

ADJOURNMENT OF THE LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE MEETING**ADJOURNMENT OF THE COUNCIL COMMITTEE OF THE WHOLE**

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

PROCUREMENT PROCESS

QUESTIONS RAISED DURING COUNCIL COMMITTEE OF THE WHOLE | 11/25/2025

WHAT IS NEEDED TO MAKE THE PROPER ADJUSTMENT FOR THE MANDATORY PRE-BID MEETING?

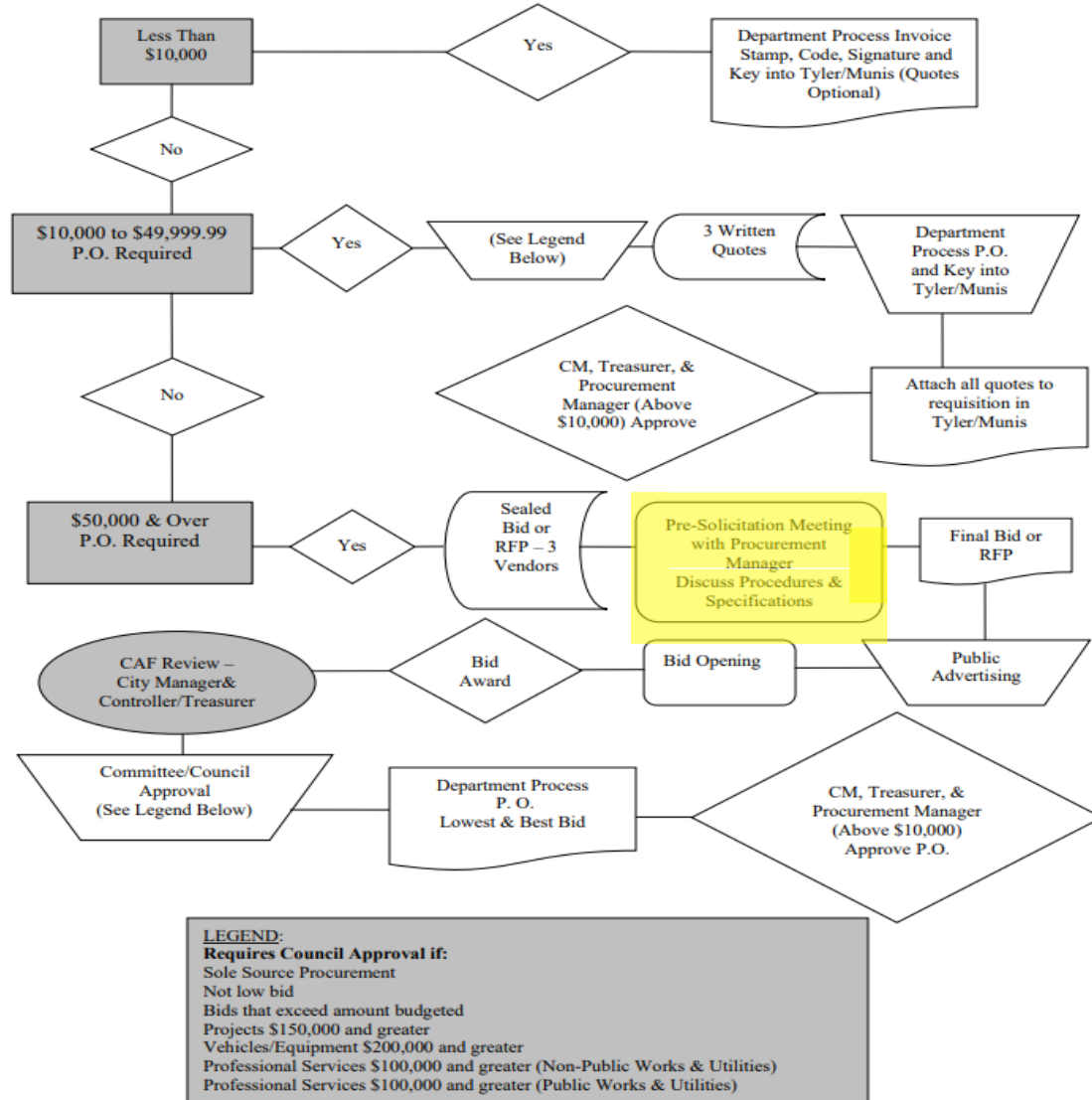
- **The short answer:** Council needs to direct the City Manager to amend the Purchasing policy, Central Services would then make such changes and present such to Council for review and approval.

The long answer

- The City of Dover Purchasing policy defines Pre-Bid Meetings as - *A meeting held by the buyer with potential bidders/proposers prior to the opening of the solicitation for the purpose of answering questions, clarifying any ambiguities, and responding to general issues to establish a common basis for understanding all of the requirements of the solicitation. May result in the issuance of an addendum to all potential providers. In certain situations, a mandatory conference may be advisable.*

Other than the definition, there is no reference to or requirement to hold such other than the recommended use on the flow chart for purchases over \$50,000 on page 3 & 6 of the policy (attached).

Purchasing Flow Chart



3.5 PURCHASING THRESHOLD TABLE:

PURCHASING THRESHOLDS		
Less than \$10,000	\$10,000 to \$49,999.99	\$50,000 & over
Open market; Department Head discretion to obtain quotes	Department Head solicit no less than three (3) written quotations; if fewer than three (3) quotations, justification must be included within the requisition in Tyler/Munis	Formal Invitation to Bid (ITB) or Request for Proposal (RFP); no less than three (3) potential vendors email addresses supplied to Procurement/Inventory by requesting Department
Purchases will be made by designated personnel	Quotations and support documentation are to be attached to requisition in Tyler/Munis; use the quotation worksheet in Appendix F	Pre-Solicitation Meeting recommended of the respective Department & Procurement Manager to discuss appropriate procedures and specifications
Approved invoices are to be entered in Tyler/Munis for payment	Requires requisition and purchase order through Tyler/Munis	Public sealed bid or sealed proposal procedures as outlined in Appendix B
Purchases under existing City contracts shall be made in accordance with the terms of such contract	All purchases will be made by soliciting Department utilizing a Purchase Order	Public Advertising at least once a week for two (2) consecutive weeks in publication with circulation in each county of the State; additional advertising discretionary
Supplies available from warehouse stock should not be procured from third party vendors	Award shall be made to the lowest and the best quotation; vendor references may be checked	Public Bid/Proposal Opening; time and date of public bid opening shall be stated in the notice for bids; delivered to Procurement/Inventory, 710 William Street, Dover, DE 19904
Item numbers, quantities, unit cost, and extension must be completed on every purchase order for materials or paying for contracted labor at hourly rates	Item numbers, quantities, unit cost, and extension must be completed on every purchase order for materials or paying for contracted labor at hourly rates	Faxed bid is not acceptable for this category; sealed bids may be emailed to bids@dover.de.us or as agreed to with the Department Head
Approval assigned at Department Head Level	Fax and email quotations are acceptable	Lowest and/or most responsive bid will be accepted; vendor references may be checked to verify ability to meet contract requirements
	Departmental approval assigned by Department Head; Electronic Approval – Asst. City Manager/City Manager & Controller/Treasurer	Bid Bond or certified check in the amount equivalent to ten percent (10%) of the bid amount for items/contracts over \$50,000; can be waived by Purchasing Manager and Department Head
	Purchase Order to include: Unit Cost \$; account number; project number if applicable; brief description of item or service when not identifiable; quotes from each vendor in comments	Performance Bond required for construction work
	NOTE – Changes to Purchase Orders are to be completed through the financial systems. Purchase Orders received with manual changes to amounts/unit cost will not be processed by the Finance Department	Purchases exceeding \$50,000 shall require Council approval for sole source procurement, greater than budget and not low bidder. Committee/Council Action Forms to include: budget \$, P. O. \$ or unit cost \$, account number, project number, page number in budget, bid/RFP number if applicable, if unit cost was bid include cost comparison, if blanket bid or proposal is for recurring services provide average annual cost for past three years for the service and description and recommended action

BID AND RFP DATA FOR FY 2026

COMMODITY	BID/RFP NUMBER	NUMBER OF FIRMS SOLICITED	NUMBER OF RESPONSES RECEIVED	PRE-BID/PROPOSAL MEETING HELD
Fuel Island, Dispensers, & Tank Replacement	26-0001WH	7	2	YES
SCADA Equipment Upgrade	26-0002WW	8	4	YES
Manganese Removal System for Drinking Water	26-0003WW	8	1	YES
General Scott Substation Transformer Replacement	26-0004EL	16	1	NO
Water Quality Improvement	26-0005WW	22	6	YES
Security Fence Replacement at WTP	26-0006WW	9	5	YES
FY26 Street and Alley Program	26-0007WW	21	8	YES
Pump Station #7 Upgrades	26-0008WW	21	2	YES
Silver Lake Dam Repairs	26-0009WW	23	2	YES
Laurel Drive Pump Station Upgrade Engineering Design Support	26-0010WW	30	5	YES
Transformers for Stock	26-0011WH	16	17	NO
AVERAGE FIRMS SOLICITED VS RECEIVED		16.5	4.8	

THE NIGP (THE INSTITUTE FOR PUBLIC PROCUREMENT) DEFINES PRE-BID MEETINGS

- *A crucial formal session held after a solicitation is released, but before bids are due, to ensure **transparency, clarity, and fairness** by allowing buyers to explain complex requirements, answer bidder questions, and address technical/financial details, preventing misunderstandings and promoting better, more competitive proposals for complex projects.*

PROFESSIONAL OPINION OF THE CENTRAL SERVICES DEPARTMENT

We believe making pre-bid meetings mandatory may be counterproductive to the procurement process. Delaware's small size limits the number of vendors within reasonable distance of Dover, and many solicitations already attract a small, close-knit pool of contractors.

When contractors know who else is bidding, they may choose not to compete aggressively, particularly in government procurement, rather than reduce profit margins. For example, during the Weyandt Hall elevator replacement, several vendors attended the pre-bid meeting, but only one bid was submitted. Similar outcomes have occurred with roofing contracts.

Some projects require a broader, out-of-state contractor base to ensure competition. Requiring mandatory pre-bid meetings for Dover projects may discourage such out-of-state firms from participating due to travel times, especially for smaller projects. Any **non-typical** procurement requirements risk reducing competition and limiting out-of-state participation.

HOW DO VENDOR PREFERENCES WORK?

- For evaluation purposes only, a 3% preference is applied to minority vendors by reducing their total bid amount. For example, if two bids are each \$100,000 and one is from a minority vendor, that bid is evaluated at \$97,000 when determining the low bidder. This policy is outlined on page 12 of the Purchasing Policy (attached).
- NIGP does not recommend any form of preference as it may lead to legal issues.

6.7 MINORITY OWNED VENDOR PREFERENCE:

Minority owned vendor preference shall be three percent (3%) of the value of the award. The vendor must identify qualification and claim to the preference on the submitted bid documents. The vendor must provide authoritative proof of minority ownership such as identification in the certification directory maintained by the State of Delaware, Office of Management and Budget, Office of Supplier Diversity, to qualify for this preference. This preference is to be considered as a stand-alone and cannot be added to any other preference that may be allowed. This preference shall not apply to sub-contractors.

6.8 LOCAL VENDOR PREFERENCE:

Local vendor preference shall be considered for materials, equipment, construction contracts, and utility contracts. Local vendor preference shall be three percent (3%) of the value of the award. A local vendor is a vendor with a "remit to" address or physical store location in the local area as identified below. The term local vendor is defined as a gradually increasing range with preference assigned as follows:

Rule 1: Vendor located within the city limits of the City of Dover

Rule 2: Vendor located within Kent County (if no vendor qualifies under Rule 1)

Rule 3: Vendor located within the State of Delaware (if no vendor qualifies under Rules 1 & 2)

If no vendor qualifies under rules 1, 2, or 3 no local vendor preference shall be awarded. The vendor must identify qualification and claim to the preference on the submitted bid documents. This preference shall not apply to sub-contractors.

NIGP'S POSITION

The National Institute of Governmental Procurement (NIGP) supports supplier diversity, which includes minority-owned businesses (MBEs), but generally advocates for programs focused on inclusion and equal opportunity rather than strict racial preferences or quotas, which can be legally complex and run counter to anti-discrimination laws. NIGP offers guidance for procurement professionals on best practices for supplier diversity, emphasizing fair processes, broad outreach, and removing barriers for diverse vendors, while acknowledging that explicit preferences (like price adjustments) must be narrowly tailored and justified to remedy past discrimination.

HOW DOES THE CITY OPERATE WITH WHAT IS CURRENTLY IN PLACE

- The COD Purchasing policy piggybacks off the State of Delaware as outlined below to ensure the preference outlined in our policy does not draw legal recourse. The use of the State of Delaware resource is required for all projects between \$10,000 and \$49,999.99 as well as common practice for developing a list of potential bidders for all bids and proposals. See page 40 & 41 (Appendix F of Purchasing policy attached).

APPENDIX F

CITY OF DOVER QUOTATION WORKSHEET

To be used for purchases between \$10,000 and \$49,999.99

Department: _____ Division: _____

Department Contact (Name & number): _____

Item/Service: _____

Estimated Dollar Value: _____

Account Code: _____ Project Code: _____

Vendors (At least three vendors must be used. Include at least one minority or women owned vendor, if available. Use of more than one minority or women owned vendor is encouraged):

1. Go to <https://business.delaware.gov/osd/>.
2. Click on "Directory of Certified Businesses" button.
3. Search by keyword i.e., Electrician, Construction, Furniture
List keyword(s) used: _____
4. Each company displayed will have its assigned NAICS code listed.
List NAICS Code(s) used: _____
5. Refine search by NAICS Code if necessary.
6. Were Vendors Found: YES NO If so, how many: _____
7. If no vendors were found, please explain: _____

Vendor 1: _____ Minority ☐

Vendor 2: _____ Minority ☐

Vendor 3: _____ Minority ☐

If more than three vendors are used, list them on the reverse of this form.

Date sent out for quotes: _____

Date due back: _____

Date of award: _____

Vendor receiving the award: _____

Was the 3% minority vendor preference applied in the evaluation? YES NO

Was this a minority vendor? YES NO

Date and initials of employee who verified vendor was not on the debarment list on the www.sam.gov website: Date: _____ Initials: _____

Total dollar amount of purchase or estimated total contract value: \$ _____

Purchase Order produced: YES NO PO Number: _____

Additional vendors used for this purchase

Vendor 4: _____ Minority ☐

Vendor 5: _____ Minority ☐

Vendor 6: _____ Minority ☐

Vendor 7: _____ Minority ☐

Vendor 8: _____ Minority ☐

Vendor 9: _____ Minority ☐

Vendor 10: _____ Minority ☐

Attach completed form to requisition in Tyler/Munis.

HOW DOES THE STATE OF DELAWARE HANDLE PREFERENCE

- Yes, Delaware offers minority vendor preference through its Office of Supplier Diversity (OSD) by providing certification for Minority, Women, Veteran, and Service-Disabled Veteran-Owned Businesses (MWVBEs), increasing their visibility, and supporting their access to state contracts, though it doesn't use strict quotas but rather aims for a race-neutral approach to increase overall diverse spend. Certified businesses get listed in a state directory, giving them a competitive advantage and helping agencies find them for procurement opportunities, with a goal to make state spending reflect the community's diversity.

HOW IT WORKS

How it Works:

1. **Certification:** The OSD offers free certification for businesses owned 51% or more by minorities, women, veterans, or individuals with disabilities.
2. **Directory:** Certified businesses are listed in a public online directory, making them easily discoverable by state agencies and local governments.
3. **Increased Visibility:** Certification helps document a company's status and enhances its competitive advantage in securing state contracts.
4. **Goal:** While Delaware aims for race-neutral strategies and avoids strict quotas, its goal is to increase the participation of diverse businesses in state procurement, making spending more reflective of the state's diverse population.

Key Entity:

- **Office of Supplier Diversity (OSD):** This division within the State of Delaware promotes and manages the supplier diversity program, offering certification, training, and resources.

In essence, Delaware provides strong support and pathways for minority vendors through its certification program, aiming to increase their opportunities to do business with the state.



DATA SHEET FOR RECREATION PLAN REVIEW
Review of Active Recreation Area Plan

PARKS, RECREATION AND COMMUNITY ENHANCEMENT COMMITTEE
MEETING OF February 10, 2026
PLANNING COMMISSION MEETING of February 17, 2026

Plan Title:	Bay Pointe Apartments (One Building Concept)
Plan Type:	Active Recreation Area Associated with Conditional Use Site Plan C-26-01
Location:	Southwest side of Bay Road at Lafferty Lane
Address:	1100 Bay Road
Tax Parcels:	ED-05-086.00-01-20.00-000
Owner/Applicant:	Patel Hospitality Properties
Site Area:	3.302 +/- acres
Zoning:	C-4 (Highway Commercial Zone)
Prior Use:	vacant, vegetated/wooded areas
Proposed Use:	One Apartment Building with associated site improvements
Dwelling Units:	54 units
Parking:	Required: 122 parking spaces Proposed: 131 parking spaces
Water:	City of Dover
Sanitary Sewer:	Kent County Department of Public Works
For Consideration Recreation Area:	Active Recreation Area Plan Required – 10,000 SF Provided – 13,390 SF

I. PROJECT SUMMARY:

This Application C-26-01 is for review of a Conditional Use Site Plan to permit the construction of a Multiple Family Dwelling Unit (Apartment) Building, a three-story (59,313 SF Gross Floor Area) building with 54 apartment units (16 two-bedroom, 38 one-bedroom), and associated site improvements. The property is zoned C-4 (Highway Commercial Zone) which requires approval of a Conditional Use Application for the proposed Apartment Building. The associated site improvements include a parking lot, multi-use path along the frontage of Bay Road and sidewalk connections from the parking lot to the building and from the multi-use path to the parking area. This project also includes landscaping along the Bay Road frontage and around and throughout the parking area.

Previous Application

This Apartment Building Plan was previously reviewed and approved as C-21-04 Bay Pointe Apartments in May 2021 by Planning Commission with Final Plan Approval in June 2023. That plan expired, and the applicant has submitted this new Application C-26-01 which replicates what was previously approved.

II. ACTIVE RECREATION AREA PLAN SUMMARY:

According to Article 5 §10.514 Residential developments of ten (10) or fewer acres with a density over six units per acre shall be required to provide 150 square feet of Active Recreation Area per dwelling unit or 10,000 square feet of active recreation area, whichever is greater. With this project of fifty-four (54) units, the Active Recreation Area requirement calculates to 8,100 SF which is less than 10,000 SF thus requiring the greater amount. The property is 3.302 acres; therefore, density is 16.3 dwelling units per acre.

The following table depicts the calculation of Active Recreation Area required and a summary of the amenities:

	<i>Required</i>	<i>Provided on Plan</i>
Active Recreation Area (Article 5 §10.514)	150 S.F. per dwelling unit or 10,000 SF whichever is greater to be provided on site. 54 DU = 8,100 SF Required = 10,000 SF Provided: 13,390 SF	• 13,390 SF • 248 SF +/- per dwelling unit Amenities: • Picnic Pavilion/Gazebo • Picnic Tables (5) • Outdoor Fitness Stations • Sand Volleyball Court • Canoe/Kayak Storage Other Site Improvements: • Access to sidewalk system and multi-use path • Covered Bicycle Parking rack (outdoor)

The Plans submitted include an Active Recreation Area Plan Sheet (Sheet CS1002; included as exhibit). This plan shows the extent of the planned Active Recreation Facilities on site. Located to the north of the main building and connected to the building and the multi-use path (along Bay

Road frontage) via a sidewalk, the Active Recreation Area is noted as being 13,309 SF +/- in area. It is to be comprised of a picnic area with associated gazebo and picnic tables, an area dedicated to outdoor fitness equipment, a storage facility for kayaks, and a designated sand volleyball court. These features are proposed in addition to the bicycle parking facilities (for minimum 7 bicycles), a sidewalk around the perimeter of the Apartment Building, and a connection to the multi-use path along Bay Road.

III. REVIEW PROCESS

The Planning Office has prepared this Active Recreation Area Report outlining the facilities proposed by the Applicant to meet the Active Recreation Area requirements. The Parks, Recreation and Community Enhancement Committee will need to consider the proposed Active Recreation Area proposal and make a recommendation. The Planning Commission must act to accept the proposed Recreation Area Plan as part of its review of the Conditional Use Site Plan.

The Parks, Recreation and Community Enhancement Committee will review the proposed Active Recreation Area facilities for Bay Pointe Apartments (C-26-01) at their meeting on February 10, 2026. The Planning Commission Public Hearing and Review of the Conditional Use Site Plan C-26-01 is set for February 17, 2026.

IV. CODE CITATIONS:

Dover Code of Ordinances, Appendix B – Zoning, Article 5 – Supplementary Regulations, Section 10 – Open Space, Recreation and Other Public Facilities (select excerpts).

Article 5 Section 10

Section 10. - Open space, recreation and other public facilities.

The City of Dover shall require the reservation of open space, recreation and other public facilities in accordance with the provisions of this section as a condition of approval for all one-family dwelling, two-family dwelling and multiple-family dwelling residential developments requiring conditional use approval, site development plan approval, or land subdivision approval by the City of Dover Planning Commission.

10.1 Recreation areas.

10.11 Purpose. The purpose of this section is to ensure that active recreation areas are provided as an integral design element within residential developments and that such facilities are of an adequate scale in relation to the size of the residential development and which provide residents with a variety of active recreational pursuits.

10.12 Dedication required. The commission shall require the dedication or reservation of recreation areas, and the subsequent construction of recreation facilities of a character, extent and location suitable to the needs created by a development for recreation facilities as defined and in accordance with the design guidelines set forth.

10.13 Definition. The following are illustrative of the types of recreation areas and subsequent facilities that shall be deemed to serve active recreational needs and therefore to count toward satisfaction of the recreation area requirements of this section: tennis courts, handball courts, racquetball courts, swimming pools, saunas and exercise rooms, meeting or activity rooms within clubhouses, baseball and soccer fields, basketball courts, volleyball courts, swings, slides and play apparatus, and developed walking, jogging or biking trails.

10.14 Recreation area review...

10.15 *Design guidelines.*

10.151 Accessible. Recreation areas shall be accessible within the development and arranged in a manner which affords reasonable access to all residents within the development. When warranted, recreation areas can be dispersed throughout the development, provided that each remote location is accessible.

10.152 Pedestrian oriented. Recreation areas shall be pedestrian oriented and designed with linkages to existing and planned public walkways and with other existing or planned recreation areas.

10.153 Age oriented. The nature and scope of planned recreation areas shall reflect an awareness of, and sensitivity toward, the anticipated age groups that would reside within the proposed development.

10.154 Parking. Designs consider the need for parking facilities associated with recreation areas.

10.155 Walking, jogging and biking trails. Recreation trails shall only be counted toward the recreation area requirement when constructed as an accessory to central recreation facilities. The developed trail shall be the only area counted toward the area requirement.

10.156 Setbacks. No structure, equipment or game court surface required under this section shall be located nearer than 30 feet to any lot line of a lot to be used for residential purposes, nor nearer than 25 feet from any right-of-way line.

10.157 Landscaping. Such uses shall be landscaped in accordance with provisions of article 5, section 15, and where warranted, visual screening of parking areas, game courts, playground areas and other features as necessary to preserve and protect the interests of adjoining residential properties may be required.

10.158 Area. The minimum area of a remote recreation area shall be 2,000 square feet.

10.16 Area required. All residential developments shall provide recreational areas in a size equal to 275 square feet per dwelling unit or one-half acre of land, whichever is greater. In no case shall the commission require that more than ten percent of the gross area of the development be so dedicated or reserved when the gross area is greater than five acres.

10.17 *Cash in lieu of recreation area construction...*

10.5 *Exemption to recreation area and open space dedication.*

10.51 *Exemptions for small developments.*

10.514 *Residential developments of ten (10) or fewer acres with a density over six units per acre.* These developments shall be exempt from the area requirements set forth in section 10.16, but shall be required to provide 150 square feet of active recreation area per dwelling unit or 10,000 square feet of active recreation area, whichever is greater. If the commission determines that the construction of some or all of the required active recreation area is not practical or desirable, the commission shall require a cash in lieu donation for the active recreation area determined as not practical or desirable. Cash-in-lieu amount shall be in accordance with subsection 10.173 of this article.

10.7 Council approval. Prior to acceptance by the planning commission, all areas planned for public dedication, or cash donations provided under this section must be submitted to, and approved by the

parks, recreation, and community enhancement committee of the City of Dover, and shall be subject to final review and approval by [the] city council.

V. STAFF RECOMMENDATIONS

Planning Staff recommends approval of the proposed Active Recreation Area for Conditional Use Site Plan Application C-26-01 Bay Pointe Apartments. The following are comments and recommendations from the Planning Office following review of the Active Recreation Area Plan.

- 1) Active Recreation Area: As a residential development, there is a requirement for Active Recreation Area. The Plans submitted note an area of 13,390 SF to the north of the building specifically designated as “Active Recreation Area.” The features of this Active Recreation Area identified include: a Gazebo and picnic area with picnic tables and seating; a covered Kayak Storage Facility; an Outdoor Fitness Station; and a Sand Volleyball court. Staff supports the proposed Site Improvements proposed to meet the qualifications of an Active Recreation Area.
- 2) Recreation Areas: Staff recommends approval and further recommends the following regarding improving functionality and accessibility of the Active Recreation Area for the potential residents.
 - a. Accessibility:
 - i. Implement accessible sidewalks connecting from the main building, across the parking lot (including any and all required crosswalk striping, and accessible ramps on all sidewalks) to the Active Recreation Area.
 - ii. The gazebo itself should be accessible with no steps required in order to enter. This can be achieved using site grading.
 - iii. At least one picnic table should have access to it provided via a sidewalk and at least one (1) accessible space for seating.
 - b. General:
 - i. Clarify if gazebo will have interior seating.

VI. ADVISORY COMMENTS

- 1) The Conditional Use Site Plan set depicting any Recreation Areas is to include appropriate improvements, plans, and details of the Recreation Area as approved.
- 2) There shall be provisions which ensure that any proposed Active Recreation Areas shall continue as such and be properly managed and maintained. The developer shall either retain ownership and responsibility for maintenance of the common use areas or provide for and establish one (1) or more organizations for the ownership and maintenance of all common space i.e. a Homeowners Association or other property management entity. The organization shall be responsible for maintenance, insurance and taxes on the recreation areas.
- 3) In the event, that major changes and revisions to the Plan occur in the finalization of the Plan, contact the Planning Office. Examples include reorientation of building, relocation of site components, changes in floor area or unit count, or design revisions impacting Active

Recreation Areas. These changes may require resubmission for review by the Development Advisory Committee, Planning Commission, or other agencies and commissions making recommendations in regard to the plan.

- 4) The Parks, Recreation, and Community Enhancement Committee shall submit to the Planning Commission a report detailing the recommendations as to the Active Recreation Area requirements.

Attachments:

- Excerpts from Site Plan set C-26-01 Bay Pointe Apartments: Site Improvement Plan Sheet (CS1001), Active Recreation Plan Sheet (CS1002) and Landscape Plan Sheet (CS2001)

Note: This review Report was initially prepared by Staff of the Rossi Group (under a Planning Services contract with the City of Dover). The Report was completed with additional review and editing by the City's Planning Office.



EXISTING TAX PARCELS

EXISTING TAX PARCELS

ED-05-086.00-01-18.00-000 (LOT 1)
1080 BAY RD, DOVER, DE 19901
0.2461 ACRES (10,721 SF)

ED-05-086.00-01-19.00-000 (LOT 2)
1106 BAY RD, DOVER, DE 19901
0.4963 ACRES (21,618 SF)

ED-05-086.00-01-20.00-000 (LOT 3)
BAY RD, DOVER, DE 19901
2.5600 ACRES (111,518 SF)

PATEL HOSPITALITY PROPERTIES

OWNER

OWNER ADDRESS

EXISTING ZONING

EXISTING USE

PROPOSED USE (C)

MULTI-FAMILY APARTMENT - 54 UN

(FOLLOWING CONSOLIDATION OF 3 PARCELS)

3.302 ACRES (143,857 SF)

	<u>REQUIRED</u>	<u>PROPOSED</u>
MINIMUM LOT WIDTH (FT)	150	682
MINIMUM LOT DEPTH (FT)	150	297
MINIMUM FRONT YARD (FT)	20	89.75
MINIMUM SIDE YARD (FT)	15	60.75
MINIMUM REAR YARD (FT)	10 OR EQ. BLDG HEIGHT = 35	86.09
MAXIMUM BUILDING HEIGHT (FT)	75	35
MAXIMUM BUILDING HEIGHT (# OF STORIES)	6	3
MAXIMUM FLOOR AREA RATIO	0.4 (575,424 SF)	0.41 (59,313 SF)
MAXIMUM LOT COVERAGE (%)	75% (107,893 SF)	72.2% (103,979 SF)

REQUIRED OFF-STREET PARKING

REQUIRED OFF-STREET PARKING

2 SPACES PER DWELLING UNIT +
1 SPACE FOR EVERY 200 SF OF OFFICE +
0.25 SPACES PER DWELLING UNIT FOR VISITORS
= $(2'54) + (1'0/200) + (0.25'54)$
= 122
= 131
= 5 (1 MUST BE VAN ACCESSIBLE)
= 6 (1 VAN ACCESSIBLE)
1 PER 20 PROPOSED OFF-STREET PARKING SPACES
= 7 SPACES
= 8 SPACES
2 FOR FIRST 48 DWELLING UNITS +
1 FOR EACH ADDITIONAL 24 UNITS OR FRACTION
= 3
= 3

	LOT 1	LOT 2	LOT 3	TOTALS	
BUILDINGS (PRIMARY)	0 SF	0 SF	0 SF	0 SF	(0%)
OTHER IMPERVIOUS SURFACE	0 SF	1,049 SF	0 SF	1,049 SF	(0.7%)
OPEN SPACE	10,721 SF	20,569 SF	111,518 SF	142,808 SF	(99.3%)
TOTAL	10,721 SF	21,618 SF	111,518 SF	143,857 SF	(100%)

	<u>CONSOLIDATION OF LOTS 1-3</u>
BUILDINGS (PRIMARY)	19,771 SF (13.7%)
OTHER IMPERVIOUS SURFACE	84,208 SF (58.5%)
OVERALL IMPERVIOUS COVERAGE	103,979 SF (72.2%)
<u>OPEN SPACE</u>	<u>39,878 SF (27.8%)</u>
TOTAL	143,857 SF

	<u>REQUIRED</u>	<u>PROPOSED</u>
TREE PLANTINGS	48	54
SHRUB PLANTINGS	0	162

	<u>PROPOSED</u>
ONE BEDROOM UNIT	38
TWO BEDROOM UNIT	16
TOTAL UNITS	54

1. ALL WORK SHALL COMPLY WITH ALL APPLICABLE STATE, FEDERAL AND LOCAL CODES. ALL NECESSARY LICENSES AND PERMITS SHALL BE OBTAINED BY THE CONTRACTOR AT HIS EXPENSE UNLESS PREVIOUSLY OBTAINED BY OWNER. THE CONTRACTOR SHALL ERECT AND MAINTAIN, AS REQUIRED BY THE CONDITIONS AND PROGRESS OF THE WORK, ALL NECESSARY SAFEGUARDS FOR SAFETY AND PROTECTION.
2. THE CONTRACTOR SHALL IMMEDIATELY INFORM THE ENGINEER OF ANY DISCREPANCIES OR ERRORS THEY DISCOVER IN THE PLAN.
3. DEVIATION FROM THESE PLANS AND NOTES WITHOUT THE PRIOR CONSENT OF THE OWNER OR HIS REPRESENTATIVE OR THE ENGINEER MAY BE CAUSE FOR THE WORK TO BE REJECTED.
4. ALL MATERIALS SHALL BE NEW AND SHALL BE ASBESTOS AND VERMICULITE FREE. ALL MATERIALS SHALL BE STORED SO AS TO ASSURE THE PRESERVATION OF THEIR QUALITY AND FITNESS FOR THE INTENDED WORK.
5. DRAWINGS DO NOT INCLUDE NECESSARY COMPONENTS FOR CONSTRUCTION SAFETY. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL WORK TO BE PERFORMED. IT MUST BE IN COMPLIANCE WITH THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970, AS AMENDED AND ALL RULES AND REGULATIONS THERETO APPURTENANT.
6. PRIOR TO CONSTRUCTION, CONTRACTOR TO FIELD LOCATE AND RECORD AND DAMAGE TO EXISTING PAVING, SIDEWALKS, CURBS OR STRUCTURES NOT TO BE REMOVED OR REPLACED, ENGINEER TO VERIFY LOCATION AND EXTENT OF DAMAGE.
7. THE CONTRACTOR SHALL MAINTAIN ONE COMPLETE SET OF CONTRACT DRAWINGS ON WHICH HE SHALL NOTE, IN RED INK, THE ALIGNMENTS AND INVERTS OF ALL UNDERGROUND UTILITIES INSTALLED OR ENCOUNTERED DURING THE CONSTRUCTION OF THE WORK. ALL DISCREPANCIES BETWEEN THE PLAN LOCATIONS AND ELEVATIONS OF BOTH THE EXISTING AND PROPOSED UTILITIES SHALL BE SHOWN ON THE AS-BUILT DRAWINGS TO BE MAINTAINED BY THE CONTRACTOR IN THE FIELD.
8. THE CONTRACTOR SHALL OPEN ONLY THAT SECTION OF TRENCH OR ACCESS PITS WHICH CAN BE BACKFILLED AND STABILIZED AT THE END OF EACH WORKING DAY. STEEL PLATES SHALL BE USED ON ANY TRENCH OR ACCESS PITS WHICH MUST REMAIN OPEN OVERNIGHT. THIS REQUIREMENT DOES NOT APPLY TO AREAS COMPLETELY CLOSED AND SECURED FROM VEHICULAR OR PEDESTRIAN TRAFFIC.
9. DAMAGE TO EXISTING PAVING, SIDEWALK, CURB OR STRUCTURES NOT TO BE REPLACED OR REMOVED DURING CONSTRUCTION SHALL BE IMMEDIATELY REPORTED TO ENGINEER, CONTRACTOR SHALL REPAIR OR REPLACE ALL DAMAGED WORK WITHOUT CHARGE TO THE OWNER.
10. MISS UTILITY SHALL BE NOTIFIED THREE (3) DAYS PRIOR TO EXCAVATION.
11. ALL DISTURBED AREAS WITHIN THE LIMIT OF DISTURBANCE, BUT NOT IN PAVEMENT, SHALL BE TOP-SOILED (6" MINIMUM) SEEDED AND MULCHED, IF THE ENGINEER DETERMINES THAT A SATISFACTORY STAND OF GRASS DOES NOT EXIST AT THE TIME OF FINISHING. FINAL COSTS ASSOCIATED WITH RE-ESTABLISHING A SATISFACTORY STAND OF GRASS SHALL BE AT THE CONTRACTOR'S EXPENSE.
12. ALL SIGNING FOR MAINTENANCE OF TRAFFIC IS THE CONTRACTORS RESPONSIBILITY, AND SHALL FOLLOW THE GUIDELINES SHOWN IN LATEST EDITION OF "DELAWARE TRAFFIC CONTROLS FOR STREETS AND HIGHWAY CONSTRUCTION MAINTENANCE, UTILITY, AND EMERGENCY OPERATIONS."
13. DESIGN, FABRICATION AND INSTALLATION OF ALL PERMANENT SIGNING SHALL BE AS OUTLINED IN THE LATEST VERSION OF THE DE MUTCD.
14. DESIGN AND INSTALLATION OF ALL PAVEMENT MARKINGS AND STRIPING SHALL BE AS OUTLINED IN THE LATEST VERSION OF THE DE MUTCD. FOR FINAL PERMANENT PAVEMENT MARKINGS.
 - a) EPOXY RESIN PAINT SHALL BE REQUIRED FOR LONG LINE STRIPING.
 - b) THERMO PLASTIC (EXTRUDED OR PREFORMED MATERIAL) WILL BE REQUIRED ON ASPHALT SURFACES, FOR SHORT LINE STRIPING, I.E. SYMBOL LEGENDS.
 - c) PERMANENT PAVEMENT MARKING TAPE (PER DELDOT APPROVED MATERIALS LIST) WILL BE REQUIRED ON CONCRETE SURFACES, FOR SHORT LINE STRIPING, I.E. SYMBOL LEGENDS.

15. BREAKAWAY POSTS SHALL BE USED WHEN INSTALLING ALL SIGNS. REFERENCE DELDOT STANDARD CONSTRUCTION DETAIL T-15.
16. THE CONTRACTOR SHALL NOTIFY THE FOLLOWING TWO (2) WEEKS PRIOR TO THE START OF CONSTRUCTION:
 - 16.1. THE OWNER, KENT CONSERVATION DISTRICT, & SITE ENGINEER
17. THE CONTRACTOR SHALL MAINTAIN PUBLIC ROADS AND STREETS IN A BROOM SWEEP CONDITION AT ALL TIMES.
18. THE CONTRACTOR SHALL REMOVE AND IMMEDIATELY REPLACE, RELOCATE, RESET OR RECONSTRUCT ALL OBSTRUCTIONS IN THE WORK AREA, INCLUDING, BUT NOT LIMITED TO, MAILBOXES, SIGNS, LANDSCAPING, LIGHTING, PLANTERS, CURLETS, DRIVEWAYS, PARKING AREAS, CURBS, GUTTERS, FENCES, AND OTHER NATURAL OR MAN-MADE OBSTRUCTIONS. TRAFFIC CONTROL, REGULATORY, WARNING AND INFORMATION SIGNS SHALL REMAIN FUNCTIONAL AND VISIBLE TO THE APPROPRIATE LANE OF TRAFFIC AT ALL TIMES, WITH THEIR RELOCATION KEPT TO A MINIMUM DISTANCE.
19. TRANSITIONS FROM PROPOSED SIDEWALK AND CURB TO EXISTING SHALL BE MADE AT THE NEAREST EXISTING JOINT.

1. ALL FIRE LANES, FIRE HYDRANTS, AND FIRE DEPARTMENT CONNECTIONS SHALL BE MARKED IN ACCORDANCE WITH THE STATE FIRE PREVENTION REGULATIONS.
2. THE FOLLOWING WATER FOR FIRE PROTECTION REQUIREMENTS APPLY: MAIN SIZES: 8" MINIMUM. MINIMUM CAPACITY: 1,000 GPM @ 20 PSI RESIDUAL FOR 1 HOUR DURATION. HYDRANT SPACING: 800' ON CENTER (DSFPR REGULATION 702, CHAPTER 6, SECTION 3).
3. LOCK BOX WILL BE REQUIRED. CONTACT LOCAL FIRE CHIEF FOR ORDERING INFORMATION AND LOCATION OF BOX ON THE BUILDING.
4. THE PROPOSED BUILDING SHALL BE THREE STORY (35 FT MAX.)
5. THE PROPOSE BUILDING CONSTRUCTION TYPE PER NFPA 220, STANDARD ON TYPES OF BUILDING CONSTRUCTION, SHALL BE TYPE V(000).
6. AUTOMATIC FIRE SPRINKLERS ARE PROPOSED FOR THIS STRUCTURE AND SHALL BE MONITORED BY AN APPROVED FIRE ALARM SYSTEM.
7. FIRE DEPT. CONNECTION SHALL BE WITHIN 50 FEET OF MAIN ENTRANCE. ACCESS TO THE FIRE DEPT. CONNECTION SHALL BE CLEAR AND UNOBSTRUCTED AS DEFINED BY THE STATE FIRE REGULATIONS. FIRE DEPT. CONNECTION SHALL BE WITHIN 300 FEET OF A FIRE HYDRANT, MEASURED AS HOSE WOULD OFF THE FIRE EQUIPMENT.
8. ADDRESS NUMBERS OF AT LEAST 12 INCHES IN HEIGHT MUST BE PLACED ON THE STREET SIDE OF THE BUILDING AND VISIBLE FROM THE STREET.

1. OWNERSHIP OF THE PROPOSED ACTIVE RECREATION AREA SHALL BE RETAINED BY THE DEVELOPER OR A DESIGNATED HOMEOWNER'S / MAINTENANCE ASSOCIATION, THE ASSOCIATION SHALL BE RESPONSIBLE FOR THE MAINTENANCE, INSURANCE AND TAXES ON THE RECREATION AREA.
2. SANITATION SERVICES SHALL BE PROVIDED BY A PRIVATE SANITATION HAULER.



PENNONI ASSOCIATES INC.
 Christiana Executive Campus
 121 Continental Drive, Suite 207
 Newark, DE 19713-4310
 T 302.655.4451 F 302.654.2895

Item 8

BAY POINTE APARTMENTS
 BAY ROAD
 CITY OF DOVER, DELAWARE 19901

SITE IMPROVEMENT PLAN

PATEL HOSPITALITY PROPERTIES
 3717 DUPONT PARKWAY
 TOWNSEND, DELAWARE 19734

ALL DIMENSIONS MUST BE VERIFIED BY CONTRACTOR AND OWNER MUST BE NOTIFIED OF ANY DISCREPANCIES BEFORE PROCEEDING WITH WORK

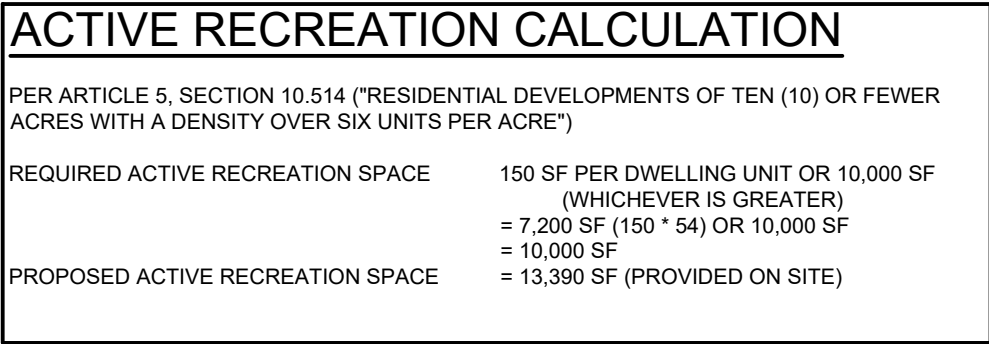
	ALS	SRA	BRD	GBR	BY	
2023-03-14	5	FINAL PLANS				
2023-01-12	4	PER DELDOT COMMENTS				
02/17/22	3	REVISD PER CDD PW				
02/11/22	2	REVISED PER KC PW				
9/24/21	1	PER DAC COMMENTS / CHECK PRINT SUBMISSION				
DATE	NO.	REVISIONS				

ALL DOCUMENTS PREPARED BY PENNONI ASSOCIATES ARE INSTRUMENTS OF SERVICE IN RESPECT OF THE PROJECT. THEY ARE NOT INTENDED OR REPRESENTED TO BE SUITABLE FOR REUSE BY OWNER OR OTHERS ON THE EXTENSIONS OF THE PROJECT OR ON ANY OTHER PROJECT. ANY REUSE WITHOUT WRITTEN VERIFICATION OR ADAPTATION BY PENNONI ASSOCIATES FOR THE SPECIFIC PURPOSE INTENDED WILL BE AT OWNERS SOLE RISK AND WITHOUT LIABILITY OR LEGAL EXPOSURE TO PENNONI ASSOCIATES, AND OWNER SHALL INDEMNIFY AND HOLD HARMLESS PENNONI ASSOCIATES FROM ALL CLAIMS, DAMAGES, LOSSES AND EXPENSES ARISING OUT OF OR RESULTING THEREFROM.

PROJECT	PLAWX21003
DATE	2021-07-14
DRAWING SCALE	1"=30'
DRAWN BY	SRA
APPROVED BY	GBR

CS1001

SHEET	3		OF	14
-------	---	--	----	----



BAY POINTE APARTMENTS

BAY ROAD
CITY OF DOVER, DELEWARE 19901

ACTIVE RECREATION PLAN

PATEL HOSPITALITY PROPERTIES
3171 DUPONT PARKWAY
TOWNSEND, DELAWARE 19734

[illegible]

ALL DOCUMENTS PREPARED BY PENNONI ASSOCIATES ARE INSTRUMENTS OF SERVICE IN RESPECT OF THE PROJECT. THEY ARE NOT INTENDED OR REPRESENTED TO BE SUITABLE FOR REUSE BY OWNER OR OTHERS ON THE EXTENSIONS OF THE PROJECT OR ON ANY OTHER PROJECT. ANY REUSE WITHOUT WRITTEN VERIFICATION OR ADDITIONAL REASONING BY PENNONI ASSOCIATES FOR THE SPECIFIC PURPOSE INTENDED WILL BE AT OWNERS SOLE RISK AND WITHOUT LIABILITY OR LEGAL EXPOSURE TO PENNONI ASSOCIATES, AND OWNER SHALL INDEMNIFY AND HOLD HARMLESS PENNONI ASSOCIATES FROM ALL CLAIMS, DAMAGES, LOSSES AND EXPENSES ARISING OUT OF OR RESULTING THEREFROM.

PROJECT	PLAWX21003
DATE	2021-07-14
DRAWING SCALE	AS SHOWN
DRAWN BY	SRA
APPROVED BY	GBR

CS1002
SHEET 4 OF 14



PETITION TO ANNEX AND REZONE PROPERTY
Before the Dover City Council Committee of the Whole – Utility Committee
January 27, 2026

File Number: AX-26-01

Ordinance Number: 2025-23

Applicant/ Owner of Record: Lupe N. Fuller

Property Address: 7 Nixon Lane, Dover DE

Tax Parcel ID #: ED-00-068.19-01-28.00-000

Lot Size: 0.9533 acres +/- (41,526 SF)

Present Zoning: RS-1 (Residential Single Family Zone)

Proposed Zoning: R-8 (One Family Residence Zone)

2019 Comprehensive Plan Designation: Category 1: High Priority Annexation Areas

2019 Comprehensive Plan Land Use Category: Residential Medium Density

Present Use: Single Family Detached Dwelling

Proposed Use: Single Family Detached Dwelling and potential future subdivision of vacant area into multiple lots

Utility Availability:	<u>Electric:</u> 7 Nixon Lane is currently served by City of Dover Electric. With any future redevelopment or subdivision of the property, the electric service needs will be evaluated. The property owner will be responsible for any and all costs associated with the changes in electrical service needs related to any future redevelopment or subdivision including extending and providing service upgrades to the proposed property.
	<u>Water and Sanitary Sewer:</u> 7 Nixon Lane is not served by City of Dover Water. 7 Nixon Lane is not served by Sanitary Sewer. The property owner has not contacted the Department about the

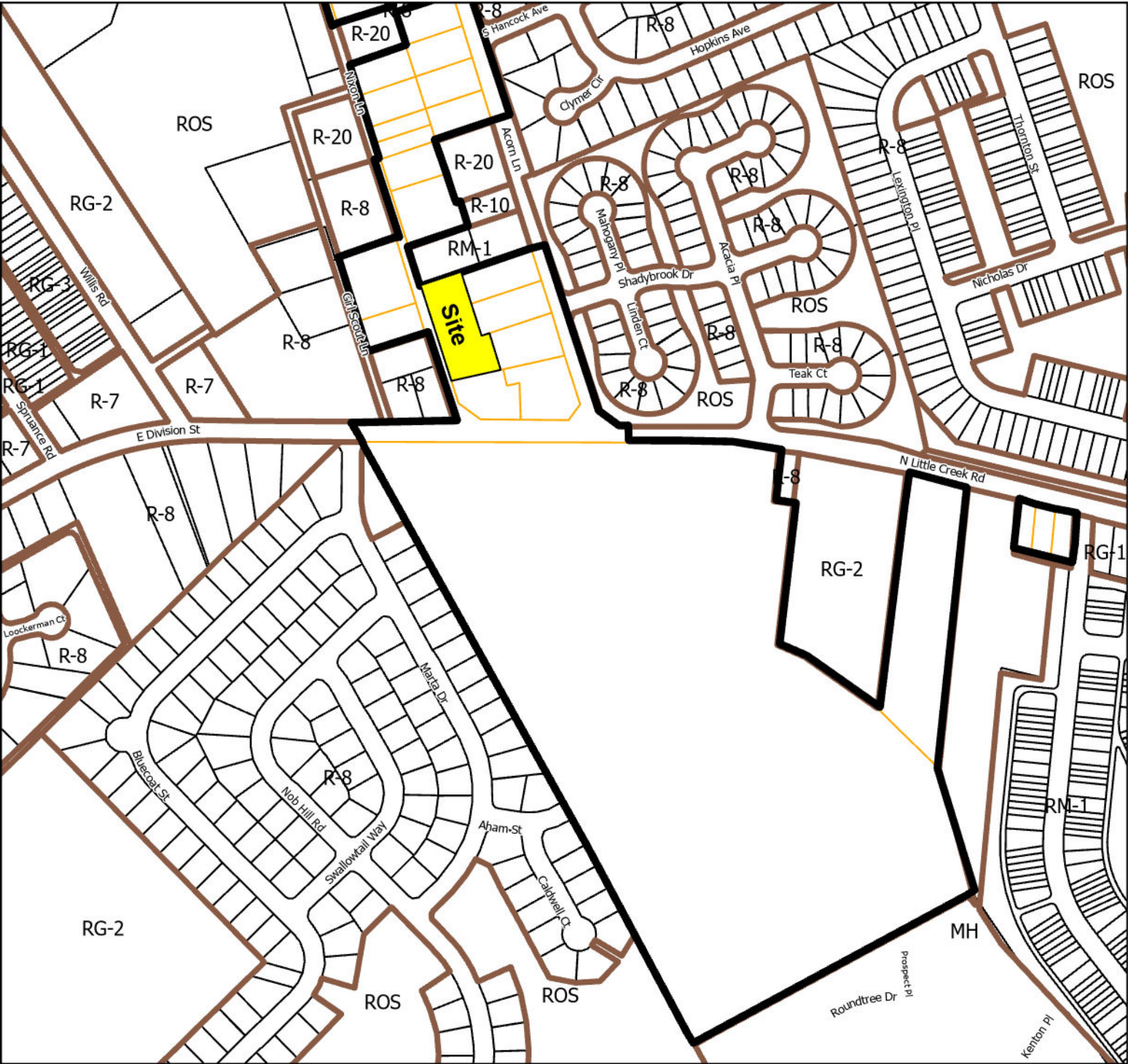
	possible connection to these services. Water and Sanitary Sewer are available to this property. The property owner is responsible for any and all costs associated with extending and providing service upgrades to the property. This may include, but not limited to, tapping the sanitary sewer and water mains, connection to the building for both utilities, purchasing appropriately sized water meter and pit, paying impact fees, and obtaining permits.
Staff Recommendation for AX-26-01:	The Electric Department has no objection to the annexation. The Department of Water and Wastewater has no objection to the annexation.

Attachments:

- Location Map AX-26-01
- Property Plan for 7 Nixon Lane

Annexation Review Process:

12/8/2025	First Reading/ Referral and Setting of Public Hearing by City Council
1/27/2026	Review of Utility Services by Council Committee of the Whole: Utility Committee
1/28/2026	Development Advisory Committee Meeting (Staff)
2/4/2026	Development Advisory Committee Meeting (Applicant)
2/17/2026	Public Hearing/Recommendation scheduled for the Planning Commission Meeting
3/9/2026	Public Hearing/Final Action scheduled for the City Council Meeting



Title: Lands of Fuller
Ordinance #: 2025-23
Addresses: 7 Nixon Lane
Parcel ID: ED-00-068.19-01-28.00-000
Existing Zoning: RS-1(Residential Single Family Zone)
Proposed Zoning: R-8 (One Family Residence Zone)
Owner: Lupe N. Fuller
Date: 12/2/2025

Legend

Subject Property

Dover Boundary

Zoning

Dover Parcels

Kent County Parcels



DATA

TAX MAP PARCEL NO.: ALL OF ED-00-068 19-01-27-00-000
TAX MAP PARCEL NO.: ALL OF ED-00-068 19-01-28-00-000
OWNER OF RECORD: STEPHEN F. & LUPEN FULLER
7 NIXON LANE
DOVER, DE 19901
(302) 734-1541

ENGINEER / SURVEYOR OF RECORD: SCOTT ENGINEERING, INC.
22 OLD RUDOLPH LANE
SUITE 2
DOVER, DE 19901
(302) 736-3058

ZONING: RS1

TOTAL PARCELS: 2

PROPOSED NUMBER OF PARCELS: 1

AREA:
PARCEL 27.00 (EXISTING) 0.5833 AC.±
PARCEL 28.00 (EXISTING) 0.3700 AC.±
PROPOSED COMBINED AREA 0.9533 AC.±

PRESENT USE:
EXISTING: PARCEL 27.00 RESIDENTIAL (VACANT)
PARCEL 28.00 RESIDENTIAL

PROPOSED USE:
EX. INDIVIDUAL SEPTIC & CITY OF DOVER SEWER
WATER: EX. INDIVIDUAL WATER & CITY OF DOVER WATER
FEMA PANEL NO.: EFFECTIVE DATE OF MAY 5, 2003
FLOOD ZONE: "UNSHADED X" ZONE
NO IMPACT

MONUMENTS FOUND: 4
MONUMENTS PROPOSED: 0
STRUCTURES: NONE
EASEMENTS: NONE
YARDS AND SETBACKS:
FRONT YARD: 30 FT.
REAR YARD: 30 FT.
SIDE YARD: 15 FT. (AGG. 40 FT.)
IMPERVIOUS COVERAGE PERMITTED: 25 PERCENT
DENSITY (NUMBER OF LOTS PER GROSS ACRE): 1.026
RELATION TO GROWTH ZONE: INSIDE
ROADWAY CLASSIFICATION: LOCAL ROAD
NIXON LANE (C.R. # 201400)
POSTED SPEED LIMIT: 25 MPH

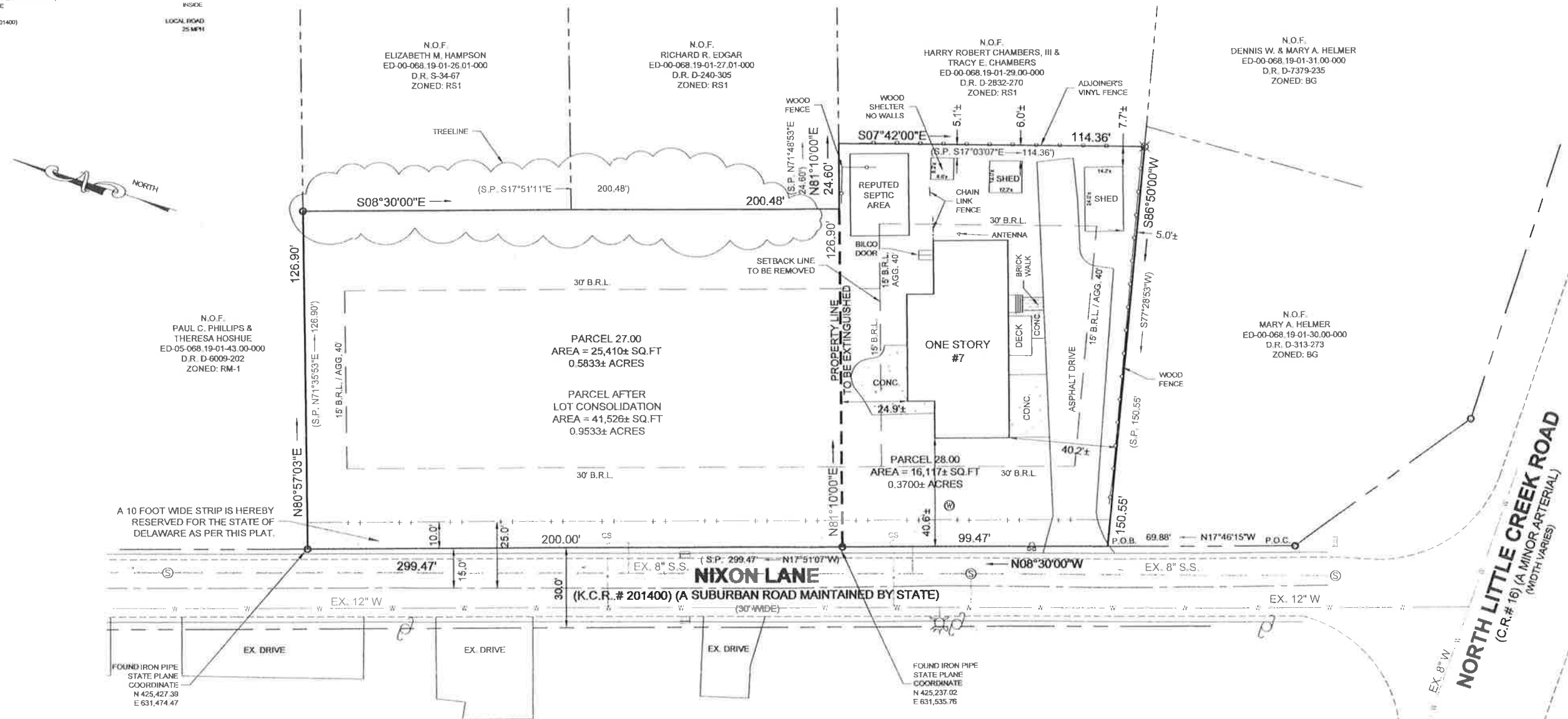
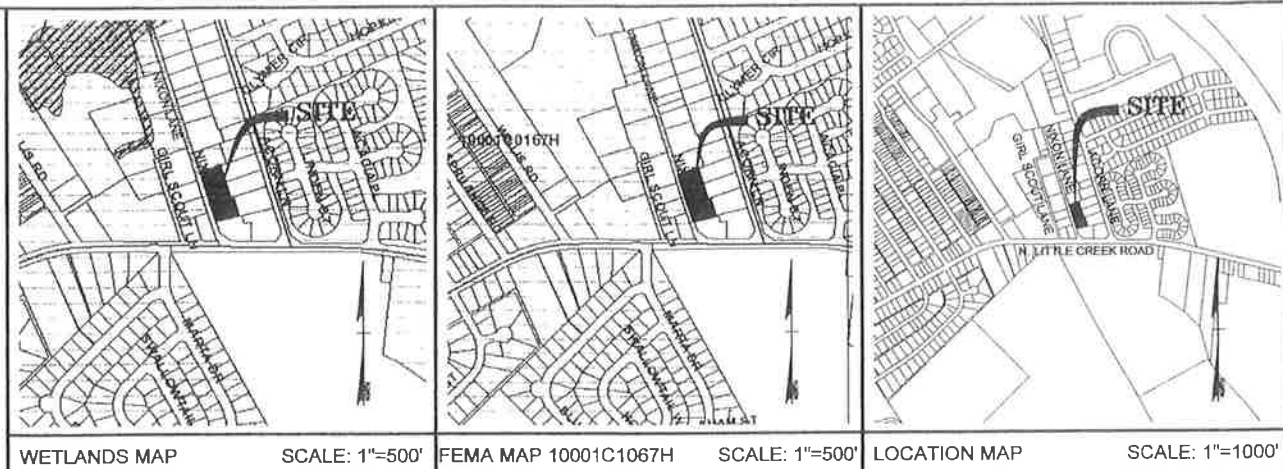
NOTES

- THIS BOUNDARY SURVEY WAS COMPILED BY USE OF PUBLIC LAND RECORDS, AND UPON PHYSICAL EVIDENCE AS COLLECTED BY A FIELD SURVEY. SAID BOUNDARY SURVEY IS SUBJECT TO ANY EASEMENTS, RIGHTS-OF-WAY OR ENCUMBRANCES AS MAY BE EVIDENCED BY A SUBSEQUENT TITLE SEARCH.
- ALL CERTIFICATIONS HEREON ARE VALID FOR THIS MAP AND COPIES THEREOF ONLY IF SAID MAP AND COPIES BEAR THE RED SEAL OF THE LICENSED ENGINEER WHOSE NAME APPEARS THEREON.
- THIS PLAN WAS PREPARED FOR THE CLIENT NOTED, NO RESPONSIBILITY IS IMPLIED AND/OR ASSUMED BY THE ENGINEER TO ANY FUTURE LAND OWNER OR OCCUPANT.
- THIS PROPERTY IS NOT IMPACTED BY STREAMS, DITCHES, PONDS, OR LAKES.
- THIS PROPERTY IS NOT IMPACTED BY WETLANDS.
- THIS PROPERTY IS NOT LOCATED IN THE 100-YEAR FLOOD PLAIN AS DEPICTED ON FEMA PANEL 10001C01067H, EFFECTIVE DATE OF MAY 5, 2003. IT IS LOCATED IN "UNSHADED X" ZONE, NO IMPACT.
- DATE OF FIELD SURVEY - 4/21/21
- NO TITLE EXAMINATION FURNISHED TO OR PERFORMED BY THE ENGINEER HEREOF.
- IF EXISTING ENTRANCES ARE ALTERED, THEY SHALL CONFORM TO DELDOT'S DEVELOPMENT COORDINATION MANUAL (DCM) AND SHALL BE SUBJECT TO ITS APPROVAL. NO CONSTRUCTION ACTIVITY SHALL OCCUR IN THE RIGHT-OF-WAY (ROW) WITHOUT A DELDOT PERMIT.
- ALL LOTS ON THIS PLAN HAVE CURRENT ACCESS TO CR #14196A (NIXON LANE).
- THIS PROPERTY IS NOT LOCATED IN THE NEARBY VICINITY OF ANY TRAFFIC IMPROVEMENT DISTRICTS (TID) IN OPERATION OR UNDER DEVELOPMENT.

LEGEND

PROPERTY LINE
ADJOINER PROPERTY LINE
SETBACK LINE
CENTERLINE ROAD
R.O.W.
(S.P. 10070.00'E 10' 0")
TREE LINE
PROPOSED DELDOT RESERVATION
FOUND IRON PIPE
FOUND HEDRA
FOUND POST
UTILITY POLE
WATER VALVE
CLEAN OUT
MAN HOLE
STORM DRAIN
SEWERY MANHOLE
WELL
P.O.C.
P.O.B.

STATE PLANE BEARING
POINT OF COMMENCEMENT
POINT OF BEGINNING



OWNER'S CERTIFICATION

WE, STEPHEN F. & LUPEN N. FULLER, HEREBY CERTIFY THAT WE ARE THE LEGAL OWNERS OF THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN, AND THAT THE PLAN WAS MADE AT OUR DIRECTION, AND THAT WE ACKNOWLEDGE THE SAME TO BE OUR ACT AND DESIRE THE PLAN BE DEVELOPED AS SHOWN IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS OF KENT COUNTY.

11-1-21
DATE

Stephen F. Fuller
STEPHEN F. FULLER

11-1-21
DATE

Lupen N. Fuller
LUPEN N. FULLER

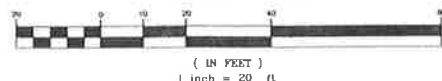
ENGINEER'S CERTIFICATION

I, GREGORY R. SCOTT, KENT COUNTY, DELAWARE, AM A REGISTERED ENGINEER IN THE STATE OF DELAWARE, THAT THE INFORMATION SHOWN HEREON HAS BEEN PREPARED UNDER MY SUPERVISION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF REPRESENTS GOOD ENGINEERING AS REQUIRED BY DELAWARE'S ENGINEERING ACT OF 1967.

10-29-21
DATE

GREGORY R. SCOTT
GREGORY R. SCOTT

GRAPHIC SCALE



KENT COUNTY PLANNING DEPARTMENT

VERIFIED BY: *[Signature]*

DATE: 11/1/21

KENT COUNTY APPROVAL

PLOT BOOK 144 PAGE 94
SIZE 36x24

RECEIVED FOR RECORD
TIME 1:09 PM
RECORDED

CLASS "B" SURVEY

LOT CONSOLIDATION PLAN
OF
LANDS OF
STEPHEN F. & LUPEN N. FULLER
7 NIXON LANE
DOVER, DE

SITUATE IN: EAST DOVER HUNDRED, KENT COUNTY, DELAWARE

ISSUED FOR AGENCY REVIEW

SURVEYED BY: S.E.L.
DESIGNED BY: S.E.L.
CHECKED BY: S.E.L.
SCALE: 1" = 20'
DATE: 06/06/21
DWG. NO: M-5519

C-1



PETITION TO ANNEX AND REZONE PROPERTIES
 Before the Dover City Council Committee of the Whole – Utility Committee
 January 27, 2026

File Number: AX-26-02

Ordinance Number: 2025-24

Applicant/ Owner of Record: United Worldwide Express, LLC

Property Address: 1624 North Little Creek Road, Dover DE
Tax Parcel ID #: ED-00-068.20-01-15.00-000
Lot Size: 5.12 acres +/-
Present Zoning: IL (Limited Industrial Zone)
 RMH (Residential Manufactured Home Zone)

Property Address: Unaddressed Parcel south of North Little Creek Road
Tax Parcel ID #: ED-00-077.00-01-07.00-000
Lot Size: 3.15 acres +/-
Present Zoning: RMH (Residential Manufactured Home Zone)

Property Address: Unaddressed Parcel west of State Route 1
Tax Parcel ID #: ED-00-077.00-01-07.01-000
Lot Size: 0.48 acres +/-
Present Zoning: RMH (Residential Manufactured Home Zone)

Proposed Zoning: IPM (Industrial Park Manufacturing Zone)
 AEOZ (Airport Environs Overlay Zone): APZII – Accident Potential Zone II

2019 Comprehensive Plan Land Use Category: Office and Office Park

Present Use: Storage/Warehouse Buildings and Vacant Lots

Proposed Use: Future Redevelopment (for Mini-Storage Buildings)

Utility Availability To Three Parcels:	<u>Electric:</u> 1624 N. Little Creek Road is currently served by City of Dover Electric. As the following parcels of the Unaddressed Parcel of 3.15 acres on N. Little Creek Road and the Unaddressed Parcel of 0.48 acres west of State Route 1 are undeveloped and woodland areas, they likely do not have specific City of Dover Electric services at the present time.
---	---

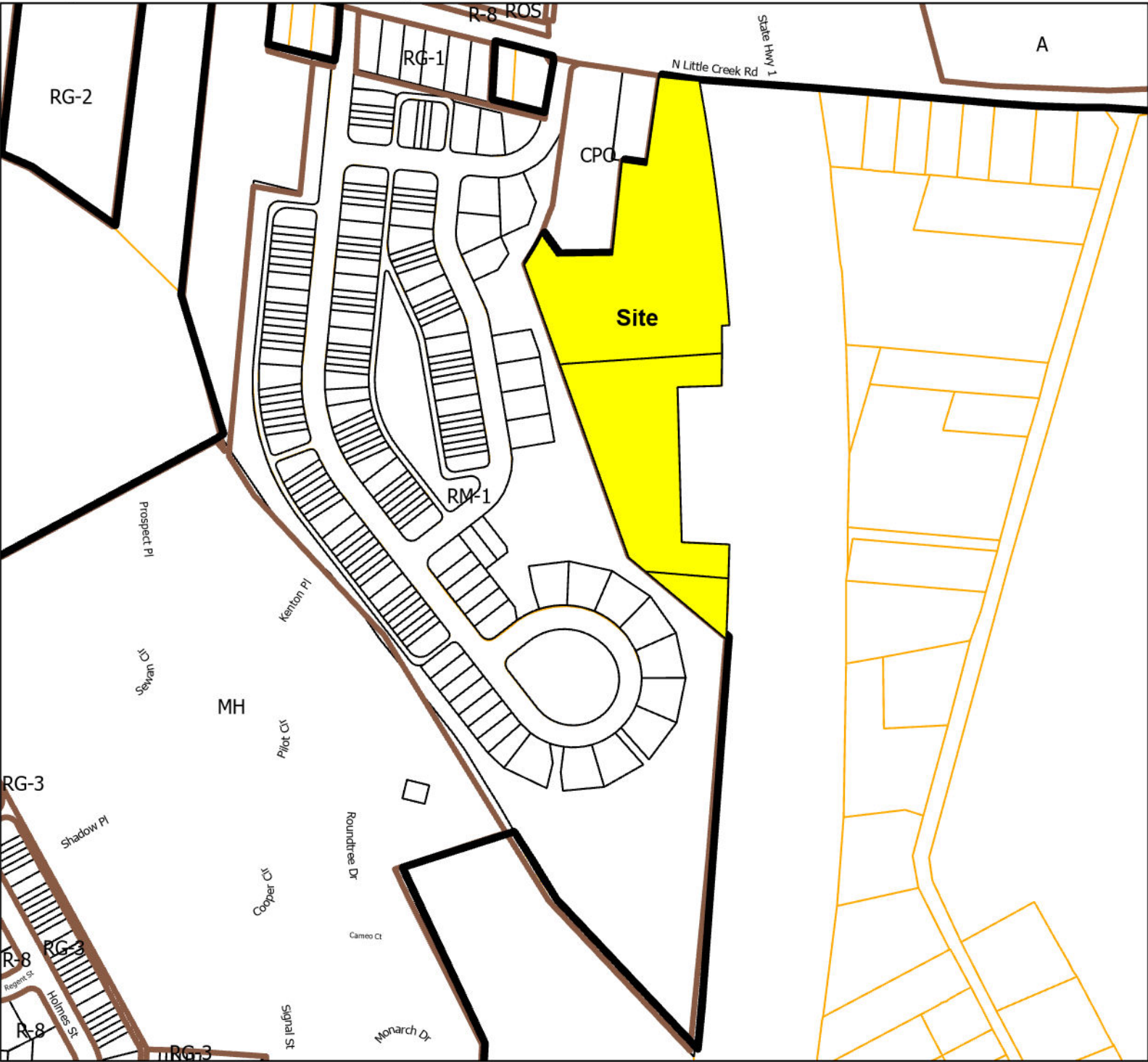
	With any future redevelopment of the properties, the electric service needs will be evaluated. The property owner will be responsible for any and all costs associated with the changes in electrical service needs related to any future redevelopment including extending and providing service upgrades to the proposed properties.
	<u>Water and Sanitary Sewer:</u> 1624 N. Little Creek Road is not currently served by City of Dover Water. Unaddressed Parcel of 3.15 acres on N. Little Creek Road is not currently served by City of Dover Water. Unaddressed Parcel of 0.48 acres west of State Route 1 is not currently served by City of Dover Water. 1624 N. Little Creek Road is not currently served by City of Dover Sanitary Sewer. Unaddressed Parcel of 3.15 acres on N. Little Creek Road is not currently served by City of Dover Sanitary Sewer. Unaddressed Parcel of 0.48 acres west of State Route 1 is not currently served by City of Dover Sanitary Sewer. The property owner has not contacted the Department about the possible connection to these services. Water is available to these properties. The property owner is responsible for any and all costs associated with extending and providing service upgrades to the property area. Sanitary Sewer is not immediately available to this property area; the developer may reach out to Kent County Public Works to see if the connection is more feasible. The property owner is responsible for any and all costs associated with extending and providing service upgrades to this property area. This may include tapping the sanitary sewer and water mains, connection to the building for both utilities, purchasing appropriately sized water meter and pit, paying impact fees, and obtaining permits.
Staff Recommendation for AX-26-02:	The Electric Department has no objection to the annexation. The Department of Water and Wastewater has no objection to the annexation.

Attachments:

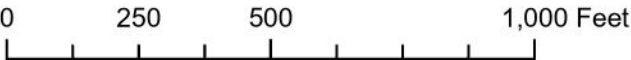
- Location Map AX-26-02
- Properties Plan for 1624 North Little Creek Road and Adjacent Two Parcels

Annexation Review Process:

12/8/2025	First Reading/ Referral and Setting of Public Hearing by City Council
1/27/2026	Review of Utility Services by Council Committee of the Whole: Utility Committee
1/28/2026	Development Advisory Committee Meeting (Staff)
2/4/2026	Development Advisory Committee Meeting (Applicant)
2/17/2026	Public Hearing/Recommendation scheduled for the Planning Commission Meeting
3/9/2026	Public Hearing/Final Action scheduled for the City Council



Title: Lands of United Worldwide Express, LLC
Ordinance #: 2025-24
Addresses: 1624 North Little Creek Road & Adjacent Two Parcels
Parcel ID: ED-00-068.20-01-15.00-000, ED-00-077.00-01-07.00-000, & ED-00-077.00-01-07.01-000
Existing Zoning: IL (Limited Industrial Zone) & RMH (Residential Manufactured Home Zone)
Proposed Zoning: IPM (Industrial Park Manufacturing Zone);
Subject to the AEOZ (Airports Environs Overlay Zone)
APZ II - Accident Potential Zone II
Owner: United Worldwide Express, LLC.
Date: 12/2/2025



Legend

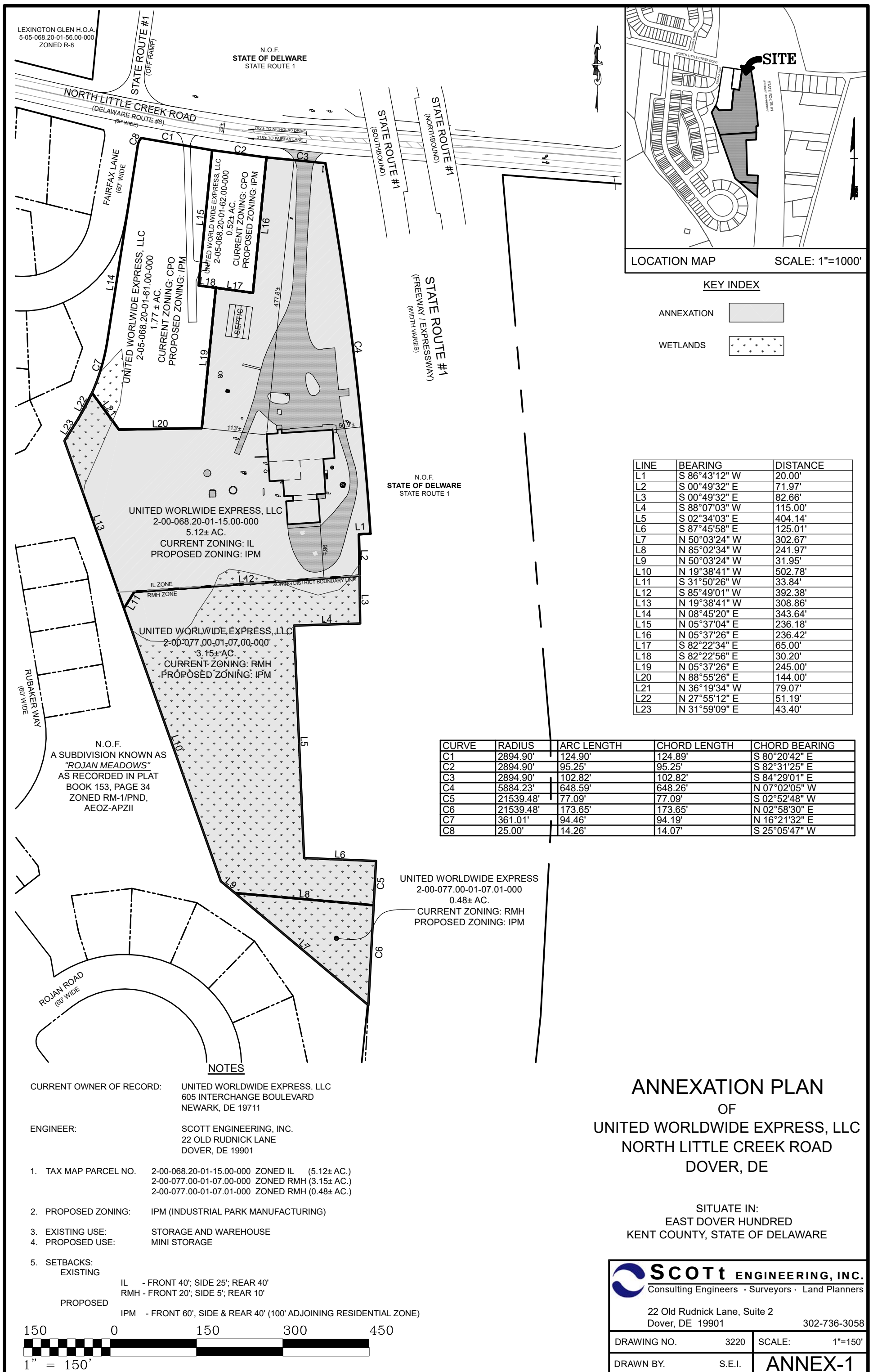
Subject Property

Dover Boundary

Zoning

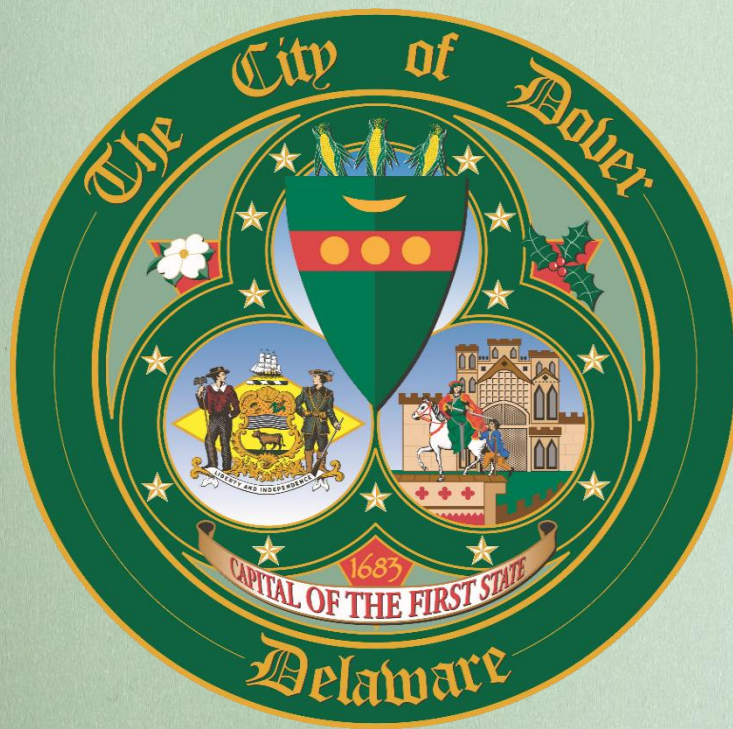
Dover Parcels

Kent County Parcels



ANNUAL COMPREHENSIVE FINANCIAL REPORT

UNAUDITED DRAFT 1.21.26

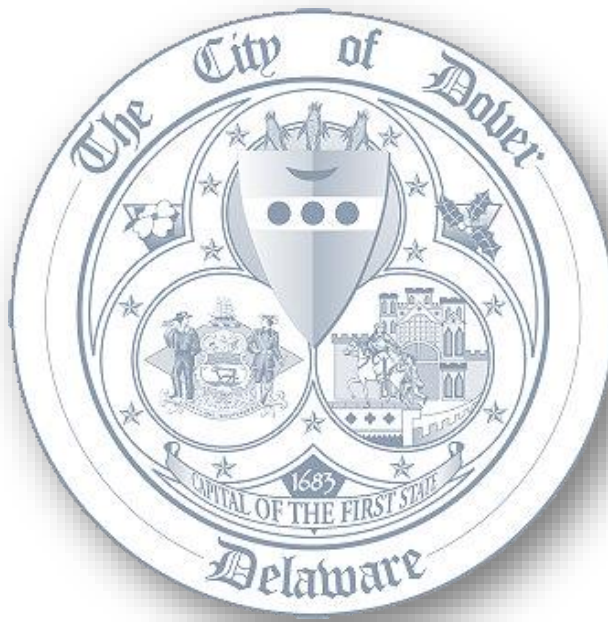


For the year ended June 30, 2025

CITY OF DOVER, DELAWARE

This page intentionally left blank

ANNUAL COMPREHENSIVE FINANCIAL REPORT



For the fiscal year ended June 30, 2025

Prepared by the City of Dover Finance Department

ACKNOWLEDGEMENTS

The City of Dover's Annual Comprehensive Financial Report was prepared by the Finance Department

Patricia Marney
Controller / Treasurer

Melanie Patterson / Tammy Kelledees
Assistant Controller/Treasurer

Robin Dickerson
Financial Reporting & Accounting Manager

Damir Sutton - Accountant I
Debbie O'Brien - Accountant II
Sharon Bivens / Robin Kassing – Temporary Accountants
Betty Benton - Payroll Specialist
Christopher McAleer - Accounts Payable Clerk

***SPECIAL APPRECIATION IS EXTENDED TO ALL PERSONNEL THROUGHOUT THE CITY
FOR THEIR CONTINUED SUPPORT OF THE FINANCE DEPARTMENT.***

PART C

BASIC FINANCIAL STATEMENTS

DRAFT ONLY ~ NOT FINAL

This page intentionally left blank

DRAFT ONLY ~ NOT FINAL

City of Dover, Delaware
Statement of Net Position
June 30, 2024

			Governmental Activities	Business-Type Activities	Total
Assets:					
Cash and Cash Equivalents	100	200	\$ 15,680,972	\$ 42,859,969	\$ 58,540,941
Investments	101	201	10,471,848	37,772,203	48,244,051
Receivables, Net	102	202	3,453,072	9,706,915	13,159,987
Internal Balances	103	203	(2,300,973)	2,300,973	(0)
Due from Other Governments	104	204	56,242	-	56,242
Inventory	105	205	172,432	4,634,275	4,806,707
Prepaid Items	109	209	91,850	1,768,664	1,860,514
Restricted Cash and Cash Equivalents	100.1	200.1	3,496,718	3,909,365	7,406,083
Restricted Investments	101.1	201.1	19,447	59,287,693	59,307,140
Capital Assets, Not Being Depreciated	108.1	208.1	9,309,876	16,443,759	25,753,635
Capital Assets, Net of Depreciation	108	208	52,149,851	119,062,678	171,212,529
Total Assets			92,601,335	297,746,494	390,347,829
Deferred Outflows of Resources:					
Pension related Deferred Outflows	110	210	8,191,486	4,711,126	12,902,612
OPEB related Deferred Outflows	110.1	210.1	3,543,976	488,593	4,032,569
Total Deferred Outflows of Resources			11,735,462	5,199,719	16,935,181
Liabilities:					
Accounts Payable and Accrued Liabilities	115	215	2,569,798	5,359,796	7,929,594
Unearned Revenue	116	216	147,686	2,986,956	3,134,642
Customer Deposits	117	217	-	2,829,968	2,829,968
Other	118	218	70,225	290,003	360,228
Liabilities Due within One Year	119	219	2,053,881	2,455,345	4,509,226
Non-Current Liabilities					
Due in more than One Year	120	220	6,232,843	21,984,730	28,217,573
Due in more than One Year - OPEB	121	221	5,263,621	759,463	6,023,084
Due in more than One Year - Pension	122	222	17,250,488	16,775,275	34,025,763
Due in more than One Year - ARO	123	223	-	11,618,846	11,618,846
Total Liabilities			33,588,543	65,060,382	98,648,925
Deferred Inflows of Resources:					
Pension related Deferred Inflows	112	212	(1,189,087)	228,328	(960,759)
OPEB related Deferred Inflows	112.1	212.1	3,625,268	513,613	4,138,881
Lease related Deferred Inflows	112.2	212.2	1,922,309	3,238,126	5,160,435
Total Deferred Inflows of Resources			4,358,490	3,980,067	8,338,557
Net Position:					
Net Investment in Capital Assets	126	226	56,341,652	112,134,337	168,475,989
Restricted for:	131	231			
Capital Projects	131.1	231.1	160,179	63,197,058	63,357,237
Public Safety Grants	131.3	231.3	528,444	-	528,444
Verizon Grant	131.4	231.4	84,293	-	84,293
Library Grant	131.5	231.5	170,613	-	170,613
Community Development Grants	131.7	231.7	23,141	-	23,141
Other State Grants	131.2	231.8	734,014	-	734,014
ARPA Grant	131.9	231.8	(632,336)	-	(632,336)
Unrestricted	132	232	8,979,764	58,572,782	67,552,546
Total Net Position			\$ 66,389,764	\$ 233,904,177	\$ 300,293,941

The notes to financial statements are an integral part of this statement.

City of Dover, Delaware
Statement of Activities
For the Year Ended June 30, 2024

Functions/Programs	Program Revenues					Net (Expense) Revenue and Changes in Net Position		
	Expenses	Indirect Expenses Allocation	Charges for Services	Operating Grants and Contributions	Capital Grants and Contributions	Governmental Activities	Business Type Activities	Total
Governmental Activities								
General Government	\$ 6,341,649	\$ (1,592,553)	\$ 8,193,706	\$ 10,315	\$ -	\$ 3,454,925	\$ -	\$ 3,454,925
Public Safety	27,807,337	-	5,270,219	3,437,520	-	(19,099,598)	-	(19,099,598)
Public Works	10,981,725	(667,278)	4,043,826	993,204	418,453	(4,858,964)	-	(4,858,964)
Library and Recreation	4,771,842	-	759,241	447,555	98,500	(3,466,546)	-	(3,466,546)
Community and Economic Development	523,243	-	-	754,802	-	231,559	-	231,559
Central Services	2,705,286	(1,031,076)	-	-	-	(1,674,210)	-	(1,674,210)
Financial Administration	4,363,834	(2,733,567)	-	-	-	(1,630,267)	-	(1,630,267)
Interest Charges	121,770	-	-	-	-	(121,770)	-	(121,770)
Total Governmental Activities	57,616,685	(6,024,474)	18,266,992	5,643,396	516,953	(27,164,870)	-	(27,164,870)
Business Type Activities								
Water	6,760,402	1,095,767	8,385,018	-	-	-	528,849	528,849
Wastewater	8,538,393	841,741	10,956,859	-	-	-	1,576,725	-
Electric	70,432,420	4,086,966	90,140,741	-	-	-	15,621,355	15,621,355
Total Business Type Activities	85,731,215	6,024,474	109,482,618	-	-	-	-	-
Total Primary Government	\$ 143,347,900	\$ -	\$ 127,749,610	\$ 5,643,396	\$ 516,953	(27,164,870)	17,726,929	(9,437,941)
General Revenues								
Taxes								
Property Taxes						16,192,980	-	16,192,980
Transfer Taxes						2,754,896	-	2,754,896
Gain on Investments						848,139	7,256,909	8,105,048
Total General Revenues						19,796,015	7,256,909	27,052,924
Transfers						6,662,055	(6,662,055)	(0)
Total General Revenues and Transfers						26,458,070	594,854	27,052,924
Changes in Net Position						(706,801)	18,321,783	17,614,983
Net Position Beginning						68,480,819	215,582,393	284,063,212
Net Position Ending						\$ 67,774,018	\$ 233,904,177	\$ 301,678,195
The notes to financial statements are an integral part of this statement.						66,389,764	233,904,177	300,293,941

City of Dover, Delaware
Governmental Funds Balance Sheet
June 30, 2024

	General Fund	Total Nonmajor Funds	Total Governmental Funds
Assets:			
Cash and Cash Equivalents	\$ 11,610,793	\$ -	\$ 11,610,793
Restricted Cash and Cash Equivalents	-	3,496,718	3,496,718
Investments	8,867,374	-	8,867,374
Restricted Investments	19,447	-	19,447
Receivables, Net			
Accounts	3,152,772	246,044	3,398,816
Taxes	49,256	-	49,256
Due from Other Funds	192,510	-	192,510
Temporary Advances	107,800	-	107,800
Due from Other Governments	-	56,242	56,242
Prepaid Items	90,771	1,079	91,850
Inventory	172,432	-	172,432
Total Assets	<u>\$ 24,263,155</u>	<u>\$ 3,800,083</u>	<u>\$ 28,063,238</u>
Liabilities:			
Accounts Payable	\$ 2,161,043	\$ 217,825	\$ 2,378,868
Unearned Revenue	147,686	-	147,686
Due to Other Funds	225	180,311	180,536
Temporary Advances	-	2,420,745	2,420,745
Other	70,225	-	70,225
Total Liabilities	<u>2,379,180</u>	<u>2,818,881</u>	<u>5,198,061</u>
Deferred Inflows of Resources:			
Unavailable Revenue	476,016	-	476,016
Leases Revenue	1,922,309	-	1,922,309
Total Deferred Inflows of Resources	<u>2,398,325</u>	<u>-</u>	<u>2,398,325</u>
Fund Balances:			
Non-Spendable	284,796	1,079	285,875
Restricted	87,146	980,123	1,067,269
Library Endowment	2,853	-	2,853
Verizon Cable Franchise	84,293	-	84,293
CDBG	-	23,141	23,141
Economic Dev	-	734,014	734,014
ERLSP	-	-	-
Garrison Oak Master Plan	-	-	-
Highway Resurfacing State Grants	-	160,179	160,179
Library Grants	-	166,681	166,681
Municipal Street Aid	-	-	-
ARPA Grant	-	(632,336)	(632,336)
Police Grants	-	480,261	480,261
Realty Transfer Tax	-	-	-
Substance Abuse Prevention	-	48,183	48,183
Committed	2,234,244	-	2,234,244
Assigned	5,968,357	-	5,968,357
Unassigned	10,911,107	-	10,911,107
Total Fund Balances	<u>19,485,650</u>	<u>981,202</u>	<u>20,466,852</u>
Total Liabilities, Deferred Inflows and Fund Balances	<u>\$ 24,263,155</u>	<u>\$ 3,800,083</u>	<u>\$ 28,063,238</u>

The notes to financial statements are an integral part of this statement.

City of Dover, Delaware
Reconciliation of the Balance Sheet of Governmental Funds
To the Statement of Net Position
June 30, 2024

Amounts reported for governmental activities in the statement of net position (page 47) are different because:

Total fund balances for governmental funds (Page 49)	\$ 20,466,852
--	---------------

Capital assets used in governmental activities are not financial resources and, therefore, are not reported in the funds.	61,459,727
---	------------

Other assets are not available to pay for current period expenditures and, therefore, are reported as unavailable revenue in the funds.

Deferred inflows of resources	476,016
-------------------------------	---------

The Net Pension Liability & OPEB Liability is not due and payable in the current period; therefore, the liability and related deferred inflows/outflows are not reported in governmental funds:

Deferred Outflows - Pension	\$	10,255,424	
Deferred Inflows - Pension		(874,851)	
Deferred Outflows - OPEB		3,543,976	
Deferred Inflows - OPEB		<u>(3,625,268)</u>	9,299,281

An internal service fund (page 53) is used by the City to charge the cost of the workers' compensation fund. The assets and liabilities of the internal service fund are included in governmental activities in the statement of net position.	5,488,543
--	-----------

Accrual basis of bond interest paid	178
-------------------------------------	-----

Long-term liabilities applicable to the City's governmental activities are not due and payable in the current period and, accordingly, are not reported as fund liabilities. Interest on long-term debt is not accrued in governmental funds, but rather is recognized as an expenditure when due. All liabilities both current and long-term are reported in the statement of net position.

Compensated absences represent amounts accrued for sick leave for those employees who are vested and accrued vacation for all employees.

The Net Pension Liability and OPEB Liability are not a use of current financial resources, and therefore, are not reported in the governmental funds.

Current-			
General Obligation Bonds		(516,303)	
Compensated Absences		<u>(1,533,731)</u>	
		(2,050,034)	
Long-Term-			
General Obligation Bonds		(4,591,900)	
Compensated Absences		(1,639,663)	
Leases		(5,127)	
Net Pension Liability		(17,250,488)	
Net OPEB Liability		<u>(5,263,621)</u>	
		<u>(28,750,799)</u>	(30,800,833)
Total net position of governmental activities (Page 47)			<u>\$ 66,389,764</u>

The notes to financial statements are an integral part of this statement.

City of Dover, Delaware
Statement of Revenues, Expenditures and
Changes in Fund Balances of Governmental Funds
For the Year Ended June 30, 2024

	General Fund	Total Nonmajor Funds	Total Governmental Funds
Revenues			
Fines	\$ 697,859	\$ 66,052	\$ 763,911
Library Revenue - General	148,058	-	148,058
Library Revenue County Reimbursement	425,611	-	425,611
Licenses and Permits	3,943,779	-	3,943,779
Sanitation Fees and Rebates	3,966,546	-	3,966,546
Recreation	-	45,195	45,195
Miscellaneous Services	4,567,809	-	4,567,809
Property Taxes	16,210,818	-	16,210,818
Transfer Taxes	-	2,754,896	2,754,896
Grants	1,781,771	4,378,578	6,160,349
Court of Chancery Fees	4,449,818	-	4,449,818
Investment Income	444,097	193,425	637,522
Total Revenues	36,636,166	7,438,146	44,074,312
Expenditures			
Current:			
General Government	1,802,476		1,802,476
Library Services	1,965,658	383,535	2,349,193
Public Safety and Law Enforcement	27,059,069	2,364,548	29,423,617
Public Works	4,324,791	336,154	4,660,945
Recreational Services	3,489,820	-	3,489,820
Streets and Sanitation Services	5,159,756	-	5,159,756
Engineering Services	293,273	-	293,273
Financial Administration	653,677	-	653,677
Garage and Stores	1,366,397	-	1,366,397
Insurance	483,356	-	483,356
Retiree Health Care	2,548,000	-	2,548,000
Employee Pension Appropriation	1,000,000	-	1,000,000
Community and Economic Development	150,000	639,229	789,229
Street Lights	835,660	-	835,660
Debt Service:			
Principal Retirement	506,218	-	506,218
Interest and Fiscal Charges	121,772	-	121,772
Total Expenditures	51,759,923	3,723,466	55,483,389
Excess (deficiency) of Revenues over Expenditures	(15,123,757)	3,714,680	(11,409,077)
Other Financing Sources (Uses)			
Bonds Issued	-	-	-
Payment to bond refunding agent	-	-	-
Transfers In	13,304,670	1,154,105	14,458,775
Transfers Out	(1,025,000)	(6,774,110)	(7,799,110)
Total other Financing Sources (Uses)	12,279,670	(5,620,005)	6,659,665
Net Change in Fund Balances	(2,844,087)	(1,905,325)	(4,749,412)
Fund Balances at Beginning of Year	22,329,737	2,886,527	25,216,264
Fund Balances at End of Year	\$ 19,485,650	\$ 981,202	\$ 20,466,852

The notes to financial statements are an integral part of this statement.

City of Dover, Delaware
Reconciliation of the Statement of Revenues, Expenditures and Changes
in Fund Balances of Governmental Funds to the Statement of Activities
For the Year Ended June 30, 2024

Amounts reported for governmental activities in the statement of activities (page 48) are different because:

Net change in fund balances--total governmental funds (Page 51) \$ (4,749,412)

Governmental fund reports capital outlays as expenditures. However, in the statement of activities the cost of these assets is allocated over their estimated useful lives and reported as depreciation expense. This is the amount by which capital outlays exceeded depreciation in the current period.

Capitalization of net capital asset expenditures including CIP	\$ 6,778,901	
Loss on assets disposed of during the year	(167,667)	
Current year depreciation	(3,938,054)	
Leases	773	2,673,953

Governmental funds report the repayment of principal of general long-term debt as an expenditure but the repayment reduces the liability in the statement of net position. 506,218

Revenues that are not available to pay for current period expenditures are not reported as revenues in the funds. (83,029)

Governmental funds do not report GAAP related pension entries that record the Net Pension Liability. The following is the current year change in Net Pension Liability for the Governmental funds: (8,334,476)

Changes in Deferred Inflows and Deferred Outflows related to pension entries reported in the Statement of Activities. 3,290,905

Decreases in operating expenses due to the decrease in OPEB expense for the amortization of deferred outflows and inflows of resources related to the net OPEB liability. (124,149)

Under the modified accrual basis of accounting used in the governmental funds, expenditures are not recognized for the transactions that are not normally paid with expendable available financial resources. In the statement of activities, however, which is presented on the accrual basis, expenses and liabilities are reported regardless of when financial resources are available. In addition, assets are not recognized in governmental funds unless they represent current financial resources but are recognized in the statement of activities as they accrue. The following differences, therefore, occur between the statement of activities and the governmental funds.

Decrease in compensated absences	\$ (227,758)	
Bond interest accrual	-	
Increase in Net OPEB Liability	3,673,973	3,446,215

An internal service fund is used by the City to charge the costs of workers' compensation insurance to individual funds. The change in net position of the internal service fund is transferred to the governmental funds and amounts attributable to internal charges are then allocated to functional expenditures. Net revenue is allocated back to respective functions and business type activities, as appropriate. 1,006,561

Change in net position of governmental activities (Page 48) \$ (2,367,213)

The notes to financial statements are an integral part of this statement.

City of Dover, Delaware
Statement of Net Position - Proprietary Funds
Proprietary Funds
June 30, 2024

	Business-type Activities					Governmental Activities
	Water Fund	Wastewater Fund	Electric Revenue Fund	Non-Major Enterprise Funds	Total Enterprise Funds	Internal Service Fund
Assets						
Current Assets:						
Cash and Cash Equivalents	\$ 3,996,078	\$ 6,977,977	\$ 31,885,914	\$ 10,974,055	\$ 42,859,969	\$ 4,070,179
Investments	5,619,580	2,645,595	29,507,028	8,265,175	37,772,203	1,604,474
Receivables, Net	3,591,769	734,641	5,380,505	4,326,410	9,706,915	5,000
Due from Other Funds	2,312,945	112	-	2,313,057	2,313,057	-
Inventory	136,221	(1,132)	4,499,186	135,089	4,634,275	-
Prepaid Items	-	-	1,768,664	-	1,768,664	-
Total Current Assets	15,656,593	10,357,193	73,041,297	26,013,786	99,055,083	5,679,653
Non-Current Assets:						
Restricted Assets						
Cash	218,665	85,969	3,604,731	304,634	3,909,365	-
Investments	2,699,537	6,338,557	50,249,599	9,038,094	59,287,693	-
Capital Assets, Not Being Depreciated	4,126,428	152,545	12,164,786	4,278,973	16,443,759	-
Capital Assets, Net of Depreciation	34,845,863	30,109,210	54,107,605	64,955,073	119,062,678	-
Land	130,438	32,802	1,458,066	163,240	1,621,306	-
Plant, Buildings and Improvements						
Total Non-Current Assets	41,890,493	36,686,281	120,126,721	78,576,774	198,703,495	-
Total Assets	57,547,086	47,043,474	193,168,018	104,590,560	297,758,578	5,679,653
Deferred Outflows of Resources:						
Pension Related Deferred Outflows	1,396,721	517,633	2,796,772	1,914,354	4,711,126	-
OPEB Related Deferred Outflows	(196,968)	(94,528)	780,089	(291,496)	488,593	-
	1,199,753	423,105	3,576,861	1,622,858	5,199,719	-
Liabilities						
Current Liabilities:						
Accounts Payable and Accrued Expenses	522,472	716,831	4,120,493	1,239,303	5,359,796	191,110
Due to Other Funds - Charges	3,081	3,217	7,373	6,298	13,671	-
Unearned Revenue	2,312,945	-	674,011	2,312,945	2,986,956	-
Accrued Interest Payable	44,258	23,645	222,100	67,903	290,003	-
Customer Deposits	-	-	2,829,968	-	2,829,968	-
Revenue Bonds Payable	477,399	485,192	1,037,482	962,591	2,000,073	-
Liability for Compensated Absences	98,297	29,949	327,026	128,246	455,272	-
Total Current Liabilities	3,458,452	1,258,834	9,218,453	4,717,286	13,935,739	191,110
Non-Current Liabilities:						
Net OPEB Liability	(259,591)	(123,389)	1,142,443	(382,980)	759,463	-
Net Pension Liability	4,522,933	2,010,071	10,242,271	6,533,004	16,775,275	-
Asset Retirement Obligation	-	-	11,618,846	-	11,618,846	-
Revenue Bonds Payable	5,523,684	4,473,490	11,374,859	9,997,174	21,372,033	-
Liability for Compensated Absences	235,278	28,751	348,668	264,028	612,697	-
Total Non-Current Liabilities	10,022,304	6,388,923	34,727,087	16,411,226	51,138,314	-
Total Liabilities	13,480,756	7,647,757	43,945,540	21,128,512	65,074,053	191,110
Deferred Inflows of Resources:						
Pension Related Deferred Inflows	(79,921)	66,545	241,704	(13,376)	228,328	-
OPEB Related Deferred Inflows	(188,015)	(89,745)	791,373	(277,760)	513,613	-
Lease Related Deferred Inflows	2,747,118	-	491,008	2,747,118	3,238,126	-
Total Deferred Inflows of Resources	2,479,182	(23,200)	1,524,085	2,455,982	3,980,067	-
Net Position						
Net Investment in Capital Assets	32,971,209	25,303,077	53,860,051	58,274,286	112,134,337	-
Restricted for Capital Construction	2,918,202	6,424,526	53,854,330	9,342,728	63,197,058	-
Unrestricted	6,897,490	8,114,419	43,560,873	15,011,910	58,572,782	5,488,543
Total Net Position	\$ 42,786,901	\$ 39,842,022	\$ 151,275,254	\$ 82,628,924	\$ 233,904,177	\$ 5,488,543

The notes to financial statements are an integral part of this statement.

City of Dover, Delaware
Statement of Revenues, Expenses and
Changes in Fund Net Position - Proprietary Funds
For the Year Ended June 30, 2024

	Business-type Activities				Governmental Activities
	Water Fund	Wastewater Fund	Electric Revenue Fund	Total Enterprise Funds	Internal Service Fund
Operating Revenues					
Charges for Services	\$ 6,544,591	\$ 10,222,834	\$ 86,369,224	\$ 103,136,649	\$ -
Miscellaneous Services/Income	1,818,887	719,894	3,708,657	6,247,438	1,288,194
Total Operating Revenues	8,363,478	10,942,728	90,077,881	109,384,087	1,288,194
Operating Expenses					
Water	1,280,069	-	-	1,280,069	-
Wastewater	-	1,593,286	-	1,593,286	-
Water Treatment Plant	3,289,828	-	-	3,289,828	-
Water/Wastewater Engineering	418,054	333,795	-	751,849	-
Kent County Wastewater Treatment	-	4,828,325	-	4,828,325	-
General Administrative	1,107,760	853,415	6,232,239	8,193,414	215,632
Power Supply	-	-	50,830,743	50,830,743	-
Transmission/Distribution	-	-	6,159,910	6,159,910	-
Engineering	-	-	2,740,151	2,740,151	-
Metering	-	-	872,463	872,463	-
Systems Operations	-	-	1,115,258	1,115,258	-
Utility Tax	-	-	1,365,916	1,365,916	-
Depreciation	1,369,470	1,547,115	3,842,684	6,759,269	-
Contractual Services	-	-	-	-	34,433
Taxes	-	-	-	-	16,773
Retirees Health Care	226,900	110,000	997,000	1,333,900	-
Self Insurance-Workers' Compensation	-	-	-	-	225,412
Total Operating Expenses	7,692,081	9,265,936	74,156,364	91,114,381	492,250
Operating Income/Loss	671,397	1,676,792	15,921,517	18,269,706	795,944
Non-Operating Revenues (Expenses)					
Interest Earned:					
Operating Funds	345,142	325,297	2,388,720	3,059,159	-
Reserve Funds	83,443	121,836	891,483	1,096,762	210,618
Net Decrease in Fair Value of Investments	239,903	286,375	2,573,783	3,100,061	(1)
Interest and Fiscal Charges	(164,088)	(114,198)	(363,022)	(641,308)	-
Gain (Loss) on Sale of Assets	21,540	14,131	62,860	98,531	-
Total Non-Operating Revenue (expenses)	525,940	633,441	5,553,824	6,713,205	210,617
Income before Contributions and Transfers	1,197,337	2,310,233	21,475,341	24,982,911	1,006,561
Transfers In	2,312,945	-	75,000	2,387,945	-
Transfers Out	(525,000)	(525,000)	(8,000,000)	(9,050,000)	-
Total transfers	1,787,945	(525,000)	(7,925,000)	(6,662,055)	-
Change in Net Position	2,985,282	1,785,233	13,550,341	18,320,856	1,006,561
Total Net Position--Beginning	39,801,619	38,056,789	137,724,912	215,583,320	4,481,982
Total Net Position--Ending	\$ 42,786,901	\$ 39,842,022	\$ 151,275,253	\$ 233,904,176	\$ 5,488,543

The notes to financial statements are an integral part of this statement.

42,786,901.47 39,842,022.04 151,275,253.80 \$ 233,904,177 \$ 5,488,543

City of Dover, Delaware
Statement of Cash Flows - Proprietary Funds
For the Year Ended June 30, 2024

	Business-type Activities				Governmental Activities
	Water Fund	Wastewater Fund	Electric Revenue Fund	Total Enterprise Funds	Internal Service Fund
Cash Flows from Operating Activities					
Receipts from Customers	\$ 8,296,303	\$ 10,676,447	\$ 87,769,150	\$ 106,741,900	\$ -
Payments to Suppliers (including Purchased Power)	(1,056,882)	(5,580,669)	(57,318,704)	(63,956,255)	(273,610)
Payments to Employees	(2,007,456)	(1,117,584)	(6,513,366)	(9,638,406)	-
Payments of Personnel Related Costs	(1,172,164)	(613,444)	(1,964,314)	(3,749,922)	1,288,194
Internal Activity-Payments from (to) Other Funds	(199,204)	45,119	(1,692,800)	(1,846,885)	-
Other Receipts (Payments) including Claims Paid	(364,581)	9,435	(2,970,708)	(3,325,854)	(215,122)
Net Cash Provided by (used for) Operating Activities	3,496,016	3,419,304	17,309,258	24,224,578	799,462
Cash Flows from Noncapital Financing Activities					
Transfers Out	(525,000)	(525,000)	(8,000,000)	(9,050,000)	-
Transfers In	2,312,945	-	75,000	2,387,945	-
Distribution to Customers - PCA Credit	-	-	-	-	-
Net Cash Used for Noncapital Financing Activities	1,787,945	(525,000)	(7,925,000)	(6,662,055)	-
Cash Flows from Capital and Related Financing Activities					
Acquisition and Construction of Capital Assets	(4,533,351)	(783,498)	(7,473,266)	(12,790,116)	-
Proceeds of issuance of debt	-	-	-	-	-
Principal Paid on Revenue Bond Maturities	(606,908)	(534,456)	(910,000)	(2,051,364)	-
Interest Paid on Capital Debt	(162,338)	(130,132)	(363,522)	(655,992)	-
Net Cash Used for Capital and Related Financing Activities	(5,302,597)	(1,448,086)	(8,746,788)	(15,497,472)	-
Cash Flows from Investing Activities					
Interest on Investments	345,142	325,297	2,359,243	3,029,682	-
Redemption of Investment Securities	-	-	-	-	-
Purchase of Investment Securities	(572,283)	(328,131)	(1,285,655)	(2,186,068)	133,185
Interest on Restricted Cash	83,443	121,836	891,483	1,096,762	-
Net Cash Provided by (used for) Investing Activities	(143,698)	119,002	1,965,071	1,940,376	133,185
Net Increase/Decrease in Cash and Cash Equivalents	(162,334)	1,565,220	2,602,541	4,005,427	932,647
Cash and cash equivalents July 1 (incl. \$738,463 for Water Fund, \$308,551 for Wastewater Fund and \$16,600,618 for Electric fund reported in restricted accounts)	4,377,077	5,498,726	32,880,106	42,755,909	3,137,532
Cash and cash equivalents June 30 (incl. \$336,971 for Water Fund, \$136,927 for Wastewater Fund and \$15,078,230 for Electric fund reported in restricted accounts)	\$ 4,214,743	\$ 7,063,946	\$ 35,482,647	\$ 46,761,336	\$ 4,070,179
Reconciliation of Operating Income to Net Cash Provided by (Used for) Operating Activities:					
Operating Income	\$ 665,472	\$ 1,687,724	\$ 17,055,713	\$ 19,408,909	\$ 795,944
Adjustments to Reconcile Operating Income to Net Cash provided by (Used for) Operating Activities:					
Depreciation Expense	1,369,470	1,547,115	3,842,684	6,759,269	-
Effect of Changes in Operating Assets and Liabilities:					
Receivables	(20,622)	(266,303)	(2,918,249)	(3,205,174)	-
Due from other funds	(46,553)	22	-	(46,531)	-
Inventory	(54,844)	(770)	(655,634)	(711,248)	-
Prepaid items	560	350	(1,288,691)	(1,287,781)	-
Deferred outflow of resources Pension	(601,250)	(268,334)	(1,366,218)	(2,235,802)	-
Deferred outflow of resources OPEB	201,334	109,497	437,989	748,820	-
Accounts payable and accrued expenses	417,448	130,081	17,148	564,677	3,518
Unearned revenue	-	-	(459,312)	(459,312)	-
Due to other funds	3,081	45,119	(237,722)	(189,522)	-
Customer Deposits	-	-	125,638	125,638	-
Liability for Compensated Absences	(3,628)	(5,766)	39,003	29,609	-
Asset Retirement Obligation	-	-	-	-	-
Net OPEB Liability	(265,758)	(144,535)	(578,138)	(988,431)	-
Net pension liability	2,103,581	623,172	3,471,796	6,198,549	-
Deferred inflow of resources Leases	-	-	-	-	-
Deferred inflow of resources Pension	(79,922)	66,545	241,704	228,327	-
Deferred inflow of resources OPEB	(192,353)	(104,613)	(418,453)	(715,419)	-
Net Cash Provided by Operating Activities	\$ 3,496,016	\$ 3,419,304	\$ 17,309,258	\$ 24,224,578	\$ 799,462
Non-Cash Investing, Capital and Financing Activities:					
Change in Fair Value of Investments	\$ 239,903	\$ 286,375	\$ 2,573,783	\$ 3,100,061	\$ (22,399)

The notes to financial statements are an integral part of this statement.

City of Dover, Delaware
Statement of Net Position
Fiduciary Funds
June 30, 2024

	Pension and Other Post-Employment Benefit Trust Funds	Custodial Funds
Assets		
Cash and Cash Equivalents	\$ 14,217,480	\$ 101,967
Investments at Fair Value - Mutual Funds	121,742,973	-
Prepaid Expenses	-	25,000
Total Assets	<u>135,960,453</u>	<u>126,967</u>
Liabilities		
Vouchers Payable & Deposit Payable	<u>3,165</u>	-
Total Liabilities	<u>3,165</u>	-
Net Position		
Net Position Restricted for Pensions	74,765,198	-
Net Position Restricted for Health Benefits	61,192,090	-
Net Position Restricted for Other Organizations	-	126,967
Total Net Position	<u>\$ 135,957,288</u>	<u>\$ 126,967</u>

The notes to financial statements are an integral part of this statement.

City of Dover, Delaware
Statement of Changes in Net Position
Fiduciary Funds
For the Year Ended June 30, 2024

	Pension and Other Postemployment Benefit Trust Funds	Custodial Funds
Additions:		
Net Investment Income	\$ 12,644,333	\$ -
City's Contribution-Payroll Based	4,388,490	-
City's Contribution-Lump Sum	5,232,700	18,500
Employee Contribution	221,580	-
Gifts/Donations	-	73,091
State Grants	812,409	-
Other	984	344
Total Additions	<u>23,300,496</u>	<u>91,935</u>
Deductions:		
Bank Fees	-	164
Benefit Payments	9,198,471	-
Contractual Services	-	58,472
General Administration	31,807	3,086
Transfer to Governmental Capital Project Fund	-	-
Total Deductions	<u>9,230,278</u>	<u>61,722</u>
Change in Net Position	14,070,218	30,213
Net Position - Beginning	121,887,070	96,754
Net Position - Ending	<u>\$ 135,957,288</u>	<u>\$ 126,967</u>

The notes to financial statements are an integral part of this statement.

This page intentionally left blank

DRAFT ONLY ~ NOT FINAL

ACTION FORM

PROCEEDING:
DEPARTMENT OF ORIGIN: Fire/Robbins Hose DATE SUBMITTED: December 3, 2025
PREPARED BY: David Carey, Fire Chief
SUBJECT: Volunteer Stipend Program
REFERENCE: Grant and Aid Programs
RELATED PROJECT: N/A
REVIEWED BY: City Manager Hugg
EXHIBITS:
EXPENDITURE REQUIRED: \$724,400
FINANCING/LEGAL COST ESTIMATED: No current cost to the City of Dover
AMOUNT BUDGETED: 1,650,000.00
FUNDING SOURCE (Dept./Page in CIP & Budget): Grant and Aid transferred to the Fire Department Budget
TIMETABLE: Upon Approval the volunteer stipend program would continue to provide funding for the program.
STAFF RECOMMENDATION: Legislative and Finance and City Council Approval

BACKGROUND AND ANALYSIS

House Bill 230, Section 17, Section 1 of this Act provides an appropriation of \$1,650,000 to the Department of Safety and Homeland Security, Office of the Secretary, Administration (45-01-01), for the Higher Education Public Safety Fund. This amount shall be appropriated to the Mayor and the Council of Dover and used to offset expenditures related to providing police and fire services at the campuses of Delaware State University, Delaware Technical Community College, and the University of Delaware in Dover.

The General Assembly recognizes that it is impractical for higher education institutions to spend millions of dollars establishing their own fire departments, which would require wages, training, capital investments in equipment and buildings, maintenance, and dispatch mechanisms. As a result, the General Assembly appropriated funds to the City of Dover and the City of Newark to offset the expenses incurred by their fire and police departments.

In 2025, the Dover Fire Department responded to 1,785 calls, engaging dispatch and personnel while maintaining equipment citywide. Increased demand, including service to universities and colleges, has led to restructuring that includes duty shifts, live-in firefighters, and stipends to retain volunteers under heightened demand.

The approximate increase in population served by universities is equal to 20% of the city's population. The annual value of in-kind volunteer services, asset depreciation, dispatch services, maintenance, apparatus, equipment and facilities exceed \$25,000,000.00. We submit the following project to offset these contributions made in support of our higher education institutions.

This funding is currently included in the State of Delaware's Grant-in-Aid for this year, and legislators are working to ensure it becomes a recurring annual contribution. However, Grant-in-Aid funding may be discontinued at any time.

The Fire Department is using these funds to support the Volunteer Stipend Program, which was presented to and funded by City Council in November 2024. The program provides stipends to volunteers in lieu of hiring several career firefighters and ensures that the Dover Fire Department remains a volunteer fire department into the future. Grant-in-Aid funding offsets costs to the City of Dover's budget while supporting a state-of-the-art fire department that serves the citizens of Dover and surrounding communities, saving taxpayers thousands of dollars in property taxes.

The following is from the U.S. Department of Labor FLSA2007-3NA advisory letter: "In enacting the 1985 FLSA Amendments, Congress sought to ensure that true volunteer activities were neither impeded nor discouraged. Congress was explicit in its 1985 Amendments that a "volunteer" may receive "no compensation," but may be paid "expenses, reasonable benefits, or a nominal fee." 29 U.S.C. § 203(e)(4)(A); see also 29 C.F.R. § 553.106(a) ("Volunteers may be paid expenses, reasonable benefits, a nominal fee, or any combination thereof, for their service without losing their status as volunteers."); 29 C.F.R. § 553.106(e) ("Individuals do not lose their volunteer status if they receive a nominal fee from a public agency.").

The fire department has consulted with two attorneys and the State of Delaware Auditor's Office for information, comments, and review to ensure proper accountability of the guideline.

The \$724,400 would be transferred from the City to Robbins Hose Company No. 1, Inc. for the purpose of the stipend program. The funds will be placed in a separate account used exclusively for the stipend program. Monthly financial updates regarding this account will be submitted to the City of Dover, as is done with all other accounts, and are included in the monthly Fire Chief's Report.

How the Volunteer Stipend Program Works

The program operates on a pay-per-call system. Based on the 20% rule (applied to a salary of \$595,516), after proper training, a volunteer would be eligible for up to \$992 per month based on the number of calls they attend. If a volunteer qualifies for the full amount every month, they will receive \$11,904 annually. If 50 members reach the maximum every year, the total cost would be \$595,200.

We estimate that the \$1,190,400 would fund the program for two operating years based on current calculations (approximately \$595,200 per year) which we want to maintain. Currently, 50 members are enrolled in the program, and 21 of those members have already reached the maximum, a number expected to increase each month. We anticipate attracting additional personnel, which may cause fluctuations in costs. Program usage and costs are monitored and reviewed monthly.

NOTE: As noted at the November 2024 Council meeting, now that this program has started, it must continue for the fire department to operate successfully. While we are seeking continuation of this Grant-in-Aid funding, if it does not continue, the City would need to absorb the cost in future budget years.

ACTION FORM

PROCEEDING:
DEPARTMENT OF ORIGIN: Fire/Robbins Hose DATE SUBMITTED: December 3, 2025
PREPARED BY: David Carey, Fire Chief
SUBJECT: Fire Department Security
REFERENCE: Grant and Aid Programs
RELATED PROJECT: N/A
REVIEWED BY: City Manager Hugg
EXHIBITS:
EXPENDITURE REQUIRED: \$299,620.00
FINANCING/LEGAL COST ESTIMATED: No current cost to the City of Dover
AMOUNT BUDGETED: 1,650,000.00
FUNDING SOURCE (Dept./Page in CIP & Budget): Higher Education Public Safety Grant and Aid fund, transfer to the Fire Department Budget
TIMETABLE: Upon Approval the fire department would erect a fence around the Governors Avenue fire station for station security.
STAFF RECOMMENDATION: Legislative and Finance and City Council Approval

BACKGROUND AND ANALYSIS

House Bill 230, Section 17, Section 1 of this Act provides an appropriation of \$1,650,000 to the Department of Safety and Homeland Security, Office of the Secretary, Administration (45-01-01), for the Higher Education Public Safety Fund. This amount shall be appropriated to the Mayor and the Council of Dover and used to offset expenditures related to providing police and fire services at the campuses of Delaware State University, Delaware Technical Community College, and the University of Delaware in Dover.

The General Assembly recognizes that it is impractical for higher education institutions to spend millions of dollars establishing their own fire departments, which would require wages, training, capital investments in equipment and buildings, maintenance, and dispatch mechanisms. As a result, the General Assembly appropriated funds to the City of Dover and the City of Newark to offset the expenses incurred by their fire and police departments.

In 2025, the Dover Fire Department responded to 1,785 calls, engaging dispatch and personnel while maintaining equipment citywide. Increased demand, including service to universities and colleges, has led to restructuring that includes duty shifts, live-in firefighters, and stipends to retain volunteers under heightened demand. These duty shifts and residential arrangements have increased security needs, requiring upgrades to fencing and perimeter security.

The approximate increase in population served by universities is equal to 20% of the city's population. The annual value of in-kind volunteer services, asset depreciation, dispatch services, maintenance, apparatus, equipment and facilities exceed \$25,000,000. We submit the following project to offset these contributions made in support of our higher education institutions.

This funding is currently included in the State of Delaware's Grant-in-Aid for this year, and legislators are working to ensure it becomes a recurring annual contribution. However, Grant-in-Aid funding may be discontinued at any time.

The Fire Department is requesting **\$299,620.00** to offset the fire company budget for the installation of a security fence at the Governors Avenue fire station. The proposed fence will follow the perimeter of the parking lot and tie directly into the building, fully enclosing the department's property. Automated gates will allow volunteers to quickly access the lot during emergency responses while ensuring the station remains secure when members are present. This system is essential to maintaining the personal safety of a staffed fire station as well as responding volunteers, safeguarding their property, and protecting fire department assets, including apparatus and equipment.

In recent years, the department has experienced multiple security incidents, including unauthorized individuals entering the station, vehicle break-ins, thefts from personal vehicles including the theft of firearms—and harassment of members and vendors in the parking lot. Installing a security fence will significantly reduce these risks by securing the majority of the building and grounds, protecting personnel, and ensuring the integrity of departmental equipment and property.

This investment will enhance public safety, reduce risk exposure, and strengthen the Fire Department's ability to provide uninterrupted emergency services to the community and local higher-education institutions.

City of Dover

PROPOSED ORDINANCE #2025-21
WITH STAFF SUBSTITUTE #1 AND CITY COUNCIL AMENDMENT #1
(CITY COUNCIL AMENDMENT #1 IS INDICATED IN GREEN TEXT)
(CITY COUNCIL AMENDMENT #2 IS INDICATED IN ORANGE TEXT)

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

That Chapter 106 – Traffic and Vehicles, Article III – Stopping, Standing, and Parking, Division I - Generally, be amended by adding Sec. 106-139 – Pedestrian Safety by inserting the text indicated in bold, blue font and deleting the text indicated in red strikethrough as follows:

Sec. 106-139. – Pedestrian Safety.

- A. Limitation of occupancy of medians or the adjacent roadway at intersections serves to prevent driver distraction, traffic congestion, delay of traffic, and ~~accidents collisions~~, especially on median strips or in the roadway itself.**
- B. No person, other than a person in or on a vehicle, shall stand, sit, or remain on a portion of a City Street as designated below and approach any vehicle in operation causing it to slow or stop, except a vehicle that is legally parked at the curb on the shoulder.**
- C. No person shall stand, sit, or remain upon a median of a City Street as designated below unless that person is in the process of crossing the highway in a safety zone or crosswalk. It is prima facie evidence of a violation of this sub-section if a person stays on the median through two consecutive opportunities to complete their crossing of the highway in a legal manner under this Chapter and the State of Delaware traffic laws. This may include, but would not be limited to, a change in the traffic control signal or a lack of traffic, as applicable. After such two consecutive opportunities, such a person shall not be considered to be “using the safety zone or crosswalk to cross the highways”.**
- D. No operator of a vehicle shall park, stop, or leave standing a vehicle, or permit a passenger to leave it, on any City Street where prohibited or suddenly decrease the speed of said vehicle or deviate from a traffic lane for the purpose of responding to persons violating this ordinance.**

E. This ordinance applies to intersections at any street or right-of-way within the incorporated boundaries of The City of Dover, but only for the first two-hundred (200) feet on major principal arterials, minor arterials, and urban collectors and one-hundred (100) feet on the urban local street system as defined in the City's currently adopted Comprehensive Plan, measured along the center lines at the designated painted stop bars where the two rights-of-way intersect. Boundaries will be defined by appropriate marking or signage, but such is not required where impractical. Failure to mark a boundary does not limit the enforcement of this ordinance.

F. Violators may be charged a fine as specified in Appendix F. A law enforcement officer shall have discretion to consider reasonable defenses to this Section, such as mechanical breakdown, etc.

G. This ordinance shall not apply to sidewalks, private property, medians less than 7 feet, or other pedestrian walkways not within a vehicular lane of travel.

H. The city manager shall coordinate with non-profit organizations and Community Development Block Grant recipients to establish safe locations to assist residents in need away from intersections.

I. Severability Clause

A. If any provision of this Ordinance shall be held or made invalid by a court decision, statute, or shall be otherwise rendered invalid, the remainder of this Ordinance shall not be affected thereby.

Secs. 106-~~139~~ 140 – 106-160. – 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

Chapter 106. Traffic and Vehicles	Fees and Fines
<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
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
Sec. 106-16. Violations; except as otherwise provided	
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
<i>Article II. Bicycles</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. 106-55. Penalties for violation	Not to exceed \$100.00 and not less than \$10.00
<i>Article III. Stopping, Standing and Parking</i>	
Sec. 106-135. Residential parking	

Subsec. (i)(1) Expiration; Two-hour parking	\$20.00 fine or \$15.00 if paid within 72 hours of issuance of such fine
Subsec. (i)(2) Expiration; change of residence, etc.	\$20.00 fine or \$15.00 if paid within 72 hours of issuance of such fine
Subsec. (m) Violations; penalties	Any violation of this section not having a stated, specified penalty will result in a \$20.00 fine or \$15.00 if paid within 72 hours of issuance of such fine
Sec. 106-137. Parking areas for persons with disabilities	
Subsec. (c)(3) Signage; fines	Failure to achieve compliance within 30 calendar days of the issuance of the notice of violation shall be subject to the fines set forth in subsection (f) of this section
Subsec. (f) Penalties	Whoever violates this section shall be fined not less than the minimum fine as defined in 21 Del. C. § 4183 at the time the violation occurred
Sec. 106-139. Pedestrian Safety	\$50.00
Sec. 106-139. Pedestrian Safety	
First Offense	Written Warning
Second Offense	\$15.00
Third Offense within a twelve (12) month period	\$50.00
Sec. 106-163. Use of meters required	
Subsec. (a) Failure to make the required payment in the parking meter	\$20.00 fine or \$15.00 if paid within 72 hours of issuance of such fine
Subsec. (b) Payments accepted	
Each \$0.25 coin	Permits the vehicle to be parked for a period

	of one hour
Each \$1.00	Permits the vehicle to be parked for the duration of the enforcement period of 8:00 a.m. to 5:00 p.m.
Sec. 106-164 Violations; penalties	
Subsec. (a) Generally; each violation if paid within 24 hours from time summons giving notice of violation is issued	A fine of not less than \$1.00 for each violation
Subsec. (a) Generally; each violation if paid after expiration of 24 hours from time summons giving notice of violation is issued	\$2.00 for each violation, if payment is made voluntarily prior to the time and date set forth in the summons
Subsec. (a) Fourth violation; each violation if paid within one hour from time summons giving notice of violation is issued	\$1.00 for each such violation
Subsec. (a) Fourth violation; each violation if paid after expiration of one hour from time summons giving notice of violation is issued	\$2.00 for each violation, if payment is made voluntarily prior to the time and date set forth in the summons
Subsec. (a) Fifth violation, etc.; any person committing more than four violations within any 30-day period of the provisions of this division	\$5.00 for each such violation, if payment is made voluntarily prior to the time and date set forth in the summons.
Subsec. (b)(4) Any person who unlawfully removes a device for immobilization of a vehicle	\$500.00 fine for each violation
Subsec. (b)(5) Any person who tows or otherwise moves an immobilized vehicle without authorization by the chief of police or his designee	\$500.00 fine for each violation
Subsec. (c) Cost. No cost will be assessed if payment of the penalty as hereinbefore imposed is voluntarily paid without the necessity of a hearing before the proper official.	

ADOPTED: *

SYNOPSIS

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

(SPONSORS: ANDERSON and HUGG)

Action History

02/10/2026 – Council Amendment Scheduled for Reintroduction – Council Committee of the Whole/Legislative, Finance, and Administration Committee
01/26/2026 – Final Reading – City Council (referred back to committee)
12/08/2025 – First Reading – City Council
11/25/2025 – Staff Substitute Scheduled for Reintroduction – Council Committee of the Whole/Legislative, Finance, and Administration Committee
10/25/2025 - Introduction – Council Committee of the Whole/ Legislative, Finance, and Administration Committee (referred back to staff)



Utah City's Traffic Ordinance Does Not Violate First Amendment

04/02/2020

As we head into another election cycle and continue to deal with homelessness and panhandling concerns in our respective jurisdictions, I thought this recent case, *Evans vs Sandy City*^[1], out of the 10th Circuit may provide some guidance on First Amendment concerns.

Clearly, officers must take a citizen's First Amendment liberties into account when planning a police response to a planned demonstration as well as those day-to-day interactions with so- called panhandlers and impromptu demonstrations. Hopefully, your agency has a directive that clearly lays out agency procedures and protocols for addressing these incidents.

FACTS

In 2016 the Sandy City, Utah city council adopted an ordinance making it illegal for any person to remain on an unpaved median or any median less than 36 inches in width "for any period of time". The Plaintiff – Steve-Ray Evans received four citations for standing on various medians that met the requirements of the ordinance.

Evans brought suit under 42 USC Section 1983 in Federal District Court claiming that the ordinance was a violation of his First Amendment protections in that it targeted panhandling. Evans sought damages and an injunction prohibiting the city from enforcing the ordinance. The district court denied the request for an injunction and granted the City's motion for summary judgment finding that the

ordinance met reasonable time, place and manner restrictions as required under the law. Evans then appealed the ruling to the 10th Circuit Court of Appeals.

Tenth Circuit Findings

While the Supreme Court has determined that “the solicitation of charitable contributions is recognized as protected speech” *Cornelius v. NAACP Legal Def. & Educ. Fund., Inc.*, 473 U.S. 788 (1985), neither the Supreme Court nor the 10th Circuit has determined that the specific act of panhandling is “protected speech” under the First Amendment. The court then assumed, without deciding that the speech was protected but quickly observed, that the ordinance in question made no reference to panhandling.

The court then conducted a typical First Amendment analysis that reviews (1) the nature of the forum at issue and (2) whether the ordinance meets reasonable time, place and manner restrictions.

With respect to the first question, the courts have traditionally divided areas into three categories – (1) a traditional public forum; (2) a designated public forum; and (3) a nonpublic forum. Traditional public forums are those areas where assembly and free speech has traditionally occurred. Designated Public forums are areas not traditionally open to the public but designated for such purpose by governmental action. And, of course, nonpublic forums are those areas that don’t qualify as a public or designated forum. Evans claimed the median was a traditional public forum while the City argued that it was a non-public forum. The court did not identify the type of forum, claiming that, either way, the ordinance met reasonable time, place and manner restrictions.

First, the ordinance was content neutral. The court noted that a police captain supporting the ordinance testified at a city council meeting that the ordinance was written to limit a dangerous condition on narrow medians where there had been “several close calls” between drivers and pedestrians. Evans argued that the ordinance had an inordinate effect on panhandlers, but the court was unpersuaded,

stating that the ordinance could be content neutral even if it had an “incidental” effect on the activity.

Item 6.

Secondly, the court determined that the ordinance met a significant governmental interest in that it was narrowly tailored to address public safety concerns over the possibility that pedestrians could be struck by vehicles.

Finally, the restriction must “leave open ample alternative channels for communication or information”. In this case, the ordinance left open medians that were paved and wider than 36 inches as well as sidewalks and city parks. As such, the ordinance met appropriate First Amendment requirements and the 10th Circuit affirmed the district court’s ruling.

WRAP UP

Certainly, it is not uncommon for officers and agency heads to find themselves in the middle of two competing interests – one group who wants homeless people and panhandlers “off the streets” and other groups who believe there should be no limits on curtailing such conduct. Likewise, demonstrations of one political view are quickly met by opposition groups in this era of instant messaging and social media. How officers respond to these incidents, and command staff developing plans for scheduled events, are cautioned to tread cautiously and understand the risks and exposure to liability that comes with First Amendment- related activities.

In several past articles we have mentioned the Department of Justice publication – *Recommendations for First Amendment-Protected Events for State and Local Law Enforcement Agencies*. This publication provides guidelines in preparing, planning, managing and responding to events that have First Amendment implications. At DLG we recommend this publication to our clients and follow these guidelines in the DLG directives dealing with crowd control and management.

1. *Evans v Sandy City*, 928 F.3d 1171 (2019) ↑



Continue Your Education

Enhance your professional development with live, interactive instructor-led training programs.



Internal Affairs

Certification focused on identifying proper legal and operational standards for IA Investigations.

Enroll



IA Advanced

Certification focused on identifying proper legal and operational standards for IA Investigations.

Enroll



Accreditation Manager

Join top experts and thought leaders for an unparalleled law enforcement education experience.

Enroll

Related Articles



Podcast: Officer Created Jeopardy in Use-of-Force Analysis

The concept of Officer Created Jeopardy is increasingly influencing how courts, litigators, and law enforcement agencies analyze use-of-force...



Open Container, Open Trailer: Fifth Circuit Confirms Reasonable Suspicion and Voluntary Consent

The United States Court of Appeals for the Fifth Circuit recently issued a ruling in United States...

Author: Attorney Eric Daigle

Attorney Daigle focuses on evaluating and providing policy and training on areas of increased liability for departments across the country. Attorney Daigle's keynote focuses on understanding current trends in legal standards, operational standards, and community concern. More importantly, the intersection between these topics to provide departments evaluation and recommendations to move forward.

This publication is produced to provide general information on the topic presented. It is distributed with the understanding that the publisher (Daigle Law Group, LLC) is not engaged in rendering legal or professional services. Although this publication is prepared by professionals, it should not be used as a substitute for professional services. If legal or other professional advice is required, the services of a professional should be sought.

The images used in legal updates and article depictions are for illustrative purposes only. They are not intended to represent actual agencies, towns, cities, or individuals mentioned in the content. All visuals are used solely to support the descriptive and educational nature of the material.

Share this Legal Update

Subscribe to our Newsletter

Enter your email

Subscribe



Interactive police training, programs, and courses you can easily access anywhere.

Live Programs

- Use of Force Summit
- Internal Affairs Program
- Advanced IA Program

Courses

- Path of the Guardian
- Course Catalog
- Internal Affairs

Learn More

- Weekly Training Videos
- Membership Benefits
- Account Features