

REGULAR COUNCIL MEETING AGENDA



JANUARY 8, 2018 - 7:30 P.M.

**CITY HALL COUNCIL CHAMBERS
15 LOCKERMAN PLAZA - DOVER, DELAWARE**

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

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

INVOCATION BY BISHOP W. JAMES THOMAS, II OF CALVARY BAPTIST CHURCH

PLEDGE OF ALLEGIANCE LED BY COUNCILMAN LEWIS

AGENDA ADDITIONS/DELETIONS

*** CONSENT AGENDA**

THOSE ITEMS ON THE COUNCIL AGENDA WHICH ARE CONSIDERED ROUTINE AND NON-CONTROVERSIAL SHALL BE MARKED WITH AN ASTERISK (*) AND WILL BE ACTED UPON BY A SINGLE ROLL CALL VOTE OF THE COUNCIL. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS A MEMBER OF COUNCIL SO REQUESTS, IN WHICH EVENT THE MATTER SHALL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED A SEPARATE ITEM.

- * 1. ADOPTION OF MINUTES**
 - A. SPECIAL COUNCIL MEETING OF DECEMBER 11, 2017**
 - B. REGULAR COUNCIL MEETING OF DECEMBER 11, 2017**

- 2. CERTIFICATES OF APPRECIATION**
 - A. FINANCE DEPARTMENT STAFF**
 - B. PLANNING, INSPECTIONS, AND COMMUNITY DEVELOPMENT STAFF**

- * 3. ECONOMIC DEVELOPMENT COMMITTEE REPORT - OCTOBER 25, 2017**
 - A. PRESENTATION - ECONOMIC DEVELOPMENT AND DOWNTOWN REVITALIZATION (MAYOR MIKE PURZYCKI, CITY OF WILMINGTON)**
(COMMITTEE ACTION NOT REQUIRED)

- * **4. DOVER HUMAN RELATIONS COMMISSION REPORT - NOVEMBER 16, 2017**
- A. DHRC COMMITTEE UPDATES**
(COMMISSION RECOMMENDED APPROVAL OF THE BROCHURE, AS AMENDED)
(COMMISSION RECOMMENDED ADOPTION OF A 10-MINUTE OPEN FORUM BEGINNING AT 6:00 P.M. WITHIN THE FORMAT OF THE DESIGNATED HOUR)
- B. STATE HUMAN RELATIONS COMMISSION LIAISON REPORT**
(COMMISSION ACTION NOT REQUIRED)
- * **5. ECONOMIC DEVELOPMENT COMMITTEE REPORT - NOVEMBER 29, 2017**
- A. UPDATE - STARTING A SMALL BUSINESS INCUBATOR (DR. MICHAEL CASSON - DELAWARE STATE UNIVERSITY UCEDIT)**
(COMMITTEE ACTION NOT REQUIRED)
- B. BUSINESS INCENTIVES FOR HIRING THE HOMELESS (HERB KONOWITZ)**
(COMMITTEE ACTION NOT REQUIRED)
- 6. COUNCIL COMMITTEE OF THE WHOLE REPORT - DECEMBER 12, 2017**
- A. LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE**
- (1) PROPOSED FOOD TRUCK PILOT PROGRAM**
(COMMITTEE RECOMMENDED APPROVAL OF THE FOOD TRUCK PILOT PROGRAM FOR 90 BUSINESS DAYS)
- * **(2) PROPOSED ORDINANCE #2017-16 - AMENDING APPENDIX B - ZONING, ARTICLE 3 - DISTRICT REGULATIONS, SECTION 28 - TRADITIONAL NEIGHBORHOOD DESIGN ZONE (TND), SUBSECTION 28.52 - NEIGHBORHOOD COMMERCIAL DISTRICT (FUEL PUMPS)(SEE ITEM #11-A)**
(COMMITTEE RECOMMENDED ADOPTION OF ORDINANCE #2017-16)
- * **(3) RECOMMENDED PROCEDURE FOR REQUESTING A LEGAL OPINION**
(COMMITTEE RECOMMENDED ADOPTION OF THE PROCEDURE)
- * **(4) RECOMMENDED PROCEDURE FOR REQUESTING AN EXCUSED ABSENCE**
(COMMITTEE RECOMMENDED ADOPTION OF THE PROCEDURE)
- * **B. PARKS, RECREATION, AND COMMUNITY ENHANCEMENT COMMITTEE**
- (1) COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM ADMINISTRATION FUNDING FOR ASSESSMENT OF FAIR HOUSING (AFH) PLAN**
(COMMITTEE RECOMMENDED APPROVAL OF FUNDING SET-ASIDE FOR AFH)
- (2) COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM SEMI-ANNUAL REPORT**
(COMMITTEE ACTION NOT REQUIRED)
- (3) REVIEW OF ACTIVE RECREATION AREA PLAN (REQUEST FOR CASH-IN-LIEU) - MULTIPLEX AT 299 COLLEGE ROAD (PLANNING REFERENCE: S-17-28)**
(COMMITTEE RECOMMENDED ACCEPTANCE OF THE \$4,000 CASH-IN-LIEU OF RECREATION AREA CONSTRUCTION DONATION, AS THE AMOUNT COMPLIES WITH THE REQUIREMENTS OF THE *ZONING ORDINANCE*)
- (4) PROPOSED LAND SWAP - CITY OF DOVER AND CAPITOL BAPTIST CHURCH/MAYFAIR PARK - APPLICATION FOR APPROVAL FROM NATIONAL PARKS SERVICE**
(COMMITTEE ACTION NOT REQUIRED)

6. COUNCIL COMMITTEE OF THE WHOLE REPORT - DECEMBER 12, 2017 (CONTINUED)*** B. PARKS, RECREATION, AND COMMUNITY ENHANCEMENT COMMITTEE (CONTINUED)****(5) STATUS REPORT - REQUEST FOR DOG PARK AND PASSIVE PLAYGROUND - ACORN FARMS**

(COMMITTEE TABLED THIS ITEM)

(6) DISCUSSION OF THE DEFINITION AND PERMISSIBILITY OF ROOMING HOUSES/BOARDING HOUSES IN THE ZONING ORDINANCE

(COMMITTEE ACTION NOT REQUIRED)

(7) DISCUSSION OF THE AVAILABILITY OF STORAGE LOCKERS FOR HOMELESS INDIVIDUALS

(COMMITTEE ACTION NOT REQUIRED)

*** 7. MONTHLY REPORTS - NOVEMBER 2017****A. CITY ASSESSOR'S REPORT****B. CITY COUNCIL'S COMMUNITY ENHANCEMENT FUND REPORT****C. CITY MANAGER'S REPORT****D. CITY PLANNER'S REPORT****E. CONTROLLER/TREASURER'S BUDGET REPORT****F. FIRE CHIEF'S REPORT****G. POLICE CHIEF'S REPORT****8. EVALUATION OF PROPOSAL - US 13 EAST PUMP STATION #7 UPGRADES - EXCEPTION TO PURCHASING POLICY**

(STAFF RECOMMENDS AUTHORIZING THE PURCHASE OF THE AIR SCRUBBER UNIT, TO BE CO-FUNDED WITH KENT COUNTY. MATERIALS AND INSTALLATIONS BY DOER PRODUCTS AND SERVICES, INC.)

*** 9. APPOINTMENT OF DELAWARE MUNICIPAL ELECTRIC CORPORATION (DEMEC) DIRECTOR AND ALTERNATE DIRECTOR (DONNA S. MITCHELL, CITY MANAGER, AND LORI PEDDICORD, ACTING CONTROLLER/TREASURER)***** 10. 2017/18 ANNUAL APPOINTMENT RECOMMENDED BY COMMITTEE CHAIR (DEFERRED DURING THE ANNUAL MEETING OF MAY 8, 2017) - UTILITY SUBCOMMITTEE - KATHLEEN DOYLE - ONE-YEAR TERM TO EXPIRE MAY 2018****11. FIRST READING - PROPOSED ORDINANCE #2017-16**

THE FIRST READING IS OFFERED ON THE PROPOSED ORDINANCE. AMENDMENTS TO APPENDIX B - ZONING REQUIRE A PUBLIC HEARING. IT IS RECOMMENDED FOR REFERRAL TO THE PLANNING COMMISSION ON FEBRUARY 20, 2018, AND THAT A PUBLIC HEARING BE SET FOR MARCH 12, 2018 AT 7:30 P.M., AT WHICH TIME THE FINAL READING AND COUNCIL ACTION WILL TAKE PLACE. THE ORDINANCE IS AVAILABLE AT THE ENTRANCE OF THE COUNCIL CHAMBERS, ON THE CITY'S WEBSITE AT WWW.CITYOFDOVER.COM UNDER "GOVERNMENT," OR BY CONTACTING THE CITY CLERK'S OFFICE AT 736-7008 OR CITYCLERK@DOVER.DE.US.

A. AMENDING APPENDIX B - ZONING, ARTICLE 3 - DISTRICT REGULATIONS, SECTION 28 - TRADITIONAL NEIGHBORHOOD DESIGN ZONE (TND), SUBSECTION 28.52 - NEIGHBORHOOD COMMERCIAL DISTRICT (FUEL PUMPS) (LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE)

12. CITY MANAGER'S ANNOUNCEMENTS

13. COUNCIL MEMBERS' ANNOUNCEMENTS

14. ADJOURNMENT

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EXECUTIVE SESSION PURSUANT TO:

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

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

29 DEL. C. §10004(B)(6) - DISCUSSION OF THE CONTENT OF DOCUMENTS, EXCLUDED FROM THE DEFINITION OF "PUBLIC RECORD" IN §10002 OF THIS TITLE WHERE SUCH DISCUSSION MAY DISCLOSE THE CONTENTS OF SUCH DOCUMENTS;

29 DEL. C. §10004(B)(9) - PERSONNEL MATTERS IN WHICH THE NAMES, COMPETENCY AND ABILITIES OF INDIVIDUAL EMPLOYEES ARE DISCUSSED, UNLESS THE EMPLOYEE REQUESTS THAT SUCH A MEETING BE OPEN

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

SPECIAL COUNCIL MEETING

A Special Council Meeting was held on December 11, 2017 at 5:30 p.m. with Council President Slavin presiding. Members present were Mr. Anderson, Mr. Sudler (arrived at 5:40 p.m.), Mr. Neil, Mr. Cole, Mr. Polce, Mr. Hare, and Mr. Lindell. Mr. Lewis was absent. Mayor Christiansen was also present.

Council staff members present were Mrs. Mitchell (arrived at 6:03 p.m. and departed at 6:21 p.m.), Mr. Hugg (arrived at 5:30 p.m., departed at 5:42 p.m., returned at 5:45 p.m., and departed at 5:49 p.m.), and Mrs. McDowell (departed at 5:31 p.m. and returned at 6:21 p.m.).

ADOPTION OF AGENDA

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

Mr. Neil moved to recess into Executive Session pursuant to 29 Del. C. §10004 (b)(9) - Personnel matters in which the names, competency and abilities of individual employees are discussed, unless the employee requests that such a meeting be open. The motion was seconded by Mr. Lindell and unanimously carried.

The Special Council Meeting recessed into Executive Session at 5:31 p.m.

The Executive Session adjourned at 6:21 p.m.

ACTION RESULTING FROM THE EXECUTIVE SESSION

Council Appointed Employee Performance Evaluation - David S. Hugg III, Acting Director of Planning and Community Development

During the executive session, members of Council discussed the performance of Mr. David S. Hugg III, Acting Director of Planning and Community Development.

Mr. Sudler moved to appoint Mr. David S. Hugg III as City Planner with a salary of \$124,800, accepting Mr. Hugg's waiver of pension and healthcare benefits from the City of Dover and including his ability to earn annual and sick leave. The motion was seconded by Mr. Anderson.

Mr. Slavin clarified that the salary cited was the current salary that Mr. Hugg was being paid.

The motion to appoint Mr. David S. Hugg III as City Planner with a salary of \$124,800, accepting Mr. Hugg's waiver of pension and healthcare benefits from the City of Dover and including his ability to earn annual and sick leave was unanimously carried.

Council Appointed Employee Performance Evaluation - Donna S. Mitchell, Acting City Manager

During the executive session, members of Council discussed the performance of Mrs. Donna S. Mitchell, Acting City Manager.

Mr. Hare moved to name Mrs. Donna S. Mitchell as the City Manager at her currently salary and make her eligible for one-time supplemental non-pensionable compensation as per precedent established with the previous city manager. The motion was seconded by Mr. Lindell and unanimously carried.

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

The Special Council Meeting adjourned at 6:23 p.m.

TRACI A. McDOWELL
CITY CLERK

All ordinances, resolutions, motions, and orders adopted by City Council during their Special Meeting of December 11, 2017 are hereby approved.

ROBIN R. CHRISTIANSEN
MAYOR

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REGULAR COUNCIL MEETING

The Regular Council Meeting was held on December 11, 2017 at 7:30 p.m. with Council President Slavin presiding. Council members present were Mr. Anderson, Mr. Sudler, Mr. Neil, Mr. Lewis, Mr. Cole, Mr. Polce (departed at 7:49 p.m. and returned at 7:51 p.m.), Mr. Hare, and Mr. Lindell.

Staff members present were Police Chief Mailey, Ms. Peddicord, Mrs. Mitchell, Mr. Hugg, Fire Chief Carey, City Solicitor Rodriguez, and Mrs. McDowell. Mayor Christiansen was also present (departed at 7:42 p.m.).

OPEN FORUM

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

Mr. Eric Abernathy, speaking about homelessness, advised that there had been two deaths on the street in the past three weeks and a total of four deaths in the past year and a half. He stated that a homeless man was found dead in his tent the previous Saturday morning. Mr. Abernathy noted that it is a sad situation when people die on the street because they have no place to live and no where to go. He stated that he hoped something could be done for the homeless before this happens again.

Mr. La Mar Gunn thanked the City for the Christmas tree lighting event, noting that he saw many smiles on the faces of young people that evening. He advised that the Central Delaware branch of the NAACP supplied gifts and other items for the kids that had attended. Mr. Gunn also noted that he saw the Council President on the basketball court over the weekend at a Dover High game.

Speaking as the President of the Central Delaware NAACP, Mr. Gunn advised that he filed a complaint with the Ethics Commission and attended their meeting in November. He expressed concerns with the membership of the Commission and the process. Mr. Gunn suggested that members take the time necessary to hear complaints and that some sort of training be provided for the members.

Mr. Gunn stated that he believes the Ethics Commission's meetings are being held in violation of the Delaware Freedom of Information Act (FOIA). He advised that he filed a petition with the Delaware Attorney General (as on file in the office of the City Clerk) requesting that they issue some sort of decision as to whether or not the City's Ethics Commission has been, through a pattern of practice, holding meetings in violation of Delaware FOIA and, if so, what recommendations they would make to improve or change things that have recently been decided.

The invocation was given by Mayor Robin R. Christiansen, followed by the Pledge of Allegiance.

AGENDA ADDITIONS/DELETIONS

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

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

ADOPTION OF MINUTES - REGULAR COUNCIL MEETING OF NOVEMBER 27, 2017

The Minutes of the Regular Council Meeting of November 27, 2017 were unanimously approved by motion of Mr. Anderson, seconded by Mr. Neil and bore the written approval of Mayor Christiansen.

CERTIFICATE OF RECOGNITION - REAGAN AND PAYTON GARNSEY AND THE BUCKETS OF LOVE FOUNDATION

The City Clerk read the following Certificate of Recognition into the record:

CERTIFICATE OF RECOGNITION

presented to

Reagan and Payton Garnsey and the Buckets of Love Foundation

In 2017, with the help of family and friends, sisters Reagan and Payton Garnsey established the Buckets of Love Foundation. This non-profit organization is dedicated to spreading joy to those children in Delaware who are receiving care in hospitals or residing in homeless shelters.

The goal of the Buckets of Love Foundation is to bring smiles to the faces of needy children by providing them with buckets filled with age-appropriate toys and crafts. The Foundation, with Reagan and Payton at the helm as co-founders and CEO's, has developed a website, created a video and Facebook page, launched a letter-writing campaign, held numerous promotional events, and assembled and delivered buckets to needy children. Since its inception, the organization has raised over \$3,305 in donations, impacting 60 individuals.

The City of Dover recognizes Reagan and Payton Garnsey and all of those involved in the Buckets of Love Foundation for their commitment to improving the lives of children in Delaware. They have demonstrated that age is no barrier when striving to make the world a better place, and it is hoped that their example will inspire others to perform acts of kindness and use their talents selflessly to serve the less fortunate.

On behalf of the Mayor, Council, and citizens of the City of Dover, Mayor Christiansen presented the Certificate to Reagan and Payton Garnsey.

PRESENTATION - BICYCLE FRIENDLY COMMUNITY DESIGNATION

Mrs. Margery Cyr, Library Director, advised that the League of American Bicyclists has recognized the City of Dover with a Bronze Bicycle Friendly CommunitySM (BFCSM) award, joining over 400 visionary communities from across the country. With this announcement on November 30, 2017, Dover joins 65 new and renewing Bicycle Friendly Communities in all 50 states, that are transforming neighborhoods across the country. She noted that the bicycle friendly community program is revolutionizing the way communities evaluate their quality of life, sustainability, and transportation networks, while allowing them to benchmark their progress toward improving their bicycle friendliness. With this impressive round, there are now over 400 bicycle friendly communities in all of the states.

Mrs. Cyr advised that the Bronze award recognizes Dover's commitment to improving conditions for bicycling through investment in bicycling promotion, education programs, infrastructure, and pro-bicycling policies. Mr. Bill Nesper, Executive Director of the League of American Bicyclists, says, "We applaud these communities for making bicycling a safe and convenient option for transportation and recreation. We are encouraged by the leaders who see bicycling as a way to build more vibrant, healthy, sustainable, and connected communities, and to be part of the revolution to many complex challenges faced at both the community and the national levels. We look forward to continuing to work with these communities as we move closer to our mission of creating a bicycle friendly America for everyone."

Mrs. Cyr advised that this recognition is a direct response to the work that Bicycle and Pedestrian Subcommittee members, and others, Jim Hutchison, Chris Asay, Jayce Lesniewski, Dave Moses, Gerry Pennington, Fran Riddle, Andy Seigel, Cathy Doyle, Kate Layton, Anthony Aglio, Eddie Diaz, and Carolyn Courtney have done on behalf of the citizens of Dover.

Mr. Jim Hutchison, Chair of the Bicycle and Pedestrian Subcommittee, thanked members for the support of the City, which made the award possible. He advised that the Committee's work over the last five years made Dover eligible for the designation. Mr. Hutchison noted that the committee was formed in 2012 by the Safety Advisory and Transportation committee, which was then chaired by Councilman Hutchison, and in 2013 they were awarded the Honorable Mention Bicycle Friendly Community. He advised that, since that time, they have accomplished a number of other things that have made them eligible for the award, including publishing their new bicycle and pedestrian plan in 2015; the initial mapping of Senator Bikeway, an east-west bike corridor through the City, that allows for a safe conduit for bicyclists from one side of Dover to the other; sponsoring the Dover Duathlon for the third year; development of a safe cycling program, an educational program done in conjunction with Capital School District; sponsoring a contest and receiving funding for the Dover bike rack in front of the library; Bike to Work Day; and the Ride of Silence.

Mr. Hutchison advised that they received \$1.8 million in funding from the Delaware Department of Transportation (DelDOT) that is already in the ground and, over the next two to three years, they will be receiving an additional \$5 million in funding for moving projects forward. He thanked the Committee members for all of their hard work over the last five years.

PUBLIC HEARING/FINAL ACTION - REQUEST FOR STREET NAME CHANGE - KRISKO CIRCLE (REMAINING SEGMENT OF KRISKO CIRCLE WHICH RUNS IN A WEST-EAST DIRECTION FROM STOVER BOULEVARD JUST EAST OF BAY ROAD) TO ENERGY LANE (PLANNING REFERENCE: MI-17-07)

Mr. David Hugg, Director of Planning and Community Development, briefed members on the requested street name change, submitted by Eastern Shore Natural Gas/Chesapeake Utilities. He reminded members that during their meeting of November 14, 2017, the Utility Committee recommended approval of the requested street name change from Krisko Circle to Energy Lane, as recommended by the Planning Commission.

During the Regular Council Meeting of November 27, 2017, members were advised that, if action was taken to approve the Committee's recommendation, a public hearing would be required. As a

result, Council set a public hearing for this time and place to consider the requested street name change from Krisko Circle to Energy Lane.

Council President Slavin declared the public hearing open. There being no one present wishing to speak, the public hearing was closed.

Mr. Hare moved for approval of the requested street name change from Krisko Circle to Energy Lane. The motion was seconded by Mr. Neil and carried by a unanimous roll call vote.

PUBLIC HEARING/FINAL READING - ORDINANCE #2017-13

A public hearing was duly advertised for this time and place to consider approval of proposed zoning text amendments to Appendix B - Zoning, Article 3 - District Regulations; Article 5 - Supplementary Regulations; and Article 12 - Definitions, of the Dover Code. Council President Slavin reminded members of the public that copies of the proposed ordinance were available at the entrance of the Council Chambers or on the City's website at www.cityofdover.com under "Government."

Mr. Neil moved that the Final Reading of proposed Ordinance #2017-13 be acknowledged by title only, seconded by Mr. Cole and unanimously carried. *(The First Reading of the ordinance was accomplished during the Council Meeting of October 9, 2017.)*

Mr. David Hugg, Director of Planning and Community Development, advised members that this is one in a series of ordinance amendments and it addresses adult daycare facilities, which are neither permitted or prohibited in the current Code. He noted that the Planning Commission unanimously recommended adoption of the ordinance.

Council President Slavin declared the hearing open. There being no one present wishing to speak, Council President Slavin declared the hearing closed.

Mr. Neil moved for adoption of the ordinance, as recommended by the Planning Commission. The motion was seconded by Mr. Lindell and, by a unanimous roll call vote, Council adopted Ordinance #2017-13 (Exhibit #1).

MONTHLY REPORTS - OCTOBER 2017

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

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

EVALUATION OF REQUEST FOR PROPOSALS - HAZARD RESPONSE SERVICES

Members were advised that the Electric Department maintains "time and material" where applicable with potential contractors to ensure that the bidding rules are adhered to for any contractors that might be hired to perform work for the Public Works and Electric Departments. This Request for Proposals was for Environmental Services work in normal situations, emergency situations, and as required by workload. Also included were cleanup activities, soil sampling, asbestos sampling, assistance in environmental compliance with numerous agencies and assistance in disposal, collection, and shipment of hazardous wastes.

Staff recommended awarding a three-year contract to both Clean Venture Inc. and Miller Environmental Group.

Mr. Neil moved for approval of staff's recommendation, seconded by Mr. Cole and carried by a unanimous roll call vote (Police absent).

EVALUATION OF REQUEST FOR PROPOSALS - VANSANT MAJOR OVERHAUL - EG1701

Members were advised that the Request for Proposals was made to allow for the purchase of materials and services needed to perform required inspections and major overhaul on the VanSant Unit#11 combustion turbine. NAES Corporation staff solicited a Request for Proposal and received nine (9) proposals. This will be the first major inspection on this unit since commercial operations began in 1991 and the project is expected to extend the service life of the VanSant Generation Station by twenty (20) years.

Staff recommended awarding major overhaul and inspections to HPI, LLC for the upcoming outage.

Mr. Anderson, noting that approximately \$1.2M was budgeted for this project and the bid amount was \$434,000, asked if there was another part to the project or if it came in that much under budget. Responding, Mrs. Mitchell stated that an RFP had been considered previously for parts that were on order and these inspections were a component of the total project. She noted that the total project would still be approximately \$1.2M and would be paid from the Electric Improvement and Extension Fund which is funded through annual appropriations in the amount of \$2.5M to \$5M from the operating fund to help pay for projects.

Mr. Anderson asked what the benefit of the project was as opposed to decommissioning this particular turbine. Responding, Mrs. Mitchell advised that there was an economic benefit to doing this overhaul project rather than decommissioning it, as was explained in the Integrated Resource Plan when that was presented.

Mr. Cole moved for approval of staff's recommendation to award major overhaul and inspections to HPI, LLC for the upcoming outage. The motion was seconded by Mr. Anderson and carried by a unanimous roll call vote.

REAPPOINTMENT RECOMMENDED BY MAYOR CHRISTIANSEN - PLANNING COMMISSION - FRED TOLBERT - THIRD DISTRICT - THREE-YEAR TERM TO EXPIRE JUNE 1, 2020

Mayor Christiansen recommended the reappointment of Mr. Fred Tolbert to serve as the Third District representative on the Planning Commission for a term to expire June 1, 2020.

By consent agenda, Mr. Anderson moved for approval of the appointment of Mr. Tolbert, as recommended by Mayor Christiansen. The motion was seconded by Mr. Neil and carried by a unanimous roll call vote.

FINAL READING - PROPOSED ORDINANCE #2017-14

The First Reading of the Proposed Ordinance was accomplished during the Council Meeting of November 13, 2017. Council President Slavin reminded members of the public that copies of the proposed ordinance were available at the entrance of the Council Chambers or on the City's website at www.cityofdover.com under "Government."

Mr. Lindell moved that the Final Reading of the proposed ordinance be acknowledged by title only, seconded by Mr. Hare and unanimously carried.

Mr. Anderson expressed concern with treating retirement accounts that are not being drawn from differently than bank accounts. He stated that he believes that it is a mistake and it still is a concern of his. Mr. Anderson noted that he does not believe that the ordinance really addresses the core of the issues that they have when it comes to the ethics process.

By motion of Mr. Neil, seconded by Mr. Lindell, Council, by a roll call vote of six (6) yes (Neil, Cole, Polce, Hare, Lindell, and Slavin), two (2) no (Anderson and Lewis), and one (1) abstention (Sudler), adopted Ordinance #2017-14 (Exhibit #2).

CITY MANAGER'S ANNOUNCEMENTS

Mrs. Donna Mitchell, City Manager, made the following announcements:

- The passport hours at the library have been expanded to include Fridays beginning December 29, 2017. Two clerks that previously worked the same shift and are now able to split their shifts and extend the hours.
- Leaf collection continues through January 12, 2018 due to the volume of leaves deposited in the right-of-way. The Department of Public Works Streets Division is approximately two and a half days behind schedule.
- The street sign for Ann Avenue has been received and will be placed on Ann Avenue on Tuesday, December 12, 2017 for speed enforcement.
- The Bradford Street water main replacement is scheduled to begin on January 3, 2018.

- The Silver Lake Dam improvements are awaiting final paperwork and closeout so that project is complete.
- The Rolling Acres Pump Station east of Route 13 is anticipated to be completed by the end of calendar year 2017 and the Westover Pump Station off of Hazletville Road is expected to be completed in mid-January.
- The street program is ongoing on Lincoln Street.

COUNCIL MEMBERS' ANNOUNCEMENTS

Council President Slavin wished Councilman Brian Lewis a very happy birthday on December 23rd. He also reminded members that the meetings for the week of December 25, 2017 had been canceled.

Mr. Sudler thanked the City Manager, Mrs. Mitchell, and the Public Works Director, Mrs. Duca, for a speedy and prompt response to the Anne Avenue constituents that had concerns about speeding. He noted that they appreciate everything that they are doing for them and for hearing their voices. Mr. Sudler also thanked City Council.

Mr. Lindell thanked Mrs. McDowell, City Clerk, Mrs. Mitchell, and Mrs. Duca for their prompt response in helping constituents of the First District to address a couple of issues. He also commended the citizens that serve on the City's numerous committees, noting that they are taking time out of their busy days and not all of them are paid. Mr. Lindell stated that the civilian members work hard and they do the best they can to make every meeting. He also wished his colleagues and constituents a happy holiday season.

Mr. Neil advised that the lighting of the first of eight candles for the Festival of Lights, Hanukkah, would take place the following evening.

Mr. Anderson wished a Happy Hanukkah, Merry Christmas, Great Bodhi, and a Happy Kwanza to those who celebrate. He advised that he would be bringing some interesting information from the NLC conference to their planning workshop.

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

Meeting adjourned at 8:02 p.m.

TRACI A. McDOWELL
CITY CLERK

All ordinances, resolutions, motions, and orders adopted by City Council during their Regular Meeting of December 11, 2017, are hereby approved.

ROBIN R. CHRISTIANSEN
MAYOR

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Exhibits

Exhibit #1 - Ordinance #2017-13

Exhibit #2 - Ordinance #2017-14

CITY OF DOVER ORDINANCE #2017-13

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

That Appendix B – Zoning, Article 3 – District Regulations, Section 1 – One-Family Residence Zones, of the Dover Code be amended to read as follows:

ARTICLE 3. - DISTRICT REGULATIONS

Section 1. - One-family residence zones [(R-20, R-15, R-10, R-8 and R-7)].
(R-20, R-15, R-10, R-8, R-7.) (See also article 5, Supplementary Regulations; and article 6, Off-Street Parking, Driveways and Loading Facilities.)

1.1 *Uses permitted.* In a one-family residence R-20, R-15, R-10, R-8 and R-7 zones, no building or premises shall be used and no building or part of a building shall be erected or altered which is arranged, intended or designed to be used, in whole or in part, for any uses except the following:

1.11 The raising of field and garden crops, vineyards and orchard farming, the maintenance of nurseries, and the seasonal sale of the products thereof, provided no building is erected and signs conform with article 5, section 4.

1.12 One-family detached dwellings, not to exceed one such dwelling per lot.

1.13 Public buildings, structures and uses, including parks and playgrounds, subject to approval of site plans by the planning commission in accordance with article 10, section 2.

1.14 The following uses are permitted, conditional upon the approval of the planning commission in accordance with the procedures and subject to the general conditions set forth in section 10.1 and to any specified requirements set forth below:

- (a) Places of worship, including parish houses; [and] schools, including nursery schools, kindergartens and day care centers in accordance with article 5, Supplementary Regulations, section 14. Child day care facilities; philanthropic and eleemosynary institutions; hospitals and sanitariums for general medical care; and funeral homes subject to the following requirements:
 - i. Any school permitted under this paragraph [subsection 1.14(a)] shall be a nonprofit organization within the meaning of the Internal Revenue Act and shall be registered effectively as such thereunder.
 - ii. Any school permitted under this paragraph [subsection 1.14(a)], other than a kindergarten, nursery school, or day care center, shall occupy a lot with an area of not less than two acres, plus one acre for each 100 pupils for which the building is designed.
 - iii. Any kindergarten or nursery school permitted under this paragraph [subsection 1.14(a)] shall be limited to a maximum of 50 children in zones R-8 thru R-20 and a maximum of 100 children in all other zones. At least 100 square feet of outdoor play space per child shall be provided. Outdoor play space shall be fenced or otherwise enclosed on all sides and shall not include driveways, parking areas, or land unsuited by other usage or natural features for children's active play space. Fencing or other enclosures shall be a minimum height of four feet. The minimum lot area for each ten, or remainder over the multiple of ten, children shall be the

same as the minimum lot area requirement for each dwelling unit in the districts in which such uses are to be located.

- iv. No such building or part thereof shall be erected with less than a 50-foot front yard or nearer than 25 feet from any other street or property line.
 - v. The sum of all areas covered by all principal and accessory buildings shall not exceed 20 percent of the area of the lot.
 - vi. Courts shall conform to the requirements of article 5, section 3 hereof.
- (b) Railroad and public utility rights-of-way and structures necessary to serve areas within the city, subject to such conditions as the planning commission may impose in order to protect and promote the health and safety and general welfare of the community and the character of the neighborhood in which the proposed structure is to be constructed.
- (c) Country clubs or other annual membership clubs, catering exclusively to members and their guests, and accessory private playgrounds, golf courses, swimming pools, tennis courts and recreation buildings not conducted as business enterprises, provided that the following operations shall be prohibited:
- i. Outdoor entertainment, live or mechanical;
 - ii. The use of outdoor public address systems for any purpose; and
 - iii. Exterior lighting producing glare at the lot line other than that essential for the safety of the users of the premises.

No building erected under the provisions of this paragraph [subsection 1.14(c)] shall be so erected nearer than 50 feet to any street or property line.

(d) Adult day care facilities in accordance with Article 5 – Supplementary Regulations, Section 22 – Adult Day Care Facilities.1.15 Accessory uses, limited to the following:

- (a) Professional office or studio of an artist, dentist, musician, teacher, or physician, but not including veterinarians, provided that:
 - i. Such office or studio is incidental to the residential use of the premises and is carried on by a resident thereon with not more than one nonresident assistant; and
 - ii. Such office or studio shall occupy not more than 30 percent of the area of one floor of the main building.
 - iii. Studios where dancing or music instruction is offered to groups in excess of four pupils at one time or where concerts or recitals are held are prohibited.
 - iv. Medical centers, barbershops, beauty parlors, real estate offices, funeral homes or similar uses shall not be considered permitted accessory uses.
- (b) Garden house, tool house, playhouse, greenhouse or pool incidental to the residential use of the premises and not operated for gain.

- (c) Private garage, provided that, in the case of a one-family dwelling, such garage shall have a capacity of not more than three passenger automobiles. One such space may be leased to a person not [a] resident on the premises.
- (d) Keeping domestic animals as pets, provided not more than three (3) dogs over six months old, shall be permitted.
- (e) Keeping of chickens for individual domestic purposes subject to the following restrictions:
 - i. Keeping of chickens shall not be permitted on lots smaller than 10,890 square feet in lot area.
 - ii. No more than five (5) chickens shall be permitted on a residential lot.
 - iii. Chickens shall be registered with the Delaware Department of Agriculture.
 - iv. Chickens shall be penned in a coop that shall be at least four (4) square feet per chicken.
 - v. All chicken coops shall be located in a rear yard and shall be a minimum of 20 feet from side and rear property lines.
 - vi. Any odor associated with the chickens shall not be discernable from property lines.
 - vii. Keeping of roosters shall be prohibited.
 - viii. Any lot with chickens shall either comply with these requirements by June 1, 2016 or remove the chickens.
- (f) Dormitories accessory to schools, provided that such dormitories conform to the bulk regulations of the RG-1 zone. For purposes of computing bulk requirements, each four rooms shall be considered one dwelling unit. Parking shall be calculated as identified in Article 6—Off-Street Parking, Section 3—Required off-street parking spaces, Paragraph 3.1—Schedule of requirements.
- (g) Customary home occupations, provided that:
 - i. No display of products, goods and/or signs shall be visible from the street.
 - ii. Such home occupation shall be incidental and secondary to the residential use of the premises and shall be conducted in the principal building by the resident or residents that reside therein.
 - iii. Nonresident assistants or co-workers shall be prohibited.
 - iv. Such home occupation shall not occupy more than 30 percent of the area of one floor in the principal building.
 - v. There shall be no exterior effect such as noise, traffic, odor, dust, smoke, gas, fumes, radiation, or electromagnetic interference.

1.16 [1.2] *Site development plan approval.* Site development plan approval in accordance with article 10, section 2 hereof shall be required prior to the issuance of building permits for the erection or enlargement of all structures and related accessory structures. Such approval shall also be required prior to the issuance of certificates of occupancy for a change of use.

1.17 [1.3] *Performance standards.* All uses are subject to performance standards as set forth in article 5, section 8.1.

1.18 [1.4] [*Closed zone.*] Zone R-7 is a closed zone in accordance with article 10, section 5.19.

1.19 [1.5] [*Signs.*] Signs shall meet the regulations found in article 5, section 4, supplementary sign regulations.

(Ord. of 1-8-1979; Ord. of 5-14-1990; Ord. of 12-14-1992(2); Ord. of 7-10-2000; Ord. of 2-12-2001; Ord. No. 2009-12, 9-14-2009; Ord. No. 2011-21, 10-10-2011; [Ord. No. 2016-01, 4-11-2016](#))

BE IT FURTHER ORDAINED:

That Appendix B – Zoning, Article 3 – District Regulations, Section 10 – Institutional and Office Zone of the Dover Code be amended to read as follows:

Section 10. - Institutional and office zone (IO).

10.1 *Uses permitted.* In an institutional and office zone (IO), no building or premises shall be used, and no building or part of a building shall be erected, which is arranged, intended, or designed to be used, in whole or in part, for any purpose, except the following:

- (a) Business, professional, or governmental offices.
- (b) Banks.
- (c) Research, design, and development laboratories.
- (d) Public and institutional uses including hospitals, medical clinics, libraries, police stations, courthouses, transit centers, schools, colleges, universities, places of public assembly, philanthropic and charitable institutions, parks, playgrounds, public indoor recreation centers, athletic fields.
- (e) Public utility rights-of-way and structures necessary to serve areas within the city.
- (f) Child day care centers, provided they are established in accordance with all applicable state regulations pertaining to child care and provided that they are established and maintained in accordance with article 5, section 14 of this ordinance.
- (g) Emergency shelters and transitional housing.
- (h) Adult day care facilities provided they are established in accordance with all applicable state regulations pertaining to adult care and provided that they are established and maintained in accordance with article 5, section 22 of this ordinance.

10.2 *Conditional uses.* The following uses are permitted, conditional upon the approval of the planning commission in accordance with the procedures and subject to the general conditions set forth in article 10, section 1:

- (a) Firearm ranges, prisons, and correctional facilities.
- (b) Public incinerators.
- (c) Hotels and restaurants.

10.3 *Accessory uses.* The following uses shall be permitted accessory to other permitted uses on a lot.

- (a) Clinics, cafeterias, and recreational facilities.
- (b) Motor vehicle storage and repair facilities accessory to a public or institutional use.
- (c) Restaurants that are on a campus and intended to support users of the campus.

10.4 *Uses prohibited.* The following uses are prohibited:

- (a) Landfills, dumps.

10.5 *Enclosed buildings.* All permitted uses and all storage accessory thereto, other than offstreet parking, shall be carried on in buildings fully enclosed on all sides, except for outdoor eating areas associated with restaurants approved by the city planner.

10.6 *Performance standards.* All uses are subject to performance standards as set forth in article 5, section 8.1.

10.7 *Site development plan approval.* Site development plan approval in accordance with article 10, section 2 hereof shall be required prior to the issuance of building permits for the erection or enlargement of all structures and prior to the issuance of certificates of occupancy for any change of use.

(Ord. of 10-24-1983; Ord. of 12-14-1992; Ord. of 7-12-1993, § 7; Ord. of 4-25-1994; Ord. of 10-12-1998; Ord. of 7-10-2000; Ord. of 2-12-2001; Ord. of 4-23-2007(1); Ord. of 4-23-2007(2); [Ord. No. 2014-08, 7-14-2014](#))

BE IT FURTHER ORDAINED:

That Appendix B – Zoning, Article 5 –Supplementary Regulations, Section 14 – Day Care Facilities of the Dover Code be amended to read as follows:

Section 14. – Child day care facilities.

14.1 *General.* In order to promote the development of quality child care outside of the home (day care facilities), the following two basic assumptions have been made:

14.11 The establishment of child day care services and facilities, wherever there is a need, is a necessary public objective; and

14.12 Day care programs for children shall be treated as community facilities and shall be permitted to locate in any zoning district, provided that need has been demonstrated, state licensing requirements have been met and no physical hazard to children can be reasonably anticipated.

14.2 *Definitions.*

Child day care facility. For the purposes of this ordinance, the facilities described furnishing care,

supervision and guidance of a child or group of children unaccompanied by a parent or guardian, for periods of less than 24 hours per day shall be defined as follows:

14.21 *Child day care center.*

- (a) Any place, other than an occupied residence, which receives children for compensation for day care or large family day care home; and
- (b) Any occupied residence which receives 13 or more children for compensation for day care.

Child day care centers shall be required to obtain conditional use approval by the planning commission in accordance with the procedures and subject to the general conditions set forth in article 10 and to any specified requirement set forth in subsection 14.3 below, except in zoning districts where listed as a permitted use.

14.22 *Family day care home-children.* An occupied residence in which a person provides care for children other than his/her own family and the children of close relatives for compensation. Such care in a family day care home is limited to that care given to six or fewer children with a maximum of three children allowed for after school care. Such child care facility shall be permitted as an accessory use in all residential zones and shall be exempt from obtaining a conditional use permit and site plan approval.

14.23 *Large family day care home-children.* A facility which provides child care for more than six, but less than 13 children with a maximum of three children allowed for after school care. This care may be offered in a private home or in a property converted to the purpose of providing child day care. This form of day care facility requires the submission of a site plan application in accordance with the procedures and subject to article 10, section 2 of the zoning ordinance. If a large family day care home is not to be located in an occupied residence, then a conditional use site plan application shall be required in accordance with article 10 section 1 of the zoning ordinance.

14.3 Zoning criteria.

14.31 *Number of children.* Day care centers shall be limited to a maximum of 50 children in all residential zones.

14.32 *Outdoor play area.* Must meet the state requirement for day care centers.

14.33 *Off-street parking/loading.* One space per each adult attendant, plus one space for every ten children.

14.34 *Signage for child day care facilities*

(a) *Signs in residential zones.*

- (a) i. *Family day care homes-children and large family day care homes-children.* One wall-mounted sign limited to two square feet.

~~(b)~~ ii. *Child day care center.* One sign, wall-mounted or freestanding, limited in area to 12 square feet. The planning commission shall consider the location of such sign as part of the conditional use review and may approve a lesser amount of sign area if deemed necessary by the commission to protect the general health, safety and welfare of the public in general and the residents of the immediate neighborhood in particular.

(b) *Signs in nonresidential zones.* Child day care centers within nonresidential zoning districts shall be governed by the sign regulations in effect for the particular nonresidential zoning district in which the day care center is located.

14.35 *Licensing requirements.* Child day care facilities must meet state licensing standards and must be inspected by the City of Dover Fire Marshal’s Office. A City of Dover Business License and a Public Occupancy Permit is required.

(Ord. of 5-14-1990; Ord. of 4-25-1994; Ord. of 4-23-2007(3))

Editor's note— The subsections of this section have been numbered by the editor to retain format.

BE IT FURTHER ORDAINED:

That Appendix B – Zoning, Article 5 –Supplementary Regulations of the Dover Code be amended by inserting a new Section 22 – Adult Day Care Facilities, as follows:

Section 22. – Adult day care facilities

Adult day care facilities shall be permitted to locate in any zoning district provided that state licensing requirements have been met and such facilities are subject to the following requirements:

22.1 *Definitions*

Adult day care facilities apply to any program that provides health, social and related support services for four or more functionally impaired adults who requires supervision due to cognitive or physical impairment or who cannot independently perform one or more activities of daily living. These services are provided to adults for a period of less than 12 hours during the day and are provided in a setting other than a participant’s home or the residence of the facility operator.

Small adult day care facility. A facility that provides services for four adult participants but less than 16 adult participants.

Large adult day care facility. A facility that provides services for 16 or more adult participants.

22.2 *Review Process*

(a) Adult day care facilities are permitted as accessory uses to existing facilities that provide services to adult participants.

(b) *Residential zones.* A conditional use site plan application shall be required in accordance with Appendix B-Zoning, Article 10-Planning Commission section 1 for adult day care facilities in residential zones.

(c) *Non-residential zones.*

- i. Site development plan approval in accordance with Appendix B-Zoning, article 10, section 2 hereof shall be required for small adult day care facilities.
- ii. A conditional use site plan application shall be required in accordance with Appendix B-Zoning, article 10 section 1 for large adult day care facilities.

22.3 Zoning criteria

22.31 *Off-street parking.* One space per each adult attendant, plus one space for every four adult participants.

22.32 *Signage for adult day care facilities*

- (a) *Signage in a residential zone.* One sign, wall-mounted or freestanding, limited in area to 12 square feet. The planning commission shall consider the location of such sign as part of the conditional use review and may approve a lesser amount of sign area if deemed necessary by the commission to protect the general health, safety and welfare of the public in general and the residents of the immediate neighborhood in particular.
- (b) *Signs in nonresidential zones.* Adult day care facilities within nonresidential zoning districts shall be governed by the sign regulations in effect for the particular nonresidential zoning district in which the day care facility is located.

22.33 *Licensing requirements.* Adult day care facilities must meet state licensing standards and must be inspected by the City of Dover Fire Marshal's Office. A City of Dover Business License and a Public Occupancy Permit are required.

BE IT FURTHER ORDAINED:

That Appendix B - Zoning, Article 12 – Definitions of the Dover Code be amended by inserting the following new definition in its correct alphabetical order:

Adult day care facilities: Apply to any program that provides health, social and related support services for four or more functionally impaired adults who require supervision due to cognitive or physical impairment or who cannot independently perform one or more activities of daily living. These services are provided to adults for a period of less than 12 hours during the day and are provided in a setting other than a participant's home or the residence of the facility operator.

- (a) Small adult day care facility: A facility that provides services for four adult participants but less than 16 adult participants.

- (b) Large adult day care facility: A facility that provides services for 16 or more adult participants.

BE IT FURTHER ORDAINED:

That Appendix B - Zoning, Article 12 – Definitions – Day care facility of the Dover Code be amended by inserting the following definitions in their correct alphabetical order:

Child day care facility: For the purposes of this ordinance, the facilities described furnishing care, supervision and guidance of a child or group of children unaccompanied by a parent or guardian for periods of less than 24 hours per day shall be defined as follows:

- (a) *Child day care center:*
- i. Any place, other than an occupied residence, which receives children for day care or large family day care home; and
 - ii. Any place, including an occupied residence, which receives 13 or more children for day care.

(b) *Family day care home-children:* An occupied residence in which a person provides day care for children other than his/her own family and the children of close relatives. Such care in a family day care home is limited to that care given to six or fewer children with a maximum of three children allowed for after school care. Such child care shall be permitted as an accessory use in all residential zones and shall be exempt from obtaining a conditional use permit and site plan approval.

(c) *Large family day care home-children:* A facility which provides child care for more than six, but less than 13 children with a maximum of three children allowed for after school care. This care may be offered in a private home or in a property converted to the purpose of providing child day care.

ADOPTED: DECEMBER 11, 2017

SYNOPSIS

The proposed ordinance Article 5 section 22 will be a new section added to the *Zoning Ordinance* to allow Adult day care facilities to be permitted in any zoning district provided that state licensing and city code requirements have been met. The proposed amendment under Article 5 section 14 of the *Zoning Ordinance* are revisions to the existing ordinance that identifies Child day care facilities. Other amendments revise references and definitions pertaining to these uses.

(SPONSORS: NEIL AND HUGG)

Actions History:

12/11/17 – Public Hearing – City Council

11/20/17 – Public Hearing - Planning Commission

10/09/17 – First Reading – City Council

09/25/17 – Introduction – Council Committee of the Whole/Legislative, Finance, and Administration Committee

CITY OF DOVER ORDINANCE #2017-14

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

That Chapter 30, Code of Conduct and Ethic Commission, be amended to read as follows:

Chapter 30 - STANDARDS OF ETHICAL CONDUCT AND ETHICS COMMISSION**ARTICLE I. – IN GENERAL****Sec. 30-1. - Applicability.**

This chapter shall be applicable to all elected and appointed officials and all employees of the city.

Sec. 30-2. – Statement of intent and purpose.

- (a) *Intent.* The proper operation of democratic government requires that public officials and employees be independent, impartial, and responsible to the people; that governmental decisions and policies be made in the proper channels of the governmental structure; that public office not be used for personal gain; and that the public has confidence in the integrity of its government. It is the intent of the city that all elected and appointed officials and all employees of the city adhere to high levels of ethical conduct, honesty, integrity and accountability to assure that the public has confidence in all aspects of city government and the city officials that exercise discretionary powers. These standards of ethical conduct are intended to uphold the public trust in the persons in positions of public responsibility who are acting for the benefit of the public. All elected and appointed officials and all employees of the city shall comply with both the letter and the spirit of the standards of ethical conduct and strive to avoid situations that create impropriety or the appearance of impropriety. The standards define and discourage certain actions that may create impropriety or the appearance of impropriety that undermine public trust in elected and appointed public officials and employees.
- (b) *Purpose.* The standards of ethical conduct should promote public confidence in the integrity of city officials; state principles of conduct and ethics which are to be applied in public service; inform the public of the standards to which their city officials are expected to adhere; and help motivate city officials and public employees to pursue productive conduct and ethical ideals which exceed minimum standards. The city council finds and declares as matters of public policy goals and objectives for all city employees and elected and appointed officials, the following:
- (1) *Public trust.* In our democratic form of government, the conduct of officials and employees of the city must hold the respect and confidence of the people. They must, therefore, avoid conduct which is in violation of their public trust or which creates a justifiable impression among the public that such trust is being violated.

- (2) *Standards.* To ensure propriety and to preserve public confidence, officials and employees of the city must have the benefit of specific standards to guide their conduct and disciplinary mechanisms to guarantee uniform maintenance of those standards. Some standards of this type are so vital to government that violation thereof should subject the violator to criminal penalties.
- (3) *Public service.* In our democratic form of government, it is both necessary and desirable that all citizens should be encouraged to assume public office and employment, and that, therefore, the activities of officials and employees of the city should not be unduly circumscribed.
- (4) *Performance of duty.* Elected city officials are obligated to uphold the fundamental legal principles of our system of government, as set forth in the United States Constitution, the state constitution, and the city Charter, as well as all applicable provisions of federal, state and local law and court decisions. They are bound to do so, and the failure to so act shall constitute malfeasance in office.
- (5) *Fairness.* City officials and employees shall strive for the highest standard of fairness in all of their activities and shall not grant any special consideration, treatment, or advantage to any citizen beyond that which is available to every other citizen.
- (6) *Use of private information.* In the course of their official responsibilities, city officials and employees are often privy to categories of information which are of a private nature and are legally protected from public disclosure. City officials and employees shall maintain the privacy of such information, and they shall not take advantage of such information for personal gain, or the personal gain of friends or family.

(Code 1981, § 2-8; Ord. of 7-13-1998)

Sec. 30-3. – Acknowledgment of policies; required disclosures, and required annual training.

In order for the mayor, councilmembers, mayoral and council appointees, and city employees to better serve the constituents of the City of Dover in an open, transparent fashion and to further be held accountable, the following actions shall be taken by each of the designated persons:

- (a) *Acknowledgment of policies.* Each elected and appointed official and all city employees shall be furnished copies of Chapter 30 – Standards of Ethical Conduct and Ethics Commission, either electronically or, if requested, in hard copy, before entering upon the duties of their office or employment and shall sign a written acknowledgment of receipt of the copy. The documents shall be read, reviewed, and signed by all appointees by the time of their appointment or re-appointment.
- (b) *Financial disclosure report.* Any city employee or elected or appointed official who has a financial interest in any private enterprise which is subject to the regulatory jurisdiction of, or does business with, any city agency (and any city official who has a financial interest in any private enterprise which is subject to the regulatory jurisdiction of, or does business

with, the city agency on which he serves as an appointee) shall file a financial disclosure report with the ethics commission fully disclosing the same. Such disclosure shall be confidential and the ethics commission shall not release such disclosed information, except as may be necessary for the enforcement of this chapter. The filing of such financial disclosure report shall be a condition of commencing and continuing employment or appointed status with the city. The financial disclosure report shall be submitted by August 1st of each calendar year.

(c) *Disclosure of interest in legislation.*

- (1) A councilman who has a financial or other private interest in any legislation shall disclose on the records of the council or other appropriate authority the nature and extent of such interest. This provision shall not apply if the councilman disqualifies himself from voting on such legislation.
- (2) Any other city official or employee who has a financial or other private interest in any legislation and who participates in discussion with or gives an official opinion to the council shall disclose on the records of the council or other appropriate authority the nature and extent of such interest.
- (3) Any city employee or city officer who has a financial interest in any private enterprise which is subject to the regulatory jurisdiction of, or does business with, any city agency, shall file with the ethics commission a written statement fully disclosing the same. Such disclosure shall be confidential and the ethics commission shall not release such disclosed information, except as may be necessary for the enforcement of this subchapter. The filing of such disclosure statement shall be a condition of commencing and continuing employment or appointed status with the city.

(d) *Required annual training.* All city employees and elected and appointed officials shall undergo and receive annual training on the City of Dover's ethics policies and procedures.

Sec. 30-4. - Definitions.

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

Close relative means a person's parents, spouse, children (natural or adopted), and siblings of the whole and half-blood.

Commission and *ethics commission* mean the city ethics commission as established by this chapter.

Compensation means any money, thing of value, or any other economic benefit of any kind or nature whatsoever conferred on or received by any person in return for services rendered or to be rendered by the official or employee, or by another.

Employee includes all persons who receive compensation as an employee of the city or a city agency, and shall not include persons that are elected or appointed to serve as mayor, city councilmember or a member of any city committee, commission or board, whether paid or unpaid.

Financial interest. A person has financial interest in a private enterprise if:

- (1) He has a legal or equitable ownership interest in the enterprise of more than ten percent (one percent or more in the case of a corporation the stock of which is regularly traded on an established securities market);
- (2) He is associated with the enterprise and received from the enterprise during the last calendar year, or might reasonably be expected to receive from the enterprise during the current or the next calendar year, income in excess of \$5,000.00 for services as an employee, officer, director, trustee, or independent contractor; or
- (3) He is a creditor of a private enterprise in an amount equal to ten percent or more of the debt of that enterprise (one percent or more in the case of a corporation the securities of which are regularly traded on an established securities market).

Matter means an application, petition, request, business dealing, contract, subcontract, or any other transaction of any sort with the city.

Official means any elected or appointed official of the city and all members of any committee, commission or board appointed by the mayor of the city or appointed by the city council.

Official responsibility means any direct administrative or operating authority at any level, either exercisable alone or with others, either personally or through subordinates, to approve, disapprove, recommend or otherwise direct action on behalf of the city.

Personal or private interest means an interest in a matter which tends to impair the independent judgment of an official or employee in the performance of his duties with respect to that matter.

Private enterprise means any activity conducted by any person, whether conducted for profit or not for profit, and includes the ownership of real or personal property. The term "private enterprise" does not include any activity of the city, of any political subdivision, or of any agency, authority, or instrumentality thereof.

Public official. All elected and appointed officials and all employees of the city.

Sec. 30-5 – 30-19. – Reserved.

(Code 1981, § 2-9; Ord. of 7-13-1998)

ARTICLE II. – STANDARDS OF ETHICAL CONDUCT.**Sec. 30-20. – *Established.***

High ethical standards among public officials and employees are essential to gain and maintain the confidence of the people, because such confidence is essential to the conduct of free government. Public officials and employees are agents of the people and hold office for the benefit of the public. They are bound to observe in their official acts the highest standards of morality and to discharge faithfully and impartially the duties of their offices, regardless of personal considerations, recognizing that the public interest must be their primary concern. Their conduct in both their official and private affairs should be above reproach. These standards of ethical conduct are adopted in order to secure this desired high level of public trust, ensure the impartiality of public officials and employees, and impose standards of accountability.

- (a) *General responsibilities of officials and employees.*
- (1) Officials and employees have the common obligation of serving the public. In performing their duties, they shall treat the public and each other with respect, concern, and responsiveness, recognizing that their common goal of exceptional public service can only be achieved by working together. Disputes that arise among public servants shall be resolved at the lowest possible level; keeping in mind that public money spent on resolving these disputes is money not spent on important public needs.
 - (2) Officials and employees shall treat their position as a public trust, with a fiduciary duty to use the powers and resources of public office only to advance the public interest and not to obtain personal benefits or pursue private interests.
 - (3) Officials and employees shall conduct themselves in a manner that justifies the confidence placed in them by the people, at all times maintaining the integrity and discharging ethically the high responsibilities of public service.
 - (4) Full disclosure of real or potential conflicts of interest shall be a guiding principle for determining appropriate conduct. At all times, reasonable efforts shall be made to avoid undue influence and abuse of office in public service.
 - (5) No official or employee may request or receive, and no person may offer any money, thing of value or promise thereof, other than any city pay received, that is conditioned upon or given in exchange for promised performance of an official act.
- (b) *Appearance of violation.* Each city employee and official shall endeavor to pursue a course of conduct which will not raise suspicion among the public that he is engaging in acts which are in violation of his public trust and which will not reflect unfavorably upon the city and its government.
- (c) *Private interest; gifts.* No city employee or official shall have any interest in any private enterprise, nor shall he incur any obligation of any nature which is in substantial conflict

with the proper performance of his duties in the public interest. No city employee or official shall accept other employment, any compensation, gift, payment of expenses or any other thing of monetary value under circumstances in which such acceptance may result in any of the following:

- (1) Impairment of independence of judgment in the exercise of official duties;
 - (2) An undertaking to give preferential treatment to any person;
 - (3) The making of a governmental decision outside official channels; or
 - (4) Any adverse effect on the confidence of the public in the integrity of the government of the city.
- (d) *Interest in private enterprise.* No city employee or official shall acquire a financial interest in any private enterprise which he has reason to believe may be directly involved in decisions to be made by him in an official capacity on behalf of the city.
- (e) *Prohibitions relating to conflicts of interest.* No councilman or other official or employee, whether paid or unpaid, shall engage in any business or transaction or shall have a financial or other personal interest, direct or indirect, which is incompatible with the proper discharge of his official duties in the public interest or would tend to impair his independence of judgment or action in the performance of his official duties. Personal as distinguished from financial interest includes an interest arising from blood or marriage relationships or close business or political association provided, that upon request from any person with official responsibility with respect to the matter, any such person who has such a personal or private interest may nevertheless respond to questions concerning any such matter.
- (1) *Restrictions on exercise of official authority.*
 - a. *Prohibited participation.* No city employee or official may participate on behalf of the city in the review or disposition of any matter pending before the city in which he has a personal or private interest, provided that, upon request from any person with official responsibility with respect to the matter, any such person who has such a personal or private interest may nevertheless respond to questions concerning any such matter. A personal or private interest in a matter is an interest which tends to impair a person's independence of judgment in the performance of his duties with respect to that matter.
 - b. *Impairment of judgment.* A person has an interest which tends to impair his independence of judgment in the performance of his duties with respect to any matter when:
 - i. Any action or inaction with respect to the matter would result in a financial benefit or detriment to accrue to the person or a close relative to a greater extent than such benefit or detriment would

accrue to others who are members of the same class or group of persons; or

ii. The person or a close relative has a financial interest in a private enterprise which enterprise or interest would be affected by any action or inaction on a matter to a lesser or greater extent than like enterprises or other interests in the same enterprise.

c. *Statutory responsibility.* In any case where a person has a statutory responsibility with respect to action or inaction on any matter where he has a personal or private interest and there is no provision for the delegation of such responsibility to another person, the person may exercise responsibility with respect to such matter, provided that, promptly after becoming aware of such conflict of interest, he files a written statement with the ethics commission, fully disclosing the personal or private interest and explaining why it is not possible to delegate responsibility for the matter to another person.

(2) *Restrictions on representing another's interest before the city.*

a. *Prohibited.* No city employee or official may represent or otherwise assist any private enterprise with respect to any matter before the city.

b. *Exception.* This subsection shall not preclude any city employee or official from appearing before the city or otherwise assisting any private enterprise with respect to any matter in the exercise of his official duties.

(3) *Restriction on contracting with the city.*

a. *Prohibited.* No city employee or official shall benefit from any contract with the city, nor solicit any contract, and shall not enter into any contract with the city (other than an employment contract).

b. *Ownership of enterprise.* No private enterprise in which a city employee or official has a legal or equitable ownership of more than ten percent (more than one percent in the case of a corporation the stock of which is regularly traded on an established securities market) shall enter into any contract with the city (other than an employment contract) unless such contract was made or let after public notice and competitive bidding.

(f) *Postemployment restrictions.* No person who has served as a city employee or official shall represent or otherwise assist any private enterprise on any matter involving the city, for a period of two years after termination of his employment or elected or appointed status with the city, if he gave an opinion, conducted an investigation or otherwise was directly and materially responsible for such matter in the course of his official duties as a city employee or official, nor shall any former city employee or official disclose confidential information gained by reason of his public position, nor shall he otherwise use such information for personal gain or benefit.

- (g) *Unauthorized disclosure of confidential information.* No person shall disclose any information required to be maintained confidential by the ethics commission under section 30-3(b), 30-73, or 30-74.
- (h) *Abuse of office.*
- (1) *Political contributions.* No elected city official shall agree to sponsor legislation, or to influence in any manner the formulation or passage of legislation, in exchange for political contributions or promises thereof.
 - (2) *Substantial interest.* No elected city official shall vote for, or promote in any manner whatsoever, legislation affecting any subject matter in which he has a substantial interest. Any such interest shall be disclosed by said elected official prior to a vote on any such legislation, and said elected official shall vote "abstain" when called upon to vote.
 - (3) *Use of city property.* No city official or employee shall request or permit the use of city-owned vehicles, equipment, materials, or property for personal convenience or profit, except when such services are available to the public generally or are provided for the use of such official or employee in the conduct of official business as a matter of municipal policy.
 - (4) *Personal gain.* No city official or employee shall utilize the influence of his office or position for personal pecuniary gain, or to avoid the legal consequences of his personal conduct.
- (i) *Criminal sanctions.*
- (1) *Penalties.* Any person who knowingly or willfully violates any provision of this section shall be guilty of a misdemeanor, punishable for each such violation by imprisonment of not more than one year and by a fine as provided for in Appendix F—Fees and Fines.
 - (2) *Time limitations.* A prosecution for a violation of this section shall be subject to the time limitations of 11 Del. C. § 205.
- (j) *Contracts voidable by court action.* In addition to any other penalty provided by law, any contract entered into by any city agency in violation of this chapter shall be voidable by the city agency; provided that in determining whether any court action should be taken to void such a contract pursuant to this subsection, the city agency shall consider the interests of innocent third parties who may be damaged thereby. Any court action to void any transaction must be initiated within 30 days after the city agency involved has, or should have, knowledge of such violation.
- (k) *Private gain.* No city employee or official shall use his public office to secure unwarranted privileges, private advancement or gain.

- (l) *Confidential information; prohibited activity.* No city employee or official shall engage in any activity beyond the scope of his public position which might reasonably be expected to require or induce him to disclose confidential information acquired by him by reason of his public position.
- (m) *Disclosure of information.* No city employee or official shall, beyond the scope of his public position, disclose confidential information gained by reason of his public position, nor shall he otherwise use such information for personal gain or benefit.
- (n) *Ex Parte Communications.* No official or employee shall encourage, make or accept any ex parte or other unilateral application or communication that excludes the interests of other parties in a matter under consideration when such application or communication is designed to influence official decision or conduct of the official or other officials, employees or agencies in order to obtain a more favored treatment or special consideration to advance the personal or private interests of himself or herself or others. The purpose of this provision is to guarantee that all interested parties to any matter shall have equal opportunity to express and represent their interests.

Any written ex parte communication received by an official or employee in matters where all interested parties should have equal opportunity for a hearing shall be made part of the record by the recipient.

Any oral ex parte communication received under such conditions should be written down in substance by the recipient and also made a part of the record.

A communication concerning only the status of a pending matter is not regarded as an ex parte communication.

- (o) *Sexual favors.* No city employee or official, in the course of his public responsibilities, shall use the granting of sexual favors as a condition, either explicit or implicit, for an individual's favorable treatment by that person or a city agency.

(Code 1981, § 2-11; Ord. of 7-13-1998)

Secs. 30-21—30-70. - Reserved.

ARTICLE III. - ETHICS COMMISSION

Sec. 30-71. - Established; composition; removal; terms of office; vacancies; chairperson; quorum; compensation; legal counsel.

- (a) *Established; composition; removal.* The city ethics commission is hereby established to administer and implement this chapter. The ethics commission shall consist of five members appointed by the mayor and confirmed by the city council. No member of the commission shall hold any elected or appointed office under the government of the United States or the state, county, or city. Members of the ethics commission may be removed by the mayor, with the concurrence of the city council, for substantial neglect of duty, gross misconduct in office or a violation of this chapter.

- (b) *Terms of office; vacancies.* A member of the ethics commission shall be appointed for a term of office of five years and until his successor has been appointed and has qualified. The members shall be appointed for staggered terms of office, and until their successors have been appointed. When a vacancy occurs in the membership of the ethics commission, it shall be filled by appointment for the unexpired portion of the term in the same manner as the original appointment.
- (c) *Chairperson; quorum.* The ethics commission shall elect a chairperson from among its membership. Three members of the ethics commission shall constitute a quorum and, if a quorum is present, a vacancy on the ethics commission shall not impair the right of the remaining members to exercise all the powers of the ethics commission. Disciplinary hearings may be conducted and sanctions may be imposed only by the affirmative action of at least three members; otherwise, the ethics commission may delegate authority to the chairperson to act for the ethics commission between meetings.
- (d) *Compensation.* Members of the ethics commission shall receive no compensation.
- (e) *Legal counsel.* The city solicitor shall provide legal counsel to the ethics commission and shall be the legal representative of the ethics commission in connection with its duties hereunder, on a case-by-case basis, or determine that outside counsel is needed and obtain such outside counsel for a particular matter.

(Code 1981, § 2-13; Ord. of 7-13-1998; Ord. No. 2010-23, 8-23-2010)

Sec. 30-72. - Powers and duties.

- (a) The powers and duties of the ethics commission shall be:
 - (1) *Standards of ethical conduct.* To recommend to the mayor and council, from time to time, such rules of conduct for public employees and officials as it shall deem appropriate.
 - (2) *Advisory opinions.* To issue written advisory opinions, upon the request of any city employee or official, as to the applicability of this chapter to any particular factual situation.
 - (3) *Referrals to solicitor.* To refer to the city solicitor for investigation any alleged violation of this chapter and, after notice and hearing, to recommend such disciplinary action as it may deem appropriate to such appropriate official or agency as the ethics commission shall determine, or to take such other disciplinary action as authorized by section 30-73(o) or other provisions of the city Charter or this Code. The ethics commission may dismiss, without reference to the city solicitor, any complaint which the ethics commission determines is frivolous or fails to state a violation.
 - (4) *Report of crimes.* To report to the appropriate federal, state or city authorities any substantial evidence of a violation of any criminal law which may come to its attention in connection with any proceeding, whether advisory or disciplinary.

- (5) *Records.* To maintain a file of its proceedings, waiver decisions and advisory opinions with a view toward achieving consistency of opinions and recommendations subject to the confidentiality requirements of sections 30-74 and 30-73(s).
- (6) *Procedures.* To follow the procedural rules specified in section 30-73 and to establish such other procedural rules as shall be consistent with the rules prescribed therein.
- (7) *Witnesses, evidence.* To subpoena witnesses, compel their attendance and testimony, administer oaths and affirmations, take evidence and require, by subpoena, the production of books, papers, records or other evidence needed for the performance of the ethics commission's duties or exercise of its powers.
- (8) *Assistance to city personnel.* To provide assistance to any city employee, official or agency in administering the provisions of this chapter.
- (9) *Provide information.* To prepare any necessary reports and studies to advance the purpose of this chapter, to provide any necessary materials explaining the duties of individuals covered by this chapter, and to supply instructions and public information materials to facilitate compliance with, and enforcement of, this chapter.
- (10) *Request city agencies for assistance.* To request appropriate city agencies to provide such professional assistance as it may require in the discharge of its duties.

(Code 1981, § 2-14; Ord. of 7-13-1998)

Sec. 30-73. – Rules of procedure; complaints; hearings; dispositions.

- (a) Any person, either personally or on behalf of an organization or governmental body, may file a sworn complaint for the ethics commission with the city clerk. The complaint must be in writing, be signed, and show the address of the person who submitted it. The complaint must state that, to the best of the person's knowledge, information, and belief formed after reasonable reflection, the information in the complaint is true. The complaint must describe the facts that constitute the violation of the standards of ethical conduct in sufficient detail so that the ethics commission and the person who is the subject of the complaint can reasonably be expected to understand the nature of any offense that is being alleged. The commission may request any additional information deemed necessary to screen the complaint or to render a decision. No complaints shall be accepted or considered which relate to actions that took place more than one (1) year prior to the date of filing. The individual filing the sworn complaint has sixty (60) days from the date that the issue is brought to his or her attention to file a complaint.
- (b) After the sworn complaint has been filed, none of the parties or their representatives may communicate on an ex parte basis with any commission members pertaining to the complaint. All communications pertaining to the complaint shall be submitted to the city clerk.

- (c) Within seven (7) days of receiving a sworn complaint the city clerk shall send copies of the complaint to each member of the ethics commission, the city solicitor, and the official or officials against whom such complaint has been filed. Hereinafter, the complaining party shall be referred to as the "complainant" and the official against whom a complaint has been lodged shall be referred to as the "respondent."
- (d) The commission recognizes that distribution to the public of a sworn complaint prior to screening by the commission as required below could harm the reputation of an innocent person and is contrary to the public interest; therefore, the public release of the complaint is prohibited until the screening process has been completed. The commission shall consult in confidence to screen the complaint within fourteen (14) days of receiving the complaint. The commission may immediately dismiss a complaint if:
- (1) It has no jurisdiction; or
 - (2) The alleged violation, if true, would not constitute a violation of the standards of ethical conduct; or
 - (3) The alleged violation is a minor or de minimis violation; or
 - (4) The complaint is, on its face, frivolous, groundless, or brought for purposes of harassment; or
 - (5) The matter has become moot because the person who is the subject of the complaint is no longer an officer, official or employee; or
 - (6) The respondent had obtained an advisory opinion under section 30-74(c) permitting the conduct; or
 - (7) The appointing authority of the respondent has already taken action as a result of finding a violation and the commission believes the action was appropriate.
- (e) In issues regarding standards of ethical conduct violations, the enforcement process is intended to be corrective rather than remedial unless the violation is a repeated offense. In the event the ethics commission determines a standards of ethical conduct violation has occurred, and it is minor in nature, with the concurrence of the complainant and the subject of the sworn complaint, the commission may dispense with the hearing process and conduct a more informal mediation process in lieu of a hearing.
- (f) If the sworn complaint is not dismissed or otherwise resolved pursuant to subsection 30-73(d), the city clerk shall promptly contact the members of the ethics commission, the city solicitor, the complainant, and the respondent in order to ascertain a date and time when a hearing can be convened on such complaint. As soon as a date and time have been agreed upon for a hearing before the ethics commission, the city clerk shall send written notice of such scheduling and a copy of the rules of procedure to the complainant and to the respondent. No copies of the complaint shall be provided to any other parties before the respondent receives the complaint. The city solicitor shall be the prosecuting attorney in all disciplinary proceedings before the ethics commission. In any such investigation or

proceeding, a defendant shall be given an opportunity to be heard after notice, to be advised and assisted by legal counsel, to produce witnesses and offer evidence, and to cross examine witnesses. A transcript of any such proceeding shall be made and retained, subject to the confidentiality requirements of this chapter.

- (g) The commission may dismiss a complaint if the complainant does not appear at the hearing and if, in the opinion of the commission, it would be unfair to the respondent not to have the opportunity to examine the complainant.
- (h) As promptly as possible after the close of the hearing, the commission shall deliberate to determine if the allegations have been proven by clear and convincing evidence. Only ethics commission members who have been present for the hearing may participate in the deliberations, and any findings and recommendations must be adopted by a majority of the commission. The commission may consider, when making findings and recommendations, the severity of the offense, the presence or absence of any intention to conceal, deceive, or mislead, whether the violation was deliberate, negligent or inadvertent, and whether the incident was isolated or part of a pattern.
- (i) Within seven days of the conclusion of deliberations, the commission shall issue an order setting forth its findings and recommendations. In the alternative, the commission where it deems it appropriate, may issue an advisory opinion in lieu of making findings and recommendations.
- (j) If the respondent is an employee, the commission may, if it determines corrective action is necessary, notify the city manager or the council president and recommend that action be taken, including discipline.
- (k) If the respondent is a city official, the commission may propose actions to the city council that are appropriate to the finding as specified in section 30-73(o).
- (l) The commission shall send a written copy of its findings and recommendations to the respondent and the complainant.
- (m) *Proceeding relating to member.* A member of the ethics commission shall be ineligible to participate, as a member of the ethics commission, in any ethics commission proceeding relating to his conduct. A member of the ethics commission who has been found by the ethics commission to have violated this chapter shall be ineligible to serve again as a member of the ethics commission.
- (n) *Self-disqualification.* A member of the ethics commission may disqualify himself from participating in any investigation of the conduct of any person upon submission, in writing and under oath, of an affidavit or disqualification stating that he cannot render an impartial and unbiased decision in the case in which he seeks to disqualify himself.
- (o) *Actions by ethics commission.* With respect to any violation with which a person has been charged and which the ethics commission has determined as proved, the ethics commission may take any one or more of the following actions:

- (1) *Reprimand.* Issue a written reprimand or censure of that person's conduct.
 - (2) *Discipline.* With respect to a city employee, remove, suspend, demote or take other appropriate disciplinary action with respect to that person, without regard to any limits imposed by this chapter, but within the limits of the constitution, the laws of the state, the Charter of the city, and ordinances and existing collective bargaining agreements.
 - (3) *Recommend removal.* With respect to an appointed official, recommend that appropriate action be taken to remove the official from the appointed position.
 - (4) *Recommend fine.* With respect to an elected city official, recommend that such official be fined in an amount recommended by the ethics commission.
- (p) *Rights of person charged.* In any proceeding before the ethics commission, upon the request of any person charged with a violation of this chapter, such person shall be permitted to inspect, copy or photograph books, papers, documents, photographs or other tangible objects which will be used as evidence against that person in a disciplinary hearing and which are material to the preparation of his defense.
- (q) *Exculpatory information.* In any proceeding before the ethics commission, if the city solicitor or ethics commission at any time receives any exculpatory information concerning an alleged violation against any person, it shall forthwith make such information available to such person.
- (r) *Subpoenas.* Any person charged with a violation of this chapter may apply to the ethics commission for the issuance of subpoenas for the appearance of witnesses and for the production of documents on his behalf. The application shall be granted upon a concise showing by such person that the proposed testimony or evidence is relevant (or is reasonably calculated to lead to the discovery of relevant evidence) and is not otherwise available. The application shall be denied if not made at a reasonable time or if the testimony or evidence would be merely cumulative.
- (s) *Confidentiality of proceedings.*
- (1) *City employee.* All proceedings before the ethics commission relating to a violation of this chapter by a city employee shall be maintained confidential by the ethics commission, unless:
 - a. Public disclosure is requested, in writing, by the person charged; or
 - b. The ethics commission determines after a hearing that a violation has occurred.
 - (2) *City official.* All proceedings before the ethics commission relating to a violation of this chapter by a city official, appointed or elected, shall be maintained confidential by the ethics commission, unless:

- a. Public disclosure is requested, in writing, by the person charged; or
 - b. The ethics commission determines after a hearing that a violation has occurred.
- (t) *Appeals; public inspection.* Notwithstanding the confidentiality requirements of subsections (s)(1) and (2) of this section, the ethics commission shall make available for public inspection the record of all proceedings relating to any decision of the ethics commission which is appealed to the superior court and the ethics commission shall report to appropriate federal, state and/or city authorities any substantial evidence of a violation of any criminal law which comes to its attention in connection with any proceeding under this chapter.
- (u) *Confidentiality procedures.* The chairperson of the ethics commission shall, with the approval of the ethics commission, establish such procedures as, in the chairperson's judgment, may be necessary to prevent the disclosure of any record of any proceedings or other information received by the ethics commission, except as permitted by this chapter.

Sec. 30-74. - Waivers of restrictions and advisory opinions.

- (a) *Authority of ethics commission.* Notwithstanding the provisions of section 30-20, upon the written request of any city agency or of any individual who is or was a city employee or city official, the ethics commission may grant a waiver to the specific prohibitions contained therein if the ethics commission determines that the literal application of such prohibition in a particular case is not necessary to achieve the public purposes of this chapter or would result in an undue hardship on any employee or official. Any such waiver may be granted only by written decision of the ethics commission. Any person who acts in good faith reliance upon any such waiver decision shall not be subject to discipline or other sanction hereunder with respect to the matters covered by the waiver decision, provided there was a full disclosure to the ethics commission of all material facts necessary for the waiver decision.
- (b) *Waiver information confidential; exceptions.* Any application for a waiver, any proceeding and any decision with respect thereto shall be maintained confidential by the ethics commission, provided that:
- (1) *Applicant's request.* Public disclosure shall be made by the ethics commission upon the written request of the applicant;
 - (2) *Violations.* The ethics commission may make such public disclosure as it determines is required in connection with the prosecution of any violation of this chapter;
 - (3) *Evidence of crime.* The ethics commission shall report to appropriate federal, state and/or city authorities substantial evidence of any criminal violation which may come to its attention; and
 - (4) *Public record.* In the event that a waiver is granted, the waiver decision and the record of all proceedings relating thereto shall be open to public inspection.

- (c) *Advisory opinion authorized.* Upon the written request of any city employee or official, the ethics commission may issue an advisory opinion as to the applicability of this chapter to any particular fact or situation. Any person who acts in good faith reliance upon any such advisory opinion shall not be subject to discipline or other sanction hereunder with respect to the matters covered by the advisory opinion, provided there was a full disclosure to the ethics commission of all material facts necessary for the advisory opinion.
- (d) *Advisory opinion confidential; exceptions.* Any application for an advisory opinion, any proceeding and any decision with respect thereto shall be maintained confidential by the ethics commission, provided that:
- (1) *Applicant's request.* Public disclosure shall be made by the ethics commission upon the written request of the applicant;
 - (2) *Violations.* The ethics commission may make such public disclosure as it determines is required in connection with the prosecution of any violation of this article; and
 - (3) *Evidence of crime.* The ethics commission shall report to appropriate federal, state and/or city authorities substantial evidence of any criminal violation which may come to its attention.

(Code 1981, § 2-12; Ord. of 7-13-1998)

Sec. 30-75. - Judicial review.

In the event that the ethics commission finds that any person has violated any provision of this chapter, said person shall have a right of appeal to the superior court of any such finding, and of any sanctions imposed with respect thereto, by filing a notice of appeal with the superior court within 30 days of the final action by the ethics commission in a particular case. The appeal shall be on the record without a trial de novo. If the court determines that the record is insufficient for its review, it shall remand the case to the ethics commission for further proceedings on the record. The court's review, in the absence of actual fraud, shall be limited to a determination of whether the ethics commission's decision was supported by substantial evidence on the record. The burden of proof in any such appeal shall be on the appellant.

(Code 1981, § 2-15.1; Ord. of 7-13-1998)

BE IT FURTHER ORDAINED:

That Appendix F, Fees and Fines, Chapter 30 - Standards of Ethical Conduct and Ethics Commission, Article II - Standards of Ethical Conduct, Section 30-20 - Established, Subsection (i)(1) - Criminal Sanctions, Penalties of the Dover Code be amended to read as follows:

| Chapter 30. Standards of Ethical Conduct and Ethics Commission | Fees and Fines |
|--|-----------------------------|
| <i>Article II. Standards of Ethical Conduct</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. 30-20. Prohibitions relating to conflicts of interest | |
| Subsec. (i)(1) Criminal sanctions, penalties | Not to exceed \$1,000.00 |

SYNOPSIS

This amendment adds required financial disclosure reports, acknowledgment of receipt of policies, and required ethics training. It also makes organization changes to Chapter 30.

(Sponsors: Lindell, Polce, and Slavin)

ADOPTED: DECEMBER 11, 2017

S:\ORDINANCES\2017\ADOPTED\Ordinance #2017-14 - Chapter 30-Code of Conduct and Ethics Commission - ADOPTED 12-11-2017.wpd

Actions History:

12/11/2017 – Final Reading – City Council

11/27/2017 – Final Reading Deferred – City Council

11/13/2017 – First Reading – City Council

10/24/2017 – Considered by Council Committee of the Whole/Legislative, Finance and Administration Committee

10/10/2017 – Deferred by Council Committee of the Whole/Legislative, Finance and Administration Committee

1. Definitions for Section 1:

- “**Fair market value**” means, if a security, the quoted price as of January 1 of the year in which the report is filed, or, if not a security, the price at which the public officer would sell as of January 1 of the year in which the report is filed. *29 Del. C. § 5812(g)*.
- “**Instrument of ownership**” includes, but is not limited to common or preferred stock, rights, warrants, articles of partnership, proprietary interest, deeds, and debt instruments, if convertible to equity instruments. *29 Del. C. § 5812(k)*.
- “**Business Enterprise**” means corporation, partnership, sole proprietorship or any other individual or organization carrying on a business or profession. *29 Del. C. § 5812(a)*.
- “**Position of management**” means officer, director, partner, proprietor, or other managerial position in a business enterprise. *29 Del. C. § 5812(l)*.
- “**Professional organization**” means an individual engaged in, or an association organized pursuant to, federal or State law for the practice of medicine, law, accounting, engineering, or other profession. *29 Del. C. § 5812(m)*.
- “**Constructively controlled**” means:
 - (a) a financial interest in the name of another which is controlled by a public officer by virtue of any relationship of the public officer to another person which directly benefits the public officer;
 - (b) any financial interest of a public officer held jointly with the spouse or child of such public officer;
 - (c) any financial interest of the spouse or minor child of a public officer. *29 Del. C. § 5812 (d)*.
- “**Time or demand deposits**” means checking and savings accounts in banks or deposits or share in savings and loan institutions, credit unions, or money market funds. *29 Del. C. § 5812(p)*.
- “**Debt Instrument**” means bonds, notes, debentures, mortgages, or other securities having a fixed yield if not convertible to equity instruments. *29 Del. C. § 5812(e)*.
- “**Equity instrument**” means any ownership interest in a corporation or other legal entity giving the rights to the holder upon liquidation of the entity. *29 Del. C. § 5812(f)*.

2. Definitions of terms in the remaining sections are in those sections.

FINANCIAL DISCLOSURE REPORT
(Chapter 30 – Code of Conduct and Ethics Commission)

NAME:

BUSINESS ADDRESS:

POSITION:

Section 1. (**See instruction sheet for definitions of underlined terms**). Report any legal or equitable ownership in excess of \$5,000 fair market value or from which income of more than \$5,000 was either derived during the preceding calendar year or might reasonably be expected to be derived during the current calendar year, in the following:

(A) Instruments of Ownership: (This includes retirement accounts, 401K, IRA, etc. Do **not** include dollar amounts. List name of company, instrument and nature of ownership, e.g., Fidelity, mutual fund, shareholder; IBM, stock, shareholder).

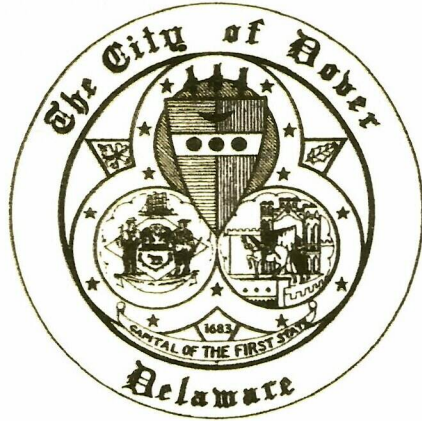
(B) Business Enterprise: (This includes corporations, sole proprietorships, and partnerships. List name, type of ownership & any position of management, e.g., JW Foods, partnership, director)

(C) Professional Organization: (This includes, but is not limited to, law firms, accounting firms, engineering firms. List the name, address, type of professional practice (do not identify individual clients), & any position of management, e.g., ABC Law Firm, 123 Public Rd., Dover, DE, legal services, partner)

(D) Any of the preceding which are constructively controlled. (e.g., ABC Mutual funds, trustee for minor child).

DO NOT LIST: Time or demand deposits (includes checking or savings accounts) or a debt instrument (CDs) with a fixed yield unless convertible to an equity instrument.

Section 2. List each creditor to whom you were indebted for 90 or more consecutive days during the preceding calendar year in an aggregate amount in excess of \$1,000. Do **not** list the amount owed.



CERTIFICATE OF APPRECIATION

presented to

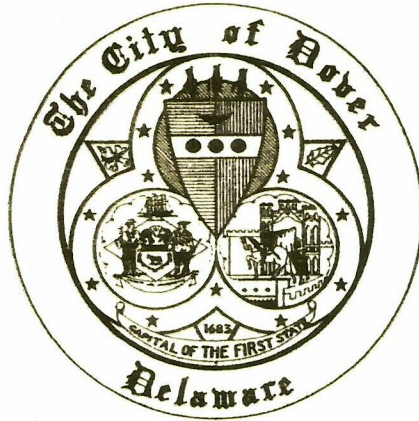
City of Dover Finance Department

On March 13, 2017, the City of Dover Controller/Treasurer assumed the position of Acting City Manager, vacating a crucial leadership position in the Finance Department. Since that time, the Department's staff has continued to maintain daily operations competently and with very little disruption, serving the City and its customers with open communication, timely reporting of financial results, and prudent cash management. Through their diligent work and commitment to excellence, they have met all major goals during this period, in spite of the additional challenges presented by the loss of another key employee and implementation of the Enterprise Resource Planning (ERP) project. The Mayor and Council of the City of Dover are deeply appreciative of the dedicated efforts and professionalism of the Finance Department staff and commend them for their exceptional performance.

January 8, 2018

ROBIN R. CHRISTIANSEN
MAYOR

TIMOTHY A. SLAVIN
COUNCIL PRESIDENT



CERTIFICATE OF APPRECIATION

presented to

City of Dover Department of Planning, Inspections, and Community Development

The City of Dover is committed to “Community Excellence Through Quality Service,” and it is only through the efforts of skilled and dedicated employees that such service can be provided. The staff of the Department of Planning, Inspections, and Community Development, in the face of a turnover in leadership and a number of other challenges, has demonstrated their willingness and commitment to improved service, creation of a user-friendly environment, attention to identifying and addressing lingering regulatory issues and code provisions, and promotion of a positive image for the City. Dover is seen, once again, as a “place where people want to live...with a future of balanced growth and opportunity.” The Mayor and Council of the City of Dover are deeply appreciative of the commitment, dedication, and professionalism of the Department of Planning, Inspections, and Community Development and commend them for their exceptional performance.

January 8, 2018

ROBIN R. CHRISTIANSEN
MAYOR

TIMOTHY A. SLAVIN
COUNCIL PRESIDENT

ECONOMIC DEVELOPMENT COMMITTEE

The Economic Development Committee met on October 25, 2017 at 9:06 a.m. with Mayor Christiansen presiding. Members present were Mr. Hudson (Acting City Manager's designee), Mr. Hugg, Ms. Evans, Mr. Sheth (arrived at 9:30 a.m.), and Mr. Hammond (arrived at 9:22 a.m.). Mr. Hare, Mr. Cole, and Mrs. Mitchell were absent.

AGENDA ADDITIONS/DELETIONS

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

Presentation - Economic Development and Downtown Revitalization (Mayor Mike Purzycki, City of Wilmington)

Mayor Christiansen introduced Mayor Mike Purzycki, the 56th Mayor of the City of Wilmington, stating that Mayor Purzycki is a great force in economic development in the City of Wilmington and the State of Delaware and could bring a message of hope and encouragement to the City of Dover's economic development efforts, based on the successes that he has had in his community and city. Mayor Christiansen noted that partnership on economic development and other issues equates to success.

Mayor Purzycki stated that it was nice to be back in Dover, noting that he had been Senate Attorney in the early '80s and spent more time in Dover when Mr. Joe Purzycki was a coach at Caesar Rodney High School and Delaware State. Mayor Purzycki stated that he did not miss a game for all those years and saw every Friday night Henlopen Conference football game throughout the late '70s and '80s.

Mayor Purzycki stated that being Mayor of the City of Wilmington had been an extraordinary experience. He noted that he was 72 years old and did not expect to find himself in the unique situation of taking on the job of mayor at his age but did so because it felt right. Mayor Purzycki advised that he got to a point in his life where he looked at his city and saw that it was not doing very well. He indicated that he did not realize how difficult the job was with respect to the number of things that come at him every single day from every corner and stated that he thought that everybody ought to be mayor for one (1) hour. Mayor Purzycki advised that he was surprised how rewarding the job could be, noting that people say it must be a thankless job; however, it is anything but thankless and people are very generous and appreciative.

Mayor Purzycki stated that his reputation was largely due to his work on the Riverfront. He advised that he has had a successful and happy life, has a great family, and is very blessed in those respects. Mayor Purzycki stated that he was previously in the private sector and suddenly became the executive director of the Riverfront, which was an extraordinary experience. He explained that all of the buildings there were Department of Defense grade buildings that were left over after World War II, and there was nothing attractive, such as in the antebellum South with its big, old, brick buildings with beautiful architecture. Mayor Purzycki explained that they took what they could and made something special out of it, noting that when they started there was nothing there but Frawley Stadium and Kahunaville. He stated that Kahunaville brought a lot of people to the area; however, everything was kind of trashy, and they had to figure out what to do. Mayor Purzycki advised that the success they had was because of a vision of what the development could be. He indicated that the initial vision was an image of a huge harbor to be built on the marshland east of Walnut Street;

however, it made more sense to him to develop the west side, where the development is today. Mayor Purzycki advised that if he brought anything to his role it was a practical sense of what could be done, versus the starry-eyed things that had been talked about. He noted that the grand images were inspiring to some people and denigrating to others because they were so silly, and he thought he brought everybody back to earth with an aspiration that was grand but pretty realistic and wound up being much of what is seen today.

Mayor Purzycki advised that there has to be leadership. He noted that there does not have to be a great leader; however, there must be someone that everyone has confidence in because decisions must be made. He indicated that, more often than not, it is not the idea that is bet on but the individual, and people will place a bet on an individual or organization that they have confidence in.

Mayor Purzycki advised that investment is needed and noted that, in Wilmington, the '90s were pretty strong and there were surpluses in the State. He explained that Governor Tom Carper, as well as Senator Patty Blevins and Representative Roger Roy, co-chairs of the Bond Bill Committee, believed in the project and were committed to it, and whenever there was an idea they would write a check. Mayor Purzycki stated that all the good ideas in the world will not work without any money. He noted that about \$250M was probably used over 22 years in roads and Delaware Department of Transportation (DelDOT) spending; in cleaning up land, a good bit of which was owned publicly by the State and City; and in building necessary infrastructure. Mayor Purzycki advised that approximately \$100M were economic development funds, noting that approximately \$5M was received per year, which allowed them to operate. He stated that these funds provided some wiggle room on investments they made; however, they returned every single penny back to the State in taxes in 2013, when the payback was finished. Mayor Purzycki also indicated that about \$40M came back to the State every year due to the employment and economic development that was going on, noting that these were the University's figures and not his own. He advised that this was a great justification for the necessity of investment. Mayor Purzycki explained that these projects cannot be done cheaply and a difference can be seen between places where there is investment and where there is none.

Mayor Purzycki advised that when he left the Riverfront project, approximately two (2) years ago, there were 7,000 people working and 1,400 people living there, a dozen restaurants, and a spectacularly beautiful wildlife refuge. He noted that there are river boats, a movie theater, a children's museum, and the Riverfront Market. Mayor Purzycki stated that the Riverfront was turning into a wonderful place that could be put in any city in America and people would still say, "Boy this is really nice down here." He indicated that there was much more to come, two (2) hotel developers had applications in to build hotels, and another restaurant was being built. Mayor Purzycki advised that a bridge was currently under construction across the river and Wilmington was one (1) of the long shot competitors for Amazon. He explained that competing for Amazon was a great exercise that made Wilmington reflect on their greatness and their shortcomings. Mayor Purzycki stated that they hired Robert A. M. Sterns, one (1) of the world's great architectural design firms, to provide a vision of what the South Market and South Walnut Street area, on the other side of the river across the bridge, could be. He noted that this is the area

where the ShopRite is and where they had gotten rid of big petroleum tanks, although there are still tanks from the recycling operation there, and that they want to land plant that area all over again. Mayor Purzycki explained that Robert A.M. Sterns had done the Navy Yard in Philadelphia, this was the kind of model that Wilmington was looking for, and Robert A. M. Sterns came back with an outstanding plan that Wilmington cannot wait to roll out in the near future. He stated that redeveloping that side of the river in this way has the potential to redefine the City of Wilmington forever.

Mayor Purzycki indicated that the rest of Wilmington has economic development challenges. He stated that, on the positive side, in addition to the hotels, 1,000 units are being built, including some on the Riverfront, 300-400 downtown, and another 500 throughout other parts of the City. Mayor Purzycki advised that Wilmington has a good, strong residential market; people who are willing to move into the City; and developers who are willing to invest a great deal of money. He indicated that their negative issue is crime, which appears in the papers all the time. Mayor Purzycki informed members that when he ran for office, he stated, "Crime is not the problem, crime is a symptom of the problem, and if you keep chasing crime as a problem you will never beat it. You simply won't beat it. You have to keep looking at what the underlying causes are of crime." He advised that in Wilmington the causes are joblessness, poverty, and a kind of subculture of underclass. Mayor Purzycki stated that this was deeply distressing to him as a human being and confounding as somebody who is in charge of trying to steer the course for the City in the future. He indicated that his commitment was to do whatever it takes to turn around these neighborhoods and address problems in a way that is uncomfortable for some people, because we have done some things as a society that we should not be proud of.

Mayor Purzycki advised that he had hired the best police chief in the country, noting that in the history of Wilmington's Police Department they had never hired a police chief outside their City limit or Department. He stated that his reasoning was that if you keep getting people from the same department, in any department, you get a recycling of what they did before. Mayor Purzycki indicated that everybody learns from the old chief, who learned from the old chief, who learned from the chief before him.

Mayor Purzycki noted that it was stated in a crime report approximately five (5) years ago that Wilmington had tried every crime strategy proven to work in cities throughout America, and Wilmington always moves on to chase the next shiny object. He advised that this is like a football coach who says, "Our blocking and tackling is not the problem, let's change the system." Mayor Purzycki stated that if you cannot do the basics, any system does not work. He advised that Wilmington had to change what it was doing, and the best way to do that was to hire a new chief. Mayor Purzycki informed members that there were 30 applicants from every large city in America and, after interviewing many of them, he hired Police Chief Bob Tracy, who had 22 or 24 years in New York City and five (5) years in Chicago. He noted that Chief Tracy understood any number of strategies that had worked very well in New York City, and crime had dropped precipitously while he was in New York and in Chicago. Mayor Purzycki stated that they have a lot of confidence in the Chief, who goes out into every single community and meets with everybody. He advised that

Wilmington's police officers are everywhere, there are more police on the street than ever before, and they meet people, including good guys and bad guys. Mayor Purzycki indicated that he and Chief Tracy share the tenet that they must start treating people as equals and as people who share the same city. He stated that they cannot keep treating people like "others" and as if a class of people have a different status in their community. Mayor Purzycki advised that this approach had been working and core relationships were being built in the community; however, at the moment this was not translating to a reduction on crime. He indicated that he thought that this was, in large measure, because these kinds of things have to take root so that people will pick up the phone and call and there will be cooperation from their neighbors, which is a longer process.

Mayor Purzycki explained that the second part of the process involves the CompStat methods that Wilmington uses, which require the accumulation of data about the people who are committing crimes. He indicated that Wilmington had approximately 167 or 168 shootings. Mayor Purzycki noted that the 125 victims had 2,800 prior arrests, 199 of which were gun charges; therefore, the victims were people who had gotten themselves into much trouble. He stated that the City of Wilmington is trying to get as much data as they can about the people who are committing these crimes and thinking about how to get them off the streets, because they are repeat offenders. Mayor Purzycki indicated that if people are going to insist on carrying guns, he will insist on getting them off the streets.

Mayor Purzycki expressed the need for a conversation with the Department of Corrections (DOC) about what they do when they put people into prison because, in his judgment, those who come out of prison are no better off, and in many cases worse, than when they went in. He stated that the DOC is misnamed, noting that it does not correct things but punishes people. Mayor Purzycki advised that there are people who insist that punishment is the right thing to do and expressed the need to face up to the fact that Delaware has the highest recidivism rate of any state in the country, including Mississippi, Louisiana, and Alabama. He stated that 77% of all those coming out of prison will be rearrested in three (3) years, and 66% will return to prison in three (3) years. Mayor Purzycki expressed the need to ask hard questions, noting that if three-quarters of those who come out of prison are going back, maybe someone is doing something wrong.

Mayor Purzycki stated that the police are being asked to solve the crime problem the way teachers are being asked to raise kids, and this is a bad decision. He advised that police officers do what they can; however, there is a need to change the communities that everyone lives in. Mayor Purzycki explained that his mantra is that we must strengthen neighbors and rebuild our communities, noting that people are living in terrible, third-world housing in old, broken-down houses that should not be inhabited. He noted that Wilmington did rental inspections for the first time in 10 years in West Center City, which was the first part of the city for his neighborhood stabilization efforts. Mayor Purzycki explained that staff needs permission to inspect rental houses before going to court, and one would assume that those who gave permission to inspect would be people who felt pretty confident about their ability to pass an inspection; however, 28% of them failed. Mayor Purzycki indicated that Wilmington had not yet gotten to the people who did not respond.

Mayor Purzycki informed members that Wilmington has a landlord rental industry of people who will buy a property cheaply, slap some paint on it, and collect a stiff rent, because everybody pays \$800-\$900 for their rent to the City. He stated that there is a condition of deterioration in the

neighborhoods, and many landlords are, in a sense, predatory, although they do not think of themselves that way. Mayor Purzycki advised that these landlords are profiteers because they can buy a house for \$30,000, slap some paint on it, and, if they get the rent, receive \$800 per month, and this is the big number they are chasing. He stated that this is where the mind set of the people in the City of Wilmington must be changed.

Mayor Purzycki indicated that, looking forward, he feels pretty good about what is going on in Wilmington. He noted that optimism is considerably up because of confidence in leadership. Mayor Purzycki stated that if people believe that things can get better, things just start to get better. He advised that he did not take this for granted and did not want to squander it, but people were pretty excited about what could be done. Mayor Purzycki stated that although crime was up, people were not complaining about it. He advised that there had not been letters to the editor, which is not a bad bellwether, noting there may be five (5) letters tomorrow. Mayor Purzycki indicated that people understand that things will not turn around quickly and stated the importance of people believing that what was being done would accomplish the goal.

Mayor Purzycki stated that he was fortunate to have a key developer who is willing to spend huge amounts of money on the city. He explained that the Buccini/Pollin family is committed to the City of Wilmington, which is emotionally their home, and this group had a huge investment in Wilmington. Mayor Purzycki indicated that some may argue that their investment is self-preservation; however, he stated that Buccini/Pollin believes in this little world and his job is to support them in everything single way possible. He noted that this is good advice for any mayor anywhere, and if someone wants to invest in your city, you should support them.

Mayor Purzycki advised members that Wilmington has some remarkable things going on, with many people building apartments and great projects underway. He stated that he feels good about the future as long as he can put together a plan to deal with the City's communities, which are pretty fractured. Mayor Purzycki noted that he reads the paper and knew that Dover has issues also, although on a different scale, and that Dover wishes it could deal better with violence. He expressed his belief that this is America's problem. Mayor Purzycki indicated that last week was difficult and that, within two (2) days, a poor mother had drowned her two (2) children and two (2) men were shot in the middle of West Center City, the area where Wilmington's staff is working as hard as they can and where police are doing such a great job. He noted that another individual from Maryland shot someone in Wilmington after killing two (2) or three (3) people in Maryland, and that all of this was enough to get one's shoulders a little bowed.

Mayor Purzycki stated that, at the same time, Father Gregory Boyle, a remarkable man who is a Jesuit from Los Angeles, came to speak. He explained that Father Boyle is the head of Homeboy Industries in Los Angeles, which puts those who are coming out of prison to work, for example, as painting contractors, and builds its own business. Mayor Purzycki advised that Father Gregory noted that Homeboy Industries is the biggest employer around for men coming out of prison. He noted that Father Gregory has a sense of humor, is real, and is in the trenches. He stated that the things that Father Gregory talked about meant a lot to him because one can look at things all day long and think they have it right, and then someone gives a perspective that changes one's focus.

Mayor Purzycki stated that he thought Father Gregory was right when he stated that we spend all of our time judging each other and we ought to marvel, in some cases, that people do as well as they do, given the burdens they have in their lives. He noted that he loved Father Gregory's statement that we have to live in kinship with one another, because in kinship you do not judge one another and are not living in service of one another. Mayor Purzycki stated that Father Gregory indicated that living in service of one another suggests that the superior person is giving something to the subordinate person; however, in kinship everyone understands that they are all in this together, which this is a mind set that is very difficult for some people. Mayor Purzycki indicated that his eyes had opened up to this idea, he was moved by it, and he thought this is ultimately what must be done. He explained that he thinks differently about going to work every day than he did before, this approach works, and he has hope.

Mr. Hammond advised that, in looking at West Center City and Southbridge, Wilmington has structural unemployment problems. He stated, in regard to the high recidivism rate, that although he did not have empirical data, he believed that a lot of those who come back to prison cannot get employment, and they go back to the things that put them in jail. Mr. Hammond stated his understanding that financial services, such as credit card and banking businesses are a major economic employer in the city; however, those coming out of prison have never worked in these areas, and he noted that DuPont had been scaled down. He asked what Mayor Purzycki's strategy was for engaging people in a long-term attachment to work in view of the structural problems in Delaware. Responding, Mayor Purzycki stated that 66 percent of all men over 18 years old in Wilmington's three (3) zip codes have been in prison. He noted that it is a tough road to get a job after getting out of prison and these individuals will obviously not get a well-paying job. Mayor Purzycki stated that some people may question why those with no skills or record should get employment. He advised that the bigger problem is that two-thirds of these men will go back to prison again.

Mayor Purzycki indicated that we tend to obsess over kids and noted that, off the top of his head, he could immediately recall two (2) schools in Wilmington where 3% or less of the students in third and eighth grades can do math at grade level and 8% can read at grade level. He advised that everybody states the need to help children and all of the emotional energy goes toward them. Mayor Purzycki stated that he was asked what kind of program he would have for kids if he had \$1M, and he answered that he would spend this money on employing their fathers. He indicated that the trouble with our community is that young people do not internalize the kind of middle-class values that we simply take for granted. Mayor Purzycki explained that, although he had not been a very good student, he always knew that he would go to college because he was surrounded by expectations that he would do so, and he internalized that growing up. He noted that many people do the same thing that their parents did, such as becoming a police officer, fireman, or accountant. Mayor Purzycki advised that we internalize images as we grow and they become our aspirations. He indicated that people always say to him that these kids have no hope. Mayor Purzycki explained that words matter, and before one can have hope they have to have an aspiration. He indicated that kids do not even know what to hope for, and to him this was the big problem.

Mayor Purzycki stated that the challenge is the cycle of poverty. He advised that no one should be judged, because as soon as this is done the conversation becomes exhausting. Mayor Purzycki

indicated that half of the room wants to say that things should be done as their family did them, others want to talk about entrenched racism, and no one gets anywhere.

Mayor Purzycki noted that there are men who cannot work when they finally decide they want to do so and, in his judgment, if they are not put to work, nothing else will work, regardless of how good the schools are. He expressed the desire for kids to feel the temple of life around them, explaining that people wake up in the morning, work all day, come home, relax in front of the TV, and go to bed. Mayor Purzycki indicated that if this is not the cycle of someone's life, they may wake up at 11:00 and hang out on the streets all day long, and there may be 20 people standing on a street corner doing nothing. He stated that the second path will not end well, something ill-advised will be done, and this is what happens every day. Mayor Purzycki stated the need find a way to get people working, even if this must be forced for a while. He noted that everybody says that they want to work; however, some have never held a job.

Mayor Purzycki informed members that he had been to step-down houses for those coming out of prison where a program for resume writing was provided that only a bureaucrat could make up. He estimated that only two (2) out of 30 former prisoners have held jobs and asked what they would put on their resumes. In addition, Mayor Purzycki advised that although these individuals state that they want to work, if he gets them a job they do not appear for work on the second day because they have never had to get out of bed and go to work every day. He noted that when they get to work, the boss may give them a hard time, which is part of working, and if they are not used to this they may take a swing at the boss and be fired. Mayor Purzycki stated that it takes a long time for people to understand what it takes to be a responsible employee.

Mayor Purzycki reiterated the need to get people working because so much money is being spent on the other end. He noted that the Works Projects Administration (WPA) from 70-100 years ago put people to work during the Depression, and this approach worked. Mayor Purzycki advised that what we have now is worse than a depression. He stated that people should be put to work and there is plenty for them to do, noting that this might offend some people's politics. Mayor Purzycki stated the need to be practical because what was currently being done was not working. He advised that you cannot have two-thirds of the people going to prison and two-thirds of them going back again, noting that, doing the math, the statistic would become 90%, not 70%. He advised that this was his answer and that he did not have the details fleshed out.

Mayor Purzycki indicated that a tremendous amount of money was invested in the Riverfront, there was a huge return, and we can also invest in human capital and have a great return.

Mr. Kirby Hudson, Assistant City Manager, stated that he has two (2) mayors, since he works daily with Mayor Christiansen and lives in Wilmington. He noted that he is originally from New York and had been living in Delaware since 1988, when a lot of bankers and other people came from New York. Mr. Hudson indicated that over time he had been able to see the transformation of Market Street, had strolled from one end of it to the other for the first time over the past weekend, and was impressed to see how far Market Street had come. He noted that it had been hard to get people to come to that area; however, it was now bustling and many different things were opening up. Mr. Hudson asked what the top three (3) things were that Wilmington had done to turn that area

around and inspire people to want to open businesses there. Responding, Mayor Purzycki advised that Market Street was not yet where they wanted it to be. He stated that the first thing was to have a developer who believes in the city and knows how to avail himself of the various programs that the State, city, and private sector offer. Mayor Purzycki explained that it is not easy to make things profitable, so partners are needed who help cushion the blow on the investment that will be made. Mayor Purzycki stated that, for Wilmington, investment is a no brainer because the return is tremendous.

Mayor Purzycki stated that the Riverfront never worked until people lived there. He recalled that in approximately the tenth year they needed photographs for a periodical and had to use time lapse photography to get enough people in the picture. Mayor Purzycki indicated that after people began living in the area, everything suddenly worked because it became populated and felt friendly. Mayor Purzycki indicated that no one was living in the area for a long time, then the Buccini/Pollin Group developed the Residences at Rodney Square in the old Delaware Trust building, which was a start, and the LOMA development then started to work as well. He indicated that there is now a fund for the upstairs, another 200 units must be built scattered on the second floor of the retail spaces, and larger units are currently being built there. Mayor Purzycki advised that as soon as people are seen getting up in the morning, walking out and having coffee, and having friends over, the place will suddenly feel different.

Mayor Purzycki indicated that Wilmington has the same problem that Dover has, which is that retail business is struggling everywhere, and it is difficult to get retail business except in New York or Philadelphia, where there is a lot of money to patronize these businesses. He noted that Wilmington has many good things, including the Wilmington Playhouse, the Wilmington Grand Opera House, and The Queen. Mayor Purzycki stated that a big investment was needed to get The Queen going; however, The Queen was great because it provided some entertainment in the area.

Mayor Purzycki stated that Wilmington always gives people incentives to open businesses in different places, supports people, has good jobs, and will pay the ransom to keep businesses there. He indicated that he wanted to subsidize restaurants, night life, and bars because this is how he ultimately saw the downtown being populated. Mayor Purzycki advised that the Riverfront is going to be wonderful, but it will not have the city feel. He noted that Market Street has a block or two (2) that still needs some work, but it is very pretty. Mayor Purzycki stated that they had painted some of their buildings with nice colors, so the area feels good and is getting better. He indicated that they also have other nice things to start with there, such as the Historical Society.

Mr. Mike Harrington, ERA Harrington Realty, asked what Mayor Purzycki would suggest that the Department of Corrections do so that they do not have such a large return. Responding, Mayor Purzycki reiterated that he had been Senate Attorney in Dover for years and got a flavor of the culture of the State. He stated that our State had always had the idea that if you commit a crime you get punished for your crime, and he did not think people worried about who was going to prison. Mayor Purzycki stated that when his predecessor ran, he stated, "I'm not going to hug a thug," and everybody loved it; however, Mayor Purzycki stated that these individuals are people and, although some of the people put in prison cannot be fixed easily, there are many who are 18, 19, or 22 years old and are still pretty malleable. He advised that people can be treated in such a way that they come out of prison better than when they went in, with a General Educational Diploma (GED), education,

or training. Mayor Purzycki noted that he meets people in the steel fabrication business who need welders terribly; however, they will not hire an unemployed welder because there are so many jobs and so few welders that they assume that an unemployed welder probably does not know what he is doing. He indicated that one would think that we would be investing by teaching skills like welding to prisoners, who could make much more than \$15 per hour when they get out of prison. Mayor Purzycki advised that he was aware that some individuals cannot be fixed. He noted that there are many people who are in prison for multiple gun offenses and should not just be turned out but have to prove that they can be released. Mayor Purzycki indicated that these individuals go back to the same places, have the same habits, and are the ones that are killing their neighbors.

Mayor Purzycki indicated that the mentality of police officers had always been to see themselves as warriors; however, they are now starting to think of themselves as people who are guarding and working in cooperation with the public, which is a different mind set. He noted that officers can flip the warrior switch. He advised that DOC also needs a new mind set. He stated that inmates are the bad guys; however, they have to be treated like human beings if they are to behave like human beings. Mayor Purzycki noted that he did not have a precise answer to Mr. Harrington's question; however, to state that there is no funding is foolish because money will be paid sooner or later.

Ms. Evans stated that she did not claim to be an expert on this subject; however, her husband had retired in April from the DOC after 28 years. She indicated that Mayor Purzycki was correct, noting that if someone's father grandfather, and mother are teachers, they become a teacher. Ms. Evans advised that it is the same way with those who have grandfathers, fathers, and uncles in prison. She stated that her husband worked for the last nine (9) years in an area of the DOC where concrete, welding, car repair, and upholstery are taught, so there are programs in place. Ms. Evans indicated that Mayor Purzycki and Mr. Hammond were more correct in saying that once prisoners are released there has to be an option for them if they have learned a skill. She noted that former prisoners are not used to working and the work environment. Ms. Evans advised that they have two (2) paths to choose when they are released: taking what they have learned or fitting right back into the same family and neighborhood and continuing down that path, and she asked which is the easier path. She suggested, although it would not be easy, putting money into some type of mentorship program, such as Alcoholics Anonymous (AA) or Narcotics Anonymous (NA), to plug these individuals into and have someone mentor, help, and pursue them. Ms. Evans indicated they could then possibly take that road less traveled within their own family or neighborhood, and begin developing that group one (1) person at a time. She stated that what the DOC does is not perfect; however, they do have programs that should be expanded on. Ms. Evans advised that the issue was more about figuring out what path former prisoners will take and whether or not they will put their skills to use.

Mayor Purzycki stated that we cannot be naive about what happens when a young man comes out of prison and goes back to the neighborhood where he grew up. He advised members that there is a wonderful book entitled, "The Short and Tragic Life of Robert Peace" which he read and enjoyed because it took place in Newark, New Jersey, his hometown. Mayor Purzycki explained that this young man grew up in East Orange, New Jersey, blocks away from Newark, and Charlie Cawley from MBNA paid for him to go to St. Benedict's. He indicated that Robert Peace went to Yale, where other students had money but he did not. Mayor Purzycki advised that Robert waited on tables but also sold marijuana and almost got jammed up; however, someone backed him and he managed to graduate at the top of his class in microbiology. He stated that Robert went to work for

American Airlines as a baggage handler because he wanted to see the world. Mayor Purzycki explained that Robert saved \$60,000 and put it in his uncle's care while he traveled; however, when he returned, his uncle had spent the money and Robert was broke and went back to selling drugs. Mayor Purzycki advised that someone who is caught selling drugs in New Haven receives a smack on the wrist; however, in East Orange one can be killed for doing this, and Robert Peace was killed. He noted that he knew another tragic story exactly like Robert's, kids coming out of prison go back to what they know, and there is nothing good back there. Mayor Purzycki indicated that this issue is terribly complex and a tremendous challenge, and a terrible disservice is done by not defining the problem correctly.

Mr. Mike Petit de Mange, Kent County Administrator, referred to Mayor Purzycki's comment that great visions with no money do not go anywhere. He noted that the Riverfront project was a great example of a project that went somewhere; however, there was public and private risk. Mr. Petit de Mange stated that it is very common in most places for local governments to be risk averse, they do not want to go into debt and are afraid of it, and they expect someone else to pay for it. He asked for Mayor Purzycki to discuss some of the tools he may have employed or promoted in the Riverfront to get where they are, as well as what he was looking to do to finance Phase 2, which sounded exciting. In response, Mayor Purzycki stated that the City of Wilmington made proportionate contributions early. He noted that the City's pockets are not as deep as the State's; however, the City made investments along the way, and the things that they did early were not terribly risky. Mayor Purzycki explained, for example, that the first thing they spent a lot of money on was the Chase Center. He noted that every time he goes into the Center he questions what the City would do without it since the City does not have anyplace else to put 500 or 1,000 people. Mayor Purzycki advised that the building was built for \$14M, and this was a remarkable effort. He noted that it has 126,000 square feet downstairs and 80,000 unfinished square feet upstairs. Mayor Purzycki informed members that when it was finished, they had \$14M in another building, traded this building with Verino Pettinaro, who got the building for which rent is paid, and Wilmington got a building which is spectacular. He advised that, when all was said and done, the cost was \$14M. Mayor Purzycki stated that the risk was owning a building that became their convention center, which was not a big risk.

Mayor Purzycki indicated that there were things that were a little risky at times, noting that the Riverwalk cost \$25M and the river's edge was just mush, because it had been used for shipbuilding and had gouges every 200-300 feet for shipways. He explained that ships were built on the land and had to slide down these shipways. Mayor Purzycki advised that the cost was so much because the place where they wanted to have the Riverwalk had whatever fill had been put in over the years. He noted that some of the ways they used money were a little aggressive, and it would have been on him if things did not work out well.

Mayor Purzycki stated that they overpaid for the property where the Big Fish Grill on the Riverfront is located. He noted that the power of eminent domain was lost in the General Assembly eight (8) or 10 years ago and the owner of the roofing company at this location had the advantage of knowing that the uglier the building, the more they would have to pay for it. Mayor Purzycki advised that most of the money was recovered when they sold the property to the Big Fish Grill. He stated that although they lost \$600,000 or \$800,000, it was a bargain to get rid of a roofing company eyesore and trade it for a nice restaurant, which will become a hotel and a conference room.

Mayor Purzycki explained that judgments are made along the line and this undertaking is not for the timid. He stated that a few dollars may be lost, but there are important reasons for doing projects. Mayor Purzycki advised that if you have your convictions about you, you will find people will be willing, noting that someone will always complain. He indicated that there must be judgment about what funds are invested in along the way, and it is important not to look at it on a project-by-project basis because there are loss leaders in every big investment. Mayor Purzycki noted that, although money will be lost on parts of the development, a tremendous amount of money will be made when looking at the big picture. He stated that the only sensible way of looking at the Riverfront is to consider how much money was put in and how much comes back every year, regardless of where it comes from. Mayor Purzycki explained that money may be lost here or there, but if three (3) times more is made somewhere else, it is a success.

Mr. Tom Burns, Burns and Ellis Realtors, stated that he was born and raised in Wilmington, and he knew what downtown Market Street used to look like and that all the shopping, etc., eventually moved away. He noted that he had been in Kent County for 40 years. Mr. Burns advised that, in the past 10 years, Kent County had not recovered from the recession in terms of unemployment and New Castle County was suffering from the same malady. He stated that he saw things going in the wrong direction in the State, businesses were disincentivized from moving here, and asked what Delaware can do as a state. Mr. Burns indicated that those in Kent County are striving to have stronger businesses come in to avoid underemployment; however, Delaware now ranks above the national average on unemployment. He indicated that he, the members of the Kent Economic Partnership, and other people in the room feel that they are at loggerheads with the State in terms of trying to move things forward. Mr. Burns stated, for example, that he and Mr. Harrington are real estate brokers and, at the last minute, the State increased the State transfer tax by one-third, which disincentivizes businesses and real estate investors to come here.

Mayor Purzycki stated that this tax adds to the burden when going into transactions, especially for young people buying homes. He advised that an estimated 5,000 or 6,000 people who do not come from Delaware own homes in Sussex County. Mayor Purzycki indicated that their deeds reflect that these homes are not even owned by people but by family trusts from Maryland, Georgia, and Virginia who beat the system and are not charged anything for taxes. He noted that there may be a \$5M house on the beach whose owners do not pay \$5,000 in taxes, and when the owners come for the closing they see the yearly amount for taxes and ask if it is the monthly rate. Mayor Purzycki indicated that this made no sense to him and it is hard for him to get his head around people coming from out of State, paying no sales tax, using our services, and paying nothing. He stated that Delaware's taxes are so low that we invite older people from other states to come here, and all Delaware gets from them is a transfer tax. Mayor Purzycki noted that Delaware probably gives these individuals some sort of exemption since everyone is given a \$500 exemption for being 65 years old, or possibly younger, and this is not even means tested. He stated that in the northern part of the State, where schools are so challenged, people of significant means who are wage earners are chased into Chester County, Pennsylvania. He advised that in the southern part of the State, Delaware attracts people who are retiring from other states who will pay nothing and Delaware does not even get a decent property tax out of them. Mayor Purzycki stated that Delaware then finds itself without money and raises the transfer tax. He indicated that it is said that a 10-cent gas cannot be added when gas costs \$2.60. Mayor Purzycki advised that smart investment must be made in a state or it will die.

In regard to how to attract things to Delaware, Mayor Purzycki stated that people over-sophisticate why they choose a place. He noted that location is important, and Delaware has an unbelievable location. Mayor Purzycki advised that another question is how attractive a state is, some parts of Delaware are very attractive, and other parts are fixable but have been neglected. Mayor Purzycki stated that old, beaten up places on a highway indicate poverty, and that a sign that has not been fixed for 40 years states that we cannot afford to fix it and are old and tired. He advised that when he was running for office, he said, "If you have some guy standing on your highway with a sign saying, 'Please help me, I'm homeless,' that says there's something wrong with your city. You can't have it. You cannot have that guy standing there. You want to give him money? You do it on your own terms. He's not standing here, because that says the city is unwell." Mayor Purzycki indicated that, when driving down the highway, if there are places that look like they are ready to fall down and probably should be leveled, this says that the location is unwell.

Mayor Purzycki stated that the bond rating is strong and there are a lot of favorable things, including a great location and physical appeal. He indicated that the schools should be in Delaware's favor and, unfortunately, this cannot be said. Mayor Purzycki advised that access to government is tremendously important, noting that he sat with Mr. Jamie Dimon, Chairman, JP Morgan Chase, for an hour at their annual meeting and discussed access to the elected officials in Delaware. Mr. Dimon stated that Mayor Purzycki had no idea how important it is to him that Mr. Dimon can call Senator Chris Coons or Senator Tom Carper when he needs something or wants them to understand his point of view, and this does not happen elsewhere. Mayor Purzycki explained that Mr. Dimon stated that he had now spoken to Mayor Purzycki more than he had ever spoken to Mayor Bill de Blasio of New York, and that one cannot get to the Mayor of New York and speak to him. Mayor Purzycki stated that Delaware offers these organizations instant access to its congressional delegation, and Delaware's two (2) senators are as important as Texas or California senators. He stated that he thought Delaware should take advantage of these kinds of things.

Ms. Tammy Parris, Parris Nail Lounge, asked what should be done first for economic development downtown. In response, Mayor Purzycki stated that it would be presumptuous for him to advise on this subject since he does not know everything about downtown Dover, and this is why he was spending time here. He noted that it is now difficult for little downtowns everywhere, which had suffered economically, other than Newark, Delaware, which has the University of Delaware. Mayor Purzycki stated that Newark is thriving and is a wonderful little town, but it has 20,000 people walking around with pockets full of money to spend and 60 restaurants. He expressed his belief that it is a well-managed city, noting that it is easier to manage a place where there is money than a small town that is asking how to get retail downtown after retail has moved to the malls. Mayor Purzycki stated that retail is not strong in Wilmington, and that is why they need entertainment. He advised that Wilmington's downtown has to find its image, which he thought would have to be entertainment and culture. He noted that every place has to be real, stating that people are always waiting for a Nordstrom's, which is not going to happen. Mayor Purzycki advised that it is hard to get retailers and the kind of things that you want to see downtown. He stated that he wished he could provide better advice; however, he would not presume to tell those in Dover how to do their jobs.

Mayor Christiansen thanked Mayor Purzycki for his insight and for answering questions.

By unanimous consent, the meeting adjourned at 10:12 a.m.

Meeting adjourned at 10:12 a.m.

Robin R. Christiansen
Chairman

RRC/JS/dd

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Ms. Paige stated that the Commission would have to increase the time because meetings begin at 6:00 p.m. and the comment period would have to be before opening the meeting. She indicated that she was bringing these matters to members' attention because the Communications Committee wanted to seek approval of the brochure tonight with the amendments. In addition, she stated the desire to be able to update the brochure as new commissioners are appointed.

Mr. Fleming stated that, in the past, DHRC meetings had begun with comments from the community, and very often there was no one present to comment. He advised that if comments from the general public were given before the meeting, members would not know what time to get there. Mr. Fleming indicated that he thought that recognizing anyone that has a comment for the Commission as the first order of business would be good enough.

Mrs. Stein stated that it was suggested that the DHRC model the public comment period after City Council, where the public is allowed to comment prior to the meeting but not to comment on matters that City Council is planning to discuss. She noted that comments regarding agenda items could be taken during the DHRC meeting and that the Commission could not act on comments during the Open Forum segment. Mrs. Stein stated that it was strongly suggested that members set a designated period prior to the meeting, perhaps 10 or 15 minutes for public comment. She noted that the meeting must start at 6:00 p.m. because the meeting has a published agenda and only items on the agenda can be discussed during the meeting. Mrs. Stein indicated that talking about an item that is not on the agenda would not allow for the public to come and comment.

Mrs. Herbert stated that if this was the case, a better agenda was needed than the current agenda because one (1) sentence indicating that there will be a report from someone does not tell what the person might say. She indicated that a member may be planning to say something about what the public has commented on. Mrs. Stein stated that she would discuss this with the Clerk's Office.

Mr. Henderson stated that he had been on the DHRC for quite a few years and did not think that comments would be overflowing. Mr. Henderson advised that in all the years he had attended he could remember four (4) or five (5) comments and that he thought that if an Open Forum was included on the agenda, members could get through the meeting quickly.

Mrs. Herbert stated that she was assuming that the whole idea was to get people to come in and comment on issues that they have, and Mr. Henderson agreed. Mrs. Herbert suggested having a couple of meetings per year that are devoted to the public coming in and telling members what they think and not having a working agenda. Mr. Henderson explained that this public comment period would be the agenda. Mrs. Herbert indicated that public comment would be on the agenda instead of committee reports, and this would be an opportunity for people to come in. She indicated that they may not come, and it would take a while with communication and activity to make people in the community aware that the DHRC exists and it is okay to come and talk about issues that they are having. Mrs. Herbert explained that she was thinking of the DHRC having an Open Forum from 6:00 p.m. to 7:00 p.m. on a specific date and taking input from the public.

Mr. Gaddis asked if this is the way the Committee of the Whole works. Responding, Mrs. Stein stated that the Committee of the Whole agenda states that public comment is welcomed on any item on the agenda, and the public is encouraged to come in. She noted that this is also stated on the DHRC

agenda. Mrs. Stein explained that a problem would be created if someone comes in with items that are not part of the DHRC committee reports or anything on the agenda.

Responding to Mr. Gaddis, Mr. Henderson stated having people come in from 6:00 p.m. until 6:15 p.m. and extending the meeting until 7:15 p.m. or however long it takes members to finish would be a possibility. He indicated that it would be his goal as Chair to make sure that members meet within an hour and that meetings go from 6:00 to 7:00 p.m.

Mrs. Herbert asked if members could start out with a five-minute comment period since they normally do not have people. She stated that as people start to come, a little time could be added. Responding, Mr. Henderson stated that they would not want the Open Forum to go on indefinitely and suggested allowing 10 minutes and then starting the meeting, similar to what is done by City Council. He noted that two (2) or three (3) people could speak for three (3) minutes each.

Responding to Mr. Fleming, Ms. Paige stated that the brochure will be in color.

Mr. Fleming moved to recommend approval of the brochure as amended, seconded by Ms. Paige.

Mr. Gaddis stated that members had not determined what they would do regarding public comments and asked if they wanted to allow public comments for the first 10 minutes of the meeting. Mr. Fleming stated that he thought this would be good idea.

Ms. Paige suggested that members approve the brochure knowing that they have to make the necessary corrections. She indicated that they could then have discussion about when public comments should be and this would be included in the brochure.

The motion to recommend approval of the brochure as amended (Attachment #2) was unanimously carried.

Mr. Gaddis asked if public comments could be built into the agenda; for example, if the meeting could start at 6:00 p.m. and public comments could be between 6:00 p.m. and 6:10 p.m. Responding, Mrs. Stein stated that the meeting and public comment period should be two (2) separate events, so the public comment period could begin at 5:50 p.m. and the meeting at 6:00 p.m. She indicated that the times would be up to members to determine.

Mr. Gaddis stated that his preference was that the meeting start at 6:00 p.m. and the first item on the agenda would be public comments.

Responding to Mr. Rocha, Mr. Henderson stated that placing the public comment period on the meeting agenda would make it part of the meeting. Mr. Rocha noted that members could not include the public comment period in the meetings.

Mr. Rocha stated that members could start public comments at 6:00 p.m. and start the meeting by either 6:10 p.m. or 6:15 p.m. Mr. Henderson indicated that the public comment period could also start at 5:50 p.m. and either approach would work. He advised that whatever members decide to do, it would be his objective to get everything done from 6:00 p.m. to 7:00 p.m.

Mr. Fleming suggested starting with a 10-minute comment period and extend the meeting if necessary.

Mrs. Herbert advised that she did not think members could do this, noting that the agenda states that adjournment is at 7:00 p.m. Mrs. Stein explained that this adjournment time was stated on the agenda at Mr. Henderson's request.

Mr. Fleming stated that he thought that even with an Open Forum and community input, 95% of the time the meetings would end by 7:00 p.m. Mr. Henderson advised that, based upon his long tenure with the DHRC, he did not foresee this being a problem and, if it was, members could change the format. Mr. Henderson suggested starting the Open Forum at 6:00 p.m. and if there is an absolute crush of people, the Open Forum could take place before the meeting time. He stated that he agreed with Mrs. Herbert that as the DHRC gets publicity out and gets established, the public comment period could potentially grow.

Mr. Offredo asked what would happen if there were many people at a DHRC or a City Council meeting that want to discuss something that may be extremely relevant but there was not enough time to get it on the agenda and the Open Forum time runs out. He asked if the discussion would just end and the Council meeting start. Responding, Mrs. Stein explained that there had been occasions when the City Council Open Forum lasted 40 minutes rather than 30 minutes and the Council meeting started 10 minutes late; therefore, there would be the ability to do this if there is a special issue that a lot of people are concerned about.

Mr. Henderson stated that if meetings go a little over 7:00 p.m., so be it; however, his objective was to be in and out within an hour.

Mr. Fleming moved to recommend adoption of a 10-minute Open Forum beginning at 6:00 p.m. within the format of the designated hour, seconded by Mr. Gaddis, and unanimously carried.

Mr. Henderson stated that henceforth the agenda would include an Open Forum from 6:00 p.m. until approximately 6:10 p.m.

State Human Relations Commission Liaison Report (Herbert)

Mrs. Herbert explained that Dr. Nancy Maihoff, Commissioner, State Human Relations Commission, had agreed to be the liaison from the State Human Relations Commission (SHRC) and noted that she and Dr. Maihoff had not yet had a chance to meet and may not do so until after the holidays. She stated that she and Dr. Maihoff would discuss developing an understanding between the DHRC and SHRC and put this into something that they can present. Mrs. Herbert advised that this would be an understanding that delineates the roles of the two (2) commissions and the solution of discrimination complaints, which fall within the jurisdiction of the SHRC. She stated, for instance, that the DHRC would need to know exactly what the SHRC covers and how one goes about making referrals. Mrs. Herbert stated her recollection that the DHRC had decided not to ask for subpoena power during the DHRC Workshop held on May 25, 2017, and Mr. Henderson stated that this was correct.

Mrs. Herbert stated that, at the last SHRC meeting that she attended, as she was walking out the door she heard a woman indicate that she wanted her comments to be confidential, and Mrs. Herbert had wondered how comments would be confidential during an open meeting. She noted that Dr. Maihoff had explained to her that if the SHRC goes into executive session, the public has to leave, and the

person can present their issue. Mrs. Herbert stated her understanding that this would occur before the meeting so that names and other things are not included in the minutes, which are published.

Dr. Maihoff explained that they do not take minutes at the executive session. She advised that in their process they have an agenda, the meeting is opened, they have a roll call, and they then have a time for expressions from the community. Dr. Maihoff stated that this is when the individual that Mrs. Herbert mentioned brought her issue, which had to do with feelings of discrimination in one (1) of the State entities, and she wanted to name names, etc. Dr. Maihoff noted that, unfortunately, this person did not have the full opportunity because the SHRC had a full schedule, she agreed to come to the next meeting, and this was the conversation that Mrs. Herbert overheard. She stated that a new, joint human resources or human relations commission had been created that deals with discrimination within State entities, so this matter had been moved from the SHRC to this commission and she indicated that she thought this person had the opportunity to talk to them at that point. Dr. Maihoff advised that if this individual did come back, the SHRC would vote to go into executive session, the tape recorders would be stopped, the people from the State Division of Human Relations would have to leave, and the individual could give the names and situations that she wanted to keep confidential. She indicated that this is how this situation would normally take place using Robert's Rules of Order.

Dr. Maihoff explained that she chairs the SHRC Community Response Committee, and they had mediated a situation at Cape Henlopen High School where the gay-straight community felt that they were being discriminated against by the administration. She noted that it looked like there were some issues that were stirring back up and that there are about four (4) people on the Commission trained to do mediation. Dr. Maihoff stated that the SHRC would certainly work with the DHRC if there were issues of mediation; for example, between a group of people and the Police Department.

Dr. Maihoff advised that, personally, she is a volunteer at the Center for Community Justice at People's Place, and explained that they do court-mandated mediation for the Kent and Sussex County court systems. She noted that there is an equivalent in New Castle County that does basically the same thing. Dr. Maihoff stated that she is very well trained in mediation and offered her services. She indicated that they have resources and can work with the DHRC to assist in any way that they need help. Dr. Maihoff indicated that there may be times when the SHRC would need the DHRC's assistance if there is an issue in the Dover area that they are trying to deal with, and the DHRC could lend its knowledge and strategies to the SHRC. She stated that she could see a very good working relationship and a possible sharing of talents, knowledge, and strategies.

Mr. Offredo asked if members of the DHRC could go into executive session if a situation presented itself where they wanted to discuss something confidentially. Responding, Mrs. Stein stated that the Commission has the ability to recess into executive session if members consider an agenda item that evolves into something that qualifies for an executive session. She noted that this could not occur during the public comment period.

Mr. Offredo asked if members could go into executive session if the public was commenting on an item not related to the agenda. In response, Mrs. Stein stated that this item would be scheduled on a subsequent meeting agenda.

Mrs. Herbert stated that she would meet with Dr. Maihoff after the holiday and make sure that there is a clear plan so that she can advise members what is needed.

Mr. Henderson stated that he was very excited about the resources Dr. Maihoff can provide for the DHRC.

Mr. Henderson welcomed Mr. Rocha and stated that he would discuss with him which of the various committees would suit him. He indicated that he knew that Mr. Rocha is very actively involved in the community in Chester, noting that his reputation preceded him, both as a member of the military and of the community.

Mr. Henderson advised members that the next meeting would be scheduled for January 18, 2018.

Mr. Gaddis moved for adjournment, seconded by Mr. Offredo and unanimously carried.

Meeting adjourned at 6:44 p.m.

Theodore A. Henderson
Chair

Attachments

Attachment #1 - Revised Draft DHRC Brochure provided by Ms. Paige

Attachment #2 - Draft DHRC Brochure, as revised during the DHRC meeting of November 16, 2017

TAH/JS/dd

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OUR MEETINGS



Meetings are the 3rd Thursday of each month from 6:00 p.m. - 7:00 p.m. Open to the public, these meetings are held in the Council Chambers at City Hall.

The Commission begins each regular meeting by inviting anyone present to address the Commission. Comments must be limited to three minutes.

Meeting information and agendas are posted on the bulletin board at City Hall and on the City of Dover's website at www.cityofdover.com

COMMITTEE ASSIGNMENTS

Theodore Henderson
DHRC Chair.

Alan Gaddis
Government Policy
Programs and Practices

Wanda Mullen and Sara Herbert
Community Engagement

Paul Fleming
Education

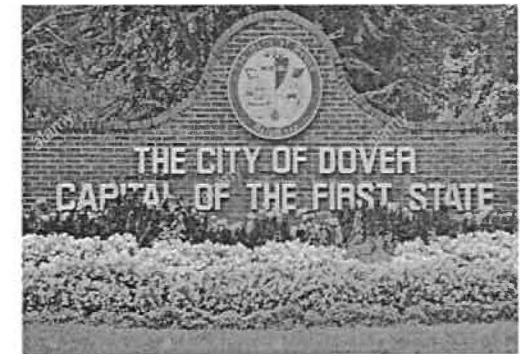
Rita Mishoe Paige and Jon Offredo
Communications

Sara Herbert
State Human Relations Commission Liaison

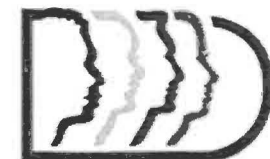


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Dover, DE 19903-0475
(Between the Dover Public Library and PNC Bank)
www.cityofdover.com/dhrc

DOVER HUMAN RELATIONS COMMISSION



*Working together toward understanding,
Fairness, diversity and mutual respect.*



Dover Human
Relations
Commission

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OUR MISSION

Committed to a philosophy of inclusion, intergroup cooperation and fair treatment, the City of Dover Human Relations Commission works to ensure that the City of Dover has and utilizes policies, programs, ordinances, organizational practices, specialized resources and appropriately trained employees to support diversity, inclusion and cultural competency in its organization and services.

Additionally, by involving all segments of the community, the Commission promotes an understanding and appreciation of the benefits of diversity, inclusion, and positive intergroup relations among residents of varying backgrounds in the city; and, advocates for an environment of fairness and respect.



OUR VISION

The Commission's vision is a city whose government, organizations, groups and individual citizens value diversity, inclusion, respect and trust.

WHAT WE DO

The Commission works with the City Council and the City Administration and other community organizations to strengthen intergroup relationships and to eliminate discrimination; and, to anticipate, prepare for and resolve incidents of intergroup conflicts and disputes within the city.



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ECONOMIC DEVELOPMENT COMMITTEE

The Economic Development Committee met on November 29, 2017 at 2:02 p.m. with Mayor Christiansen presiding. Members present were Mr. Hare, Mr. Hudson (Acting City Manager's designee), Mr. Hugg, and Ms. Evans. Mr. Cole, Mr. Sheth, and Mr. Hammond were absent.

AGENDA ADDITIONS/DELETIONS

Mr. Hare moved for approval of the agenda as presented, seconded by Ms. Evans and unanimously carried.

Update - Starting a Small Business Incubator (Dr. Michael Casson - Delaware State University UCEDIT)

During their Regular Meeting of June 12, 2017 City Council approved the Committee's recommendations: 1) that there be a meeting held with the County to determine a path forward; and 2) entertaining the idea of participating in the Small Business Website Initiative.

Dr. Michael Casson, Director, Delaware State University Center for Economic Development and Trade (UCEDIT) advised that he had been communicating and working with Mr. Jim Waddington, Kent County Economic Development Office. He informed members that Kent County has an enterprise center with dedicated space for small business incubators. Dr. Casson advised that Delaware State University, specifically the College of Business and UCEDIT, is working with Mr. Waddington to provide small business development course work. He explained that the University of Delaware Small Business Development Center (SBDC) has agreed to provide an intro to business development course. He stated that the business incubator would provide a comprehensive course selection, noting that many of the courses will be required for the tenants of the incubator itself. Dr. Casson noted that they were looking to bring to the table certification workshops and classes, such as small business accounting, small business marketing, and getting a business online, and also provide a graduate and/or undergraduate intern to help manage the office in this space for the patrons. He explained that DSU had floated a Memorandum of Understanding (MOU) to Mr. Waddington and his group to review, specifically as it pertains to the intern. Dr. Casson advised they were proposing to provide approximately 12 courses to the tenants there and also to the general public and had sent this to Mr. Waddington to review. He stated that they were looking to start servicing the facility in February 2018. Dr. Casson indicated that he thought this was a great pilot facility and, as it seen how it pans out and what works and does not work, this would be a great opportunity to expand this initiative.

Mr. Kirby Hudson, Assistant City Manager, asked if those who would be taking these courses would be well past the business plan stage. Responding, Dr. Casson advised that, as part of the process, a review board will determine which companies are in the best position to take advantage of the space, where clients are with a business plan, and things of that nature. He noted that they would be looking to see how they can extend participants' capabilities and knowledge sets, specifically as they pertain to small business taxes, marketing, business expansion-type techniques, how to close deals, and other types of workshops.

Responding to Mr. Dave Hugg, Acting Director of Planning and Community Development, Dr. Casson stated that it was written into the current by-laws that those who utilize the space have to register for the course work. He noted that the course work has to be defined. Mr. Hugg indicated that he thought this was critical, and Dr. Casson agreed, noting that the initiative is a great extension to Kent County

Open for Business, since it is open not only to tenants of the incubator but also to the general public. He stated that there would potentially be registration across the board, not only in the City of Dover and Kent County but further down.

Mr. Hugg noted that one (1) of the things that had been heard in various meetings was that technical assistance in a variety of forms is one (1) of the most significant gaps for businesses that are looking to expand, and there is a need for ways to get assistance to them, whether tied to an incubator or in some other form. Dr. Casson indicated that this gap happens across the board in many areas and is always about coordination. He noted that DSU's upper-level marketing course and MBA graduate marketing course are prime examples of how the University can leverage what it is doing and vice versa. Dr. Casson advised that the professor requires students to work with local or not-so-local businesses and support their marketing plan development. He stated that this is not currently coordinated, so with an incubator in Kent County and in the City of Dover, these efforts can be coordinated so they can target businesses here and create a greater impact for the local economy. Dr. Casson advised that this would not only further the plan to facilitate the workshops but also allow DSU's MBA and upper-level students and faculty to support participants in the actual implementation of marketing plans, business tax, and accounting practices.

Ms. Evans expressed her understanding that the incubator would be looking at businesses that are already established. She noted that feedback had been heard that people do not even know how to get to that step and do not know what plans are available to help them within the City, County, and the State, such as what kind of rebates they can get and how to go about this. Ms. Evans asked if the incubator would provide services at this level or past it. In response, Dr. Casson stated that the University of Delaware (UD) is offering intro business development course work for those businesses who do not have experience pertaining to what networks to touch and the processes and steps involved in starting a business through the SBDC, which is based at UD. He stated that he was uncertain about the frequency of this course.

Ms. Evans asked if UD has the same type of incubator or if they refer people to the program Dr. Casson was describing. She asked if someone who starts at the intro level at UD can move on at UD and why they would move to this program. Responding, Dr. Casson explained that representatives from UD are coming to Dover to provide the intro business development course for stakeholders here, and this is the only course that UD provides at the incubator at Kent County Levy Court. He noted that the SBDC has representatives for Kent and Sussex Counties and Ms. Danita Thomas will come as the representative. Dr. Casson stated that DSU would take the next step and go deeper into specific areas of small business development.

Mr. Hugg asked if Kent County's Open for Business process was the primary intake mechanism for the incubator's clients. Responding, Dr. Casson advised that he thought this process was a great springboard to attract clients; however, he felt that they would have to market the incubator's additional services. He noted that business services there would be tied not only to the incubator but also to the general public, which would potentially gain it more steam.

Mr. Herbert Konowitz, Vice Chair, Dover Interfaith Mission for Housing, stated that he had worked with Mr. Waddington a long time ago on this. Mr. Konowitz noted that he had also been involved with the SCORE Association for going on 12 years and had received an email this morning from Ms. Joan Cote, Executive Director, Downtown Dover Partnership (DDP), who wanted to know how SCORE can help the City. Mr. Konowitz advised that this could all be tied together, noting that he could lead his clients to the incubator.

Dr. Casson stated that some of the internal conversations at the College of Business as well as those with Mr. Waddington, had involved a team teaching approach and working with the Central Delaware Chamber of Commerce (CDCC). He explained, for example, that a small business tax course could include experts in housing who could team teach with a local business owner or expert in the area to provide more applied knowledge and insight to clients.

Mr. Konowitz noted that Mr. Frank DeSantis, a SCORE counselor who ran the incubator for the New Castle Chamber of Commerce for approximately four (4) or five (5) years, had recently retired and was available. Dr. Casson stated that he had spoken to Mr. DeSantis. Mr. Konowitz advised that there are some talented people who would be involved.

Mr. Hudson indicated that he had thought that the incubator would be the next step for those who had already passed through a litmus test and had a business plan; however, it appeared that it would start from the very beginning and was for anyone who wanted to go into business for themselves. Dr. Casson stated that entrepreneurs would be vetted for their viability or ability to move into the incubator space, noting that there is a threshold to receive consideration for this. He explained that one (1) potential client had spoken to him but was not quite ready, in the opinion of the counselor he worked with, to move into the space, possibly because of revenues or an inadequate business plan. Dr. Casson advised that there is a track for those who are being considered for the amenity of having space and also a track for individuals who are just starting their journey and will begin with the SBDC course offered by UD. Dr. Casson indicated that the courses offered by DSU would be more in line with the tenets of the incubator or could be for any other entrepreneur who may deem them fruitful, regardless of where they are in the process. He stated that someone coming in may not have started their business plan and may want to sit for a business tax course, and there would not necessarily be a prerequisite since they had not yet discussed prerequisite skills for sitting for a business tax course or workshop being offered.

Responding to Mr. Hudson, Dr. Casson advised that the courses would be free.

Mr. Hare asked if people wanting to start a business would get a space in the incubator. Responding, Dr. Casson stated that space would be provided to those who have some traction in their current business. He explained that the space would allow these individuals to have some legitimacy as a business, noting that it would provide a location to work from, to bring clients that they are trying to court, and to use as a conference area. Dr. Casson noted that the incubator would have wi-fi and xerox machines.

Mr. Hare stated his understanding that the incubator would be for those who have a business with no storefront and need an office and a place to set up shop. In response, Dr. Casson noted that they would have access to services and business education. Responding to Mr. Hare, Dr. Casson stated that DSU no longer had the Minority and Small Business Entrepreneurial Course (MSBEC) that Mr. Hare had previously taught in. Mr. Hare explained that participants in this program were taught how to write a business plan, start a business, and everything they needed to start a business. He indicated that it did not include having 10 businesses in the same area.

Dr. Casson explained, for example, that two (2) weeks ago he had a conversation with a friend who does taxes for small businesses and has a client with a janitorial service in Dover. He indicated that the cheapest office space this gentleman was able to find was approximately \$400, not including phone, internet, wi-fi, etc. Dr. Casson informed him of the incubator, and he saw this as a viable possibility since he could not continue to work out of his home because it was not efficient. He noted that this businessman's accountant was asking why he should move into another facility; however, it was a question of the viability and legitimacy of the company. Dr. Casson stated that it is hard to pass up the incubator's amenities that are offered at a discounted rate, such as space for as low as \$75 per month, \$10 for a business's own phone line inclusive of wi-fi, and access to the conference, training, and break rooms. Mr. Konowitz stated that this is a real bargain. Responding to Mr. Hudson, Dr. Casson stated that clients could receive their mail there as well. Ms. Evans noted that a class on how to start a business was being offered every month; therefore, they are starting at the very entry level.

Ms. Evans asked what Dr. Casson wanted from the Committee and if he just wanted to make sure that members were aware and would push people toward the platform. Responding, Dr. Casson explained that he initially engaged the Committee when DSU was looking at an incubator for the City, potentially downtown. He advised that, at that point, there had been conversation around what the County was doing and potentially leveraging that partnership and the traction that they already had. Dr. Casson noted that it was agreed that he would move forward in speaking further with Mr. Waddington about where Kent County was in the process and potentially partnering. He indicated that he had come back to report to members where they were in the process.

Mr. Konowitz noted that it would be very important to get people in initially to get the program moving because they do not have anyone yet.

Dr. Casson stated, in regard to the cost, that the University Center is funded through U. S. Commerce and the funding to pay the instructors will come through the University. Ms. Evans thanked Dr. Casson for his support.

Responding to Mr. Hudson regarding the maximum number of people the incubator could hold, Dr. Casson noted that the training area was large. Ms. Evans stated her understanding that the number would depend on how much space each person is taking, noting that spaces are \$75 up to \$225. Dr. Casson indicated that the number would be determined by the configuration and how many \$75 spaces and how many \$225 spaces are taken, since there are cubicles.

Mr. Konowitz noted that the County was anxious to get people in this space, which had been vacant for quite a while, and this is why they were moving forward. Ms. Evans noted that the space had been vacant since March of 2016 when part of County's recreation center moved to New Burton Road.

Mayor Christiansen asked Dr. Casson to keep members informed.

Business Incentives for Hiring the Homeless (Herb Konowitz)

Mr. Herbert Konowitz, Vice Chair, Dover Interfaith Mission for Housing (DIMH), provided a handout of a Diagram of the Adapted 8 level Hierarchy of Needs based on Maslow's theory (**Attachment #1**). He explained that the diagram reflected all the things involved in getting someone's act together if they are homeless. Mr. Konowitz advised that people who are homeless have to start at the bottom of the hierarchy and work upwards. He also provided an advertisement for DIMH (**Attachment #2**), noting that this advertisement had been run for the last two (2) days in the *Delaware States News* and explained everything that DIMH is presently doing.

Mr. Konowitz indicated that the big problems in hiring the homeless are their baggage and lack of education. He noted that DIMH has a number of people that do not even have their GED, which has to be addressed so that they can be hired, and some of these men cannot even write their own names.

Mr. Konowitz advised that DIMH had started an organization with eight (8) men whose job was to go around town picking up weeds that were generated from a lot of rain, and this was done at the request of Mrs. Donna Mitchell, Acting City Manager. Mr. Konowitz explained that it was worked out that DIMH would put these individuals on the payroll on the basis of \$10 per hour without taxes, everything was legitimate, and the City paid the shelter. He indicated that everyone was satisfied with this approach; however, the City ran out of funds because the project was not budgeted.

Mr. Konowitz explained that, if this type of work was to be done by DIMH in the future, it would have to be done by contract and be a permanent situation. He indicated that they had previously run into some serious problems because his men were ready to go to work and the individual who was in charge for the City had canceled the day's work because he had meetings. Mr. Konowitz explained that his people are interested in going to work and working as close as possible to a 40-hour week. He noted that this could be a tremendous boon to the City because DIMH would pay \$10 per hour and take care of all the taxes, etc. and DIMH might be able to fill the left when Mr. William Cooper, former Superintendent of the Grounds Department, left the City. Mr. Konowitz stated that he has a lot of people who really want to go to work. He advised that 60% of their men are coming out of prison for a myriad of reasons and the shelter's recidivism rate is less than 5%, whereas the State's rate is over 70%. Mr. Konowitz explained that DIMH works with these men and turns them around, noting that they are ready to go to work and want to get their feet on the ground. He indicated that DIMH can offer workshops given by SCORE as an incentive. He noted that there are three (3) primary workshops that would probably be tied in with the Kent County education program, explaining that these workshops include start-up and basic concepts for those who want to be entrepreneurs as well as business idea assessment. Mr. Konowitz stated that individuals can sign up for the workshops online and must pay; however, there will be no charge if they go through him and his two (2) counselors. He noted that they could put these men in a workshop situation and from there possibly get them involved with the Kent County program.

Mr. Konowitz informed members that a number of years ago, he and Mr. Eddie Perez, former City of Dover Downtown Coordinator, put together a program of workshops at City Hall, Mr. Perez contacted the people in the downtown area, and on the first night two (2) people came. Mr. Konowitz advised that there is a problem getting people into such programs and those who say they are going to come do not show up. He stated that he did not know if people are interested; however, the men at the shelter are definitely interested in going to work.

Mr. Hare stated that when you reach out to employers in town and find jobs for individuals, they do not show up, and when you go back to these employers, they refuse, stating that the individuals will not show up again. Mr. Konowitz advised that DIMH does not have that problem because the men are living under the shelter's domain. He explained that if DIMH knows that their clients have jobs, they get them out of bed, and these individuals go to work.

Ms. Evans stated that, looking at the newspaper, it seemed there were construction and hands-on jobs which sounded perfect for these men. She asked if there were transportation or other problems. Responding, Mr. Konowitz stated that transportation is a terrible thing.

Mr. Hare advised that there had been jobs within walking distance of the shelter at Westside Car Wash. Mr. Konowitz indicated that he had two (2) men working there right now. Mr. Hare stated that some people had started working, but half of the time they did not show up. He explained that he had gotten a job for an individual at McDonald's for \$10 per hour, 50 hours per week, a free meal; however, this individual stated that he was not going to work for McDonald's. Responding to Ms. Evans, Mr. Hare stated that he thought that benefits might have been offered by McDonald's after a time. He indicated that there may be some very good individuals; however, there are some who do not want to work, and Mr. Konowitz stated that there is no question about that.

Mr. Konowitz advised that DIMH's procedure is to give men 30 days to prove that they really want to get a job, and those who sit around and do not want to are put out immediately. He indicated that DIMH helps those who are looking for a job to find one. Mr. Konowitz noted that the average stay in the shelter used to be 90 days but had been reduced to 52 days. He explained that clients who are established in a job hook up with someone else in the shelter and DIMH moves them into an apartment, and this approach was working.

Ms. Evans asked what DIMH needed from the Committee. Responding, Mr. Konowitz indicated that he needed to possibly work with the City to employ some of these men doing menial jobs. Mr. Hudson noted that the City is not a social service agency and asked what Mr. Konowitz thought the City could do to help. Mr. Konowitz suggested there may be opportunities in the area that they had previously started on, such as picking up weeds, etc. He stated that, according to Mrs. Mitchell, there are a lot of jobs that could be done and she had mentioned painting curbs, which are in terrible shape now.

Mr. Hudson stated that there are a lot of maintenance-type things that could be done; however, the problem he foresaw is that most of this work is unionized. He indicated that, when talking about Public Works or code-related work, there are some people who would say that the City is taking away

union jobs and question why the City is doing this type of hiring instead of hiring another staff person. Mr. Konowitz stated that this was not the case with the weed situation, which was done as an outside contractor.

Mayor Christiansen asked what the ramifications of hiring would be and if private contracting is a good model. Responding, Mrs. Kim Hawkins, Human Resources Director, stated that the City's workforce is 85% unionized, and if the DIMH men come on board in regular positions, the union would say that this is work that the union does. She stated her understanding that the gentlemen who were with the City during the summer months worked on a temporary, short-lived, contract basis. Mrs. Hawkins advised that when someone is with the City for only for a short term and the contract is done, it is easy to defend this to the union. She indicated that someone who is brought on board as a regular employee would have to go through the entire recruitment process.

Responding to Mayor Christiansen, Mr. Konowitz stated that the program he was presenting would be as an outside contractor. In response to Mrs. Hawkins, Mr. Konowitz indicated that the work could be for a defined period of time. He explained that the problem they had when they were previously involved was that it was not a defined period. Mr. Konowitz stated that the City wanted DIMH to do the job and cover the entire City, they got into the project, and everybody was satisfied; however, after about six (6) or seven (7) weeks, the program ran out of money. He advised that it was explained to him that the City had used money that was initially supposed to be used for landscaping. Responding to Mrs. Hawkins, Mr. Konowitz indicated that he was unsure if this was for doing the flowers or other landscaping.

Ms. Evans indicated that it did not sound like this type of short-term work would be an option for DIMH men. She noted that they would not be put to work on a permanent basis, which would allow them to move on and get out on their own. Ms. Evans stated that it seemed more beneficial to build toward getting them placed and linked with the Delaware Transit Corporation (DART), if transportation is a problem. She noted that even if they were placed with the City in the spring due to the weeds that were growing again, this would only be for the short term.

Mrs. Hawkins stated that the only benefit she could see would be that the men would be gaining experience, which always looks good on a resume. She noted that if the gentlemen are reporting to work and get a three-week experience, hopefully they would learn something from City crews and not just be pulling weeds. Mrs. Evans stated that this could be landscaping experience. Mrs. Hawkins indicated that this type of experience could show that someone was diligent, reported to work on a 100-degree day, showed effort, and came every day.

Mr. Konowitz advised that if the work time frame was predetermined, whether for three (3) or five (5) weeks, participants would realize that this is the job, rather than being led to believe that it was going to be longer.

Referring to the DIMH advertisement, Mr. Hudson noted that it stated that DIMH's funding is very limited and they are looking for pledges of \$1,000 annually. Responding to Mr. Hudson, Mr. Konowitz stated that DIMH needs \$50,000 to sustain itself until the end of the year. He advised that DIMH receives \$13,000 per year from the State and does not receive funding from the County on a regular basis. He noted that they had asked the County for funds.

Ms. Evans advised that DIMH had been going along for years and asked if they had lost something. Responding, Mr. Konowitz indicated that they had lost a \$300,000 federal grant for re-entry. He stated that DIMH had used the grant, knowing that it was going to be over at this period of time, and they cannot reapply for this grant once it is over. Mr. Konowitz advised that they had applied for approximately 22 grants that were starting to come in now; however, grants are few and far between.

Mr. Hudson asked if it would be prudent for DIMH to establish its own business and employ these people if everything DIMH is trying to do has a labor flavor to it. He suggested using some of the funding to obtain a small bus or some vehicles. Mr. Konowitz indicated that this was not a problem and they could do this. Mr. Hudson advised that DIMH could be the subcontractor and, for example, cut grass for the school district or parks that the City cannot get to. He stated that a number of things could be done, noting that he had heard that landscapers sometimes have business that they cannot get to. Mr. Konowitz advised that DIMH is set up to work with landscapers and has a number of men who are trained in this field. He noted that the men are independent contractors who are paid directly, and DIMH does not enter into this, except to make the contact and make sure that the men go to work.

Mr. Hudson asked if it would be the responsibility of DIMH to help these individuals obtain their paperwork for W2s, etc. Responding, Mr. Konowitz stated that most people pay these individuals under the table, which he was trying to get away from.

Ms. Evans stated that DIMH could contract with companies that would pay DIMH, who would in turn pay the individuals. Mr. Konowitz indicated that they had not done this.

Mayor Christiansen asked whether there is a maximum time period for which the City could have an independent contractor once they sign a contract. Responding, Mrs. Hawkins stated that there are several definitions in the labor agreement that allow the City to contract out for an independent contractor, such as for efficiency and economics. She explained that these individuals would not be paid by the City of Dover. Mrs. Hawkins indicated that she envisioned using same type of agreement that they had previously, stating her belief that the men were paid \$10 per hour and the City was charged \$15 per hour. Mr. Konowitz stated that the rate was \$14 per hour. Mrs. Hawkins noted that the City currently has mowing contractors.

Mayor Christiansen asked if this was doable and if there are parameters in place for the sake of the City as well as the independent contractors. Responding, Mrs. Hawkins indicated that she was not the expert that could speak to this because the positions being discussed fall under Mrs. Sharon Duca, Public Works Director/City Engineer. Mr. Konowitz noted that he had worked with Mrs. Duca. Mrs. Hawkins noted that comments had been made that a supervisor was not available since and that maintenance went downhill since Mr. Cooper left, and she stated that those comments may need to be defended first by Mrs. Duca. She stated that Mrs. Duca should be involved in the conversation as to the work that can be done so that when the supervisor is not available, those who are hired as contractors know what their duty is for the day. Mr. Hawkins advised that typically contractors bring their own tools, so they would not be coming to the City's shop in the morning to get what they need to do their duties. Mrs. Hawkins explained that the City does not want to get into IRS regulations by controlling what contractors are doing, and if the City starts controlling what they are doing, they would then be employees.

Mr. Hudson advised that he had discussed with Mrs. Mitchell and Ms. Margery Cyr, Library Director and Director of Parks and Recreation, that it is difficult for the Public Works Department to maintain parks so that they look pristine rather than unkempt, especially when staff is low. He stated that there had been past discussion regarding whether a separate group, not necessarily under Public Works, should be charged with maintaining the parks.

Mr. Konowitz noted that Council President Slavin and Ms. Shelly Cecchett had involved him in something along those lines regarding a property on Route 13 and Martin Luther King Boulevard in front of the tire company. Mayor Christiansen advised that this was part of the Route 13 beautification. Mr. Konowitz stated noted that the contract was going to be up at the end of October and the idea was for him to take over the project. He explained that they had been talking about putting in water for sprinklers, lights, etc., there was a meeting with Delaware Department of Transportation (DelDOT), and nothing happened. Responding to Ms. Evans, Mayor Christiansen stated that the Greater Kent Committee owns this property.

Mr. Hare noted that DIMH has an executive director, house manager, two (2) case managers, and evening and night supervisors. Responding to Mr. Hare, Mr. Konowitz advised that DIMH has seven (7) paid employees and everyone else is a volunteer. He stated that their total operating expenses are \$300,000 per year, approximately half of which is payroll.

Mayor Christiansen thanked Mr. Konowitz for the presentation and suggested that he sit down with Mrs. Duca and Mrs. Mitchell and review the previous work that was done and what the needs might be for budget purposes in the spring.

Mr. Hudson stated that he appreciated what DIMH was trying to do and suggested that they become their own business as part of their program. He advised that this is not something that would happen overnight, but if they have their own equipment, become a contractor, and lend themselves out to do business, this could be a win-win for everybody. Mr. Hudson advised that DIMH would be paid and nothing would really be coming out of the City, and he noted that a lot of work is needed.

Mr. Konowitz asked what the possibility was of bidding on a City contract. Responding, Mr. Hudson stated that this would be a public bid. He indicated that in many cases there is a list of people who have asked to be notified and DIMH would be competing with everybody else. Mr. Konowitz advised that DIMH would be interested in this. Mr. Hudson stated that they would need equipment such as safety gear, goggles, gloves, machinery, etc., as well as insurance in case someone gets hurt. Mr. Konowitz stated that DIMH has \$3,000,000 worth of liability insurance. Mr. Hudson stated that he thought this approach would work and that there may be more people who want to help DIMH buy equipment as opposed to giving them money to pay individuals.

Responding to Mrs. Hawkins, Mr. Konowitz stated that DIMH deals only with gentlemen. He explained that approximately 60% of them are coming out of prison and the other 40% are from broken marriages, etc.

Mrs. Hawkins asked if most of these gentlemen were considered unskilled or if some of them had been, for example, electricians. In response, Mr. Konowitz stated that they do not have a lot of skilled men; however, they had obtained a job for one (1) of their clients, who is certified in HVAC, at Allen

Harim in Harbeson starting at \$28 an hour. He noted that another individual works at a portable shed business in Milford, noting that DIMH has some very talented people.

Mrs. Hawkins stated that alcohol had ruined the life of a gentleman who worked for the City years ago, ended up in prison with DUI's, and then went to DIMH. She explained that he was sorry for what he had done in life and was now successful. Mrs. Hawkins noted that another current City employee had been incarcerated but was now one (1) of the City's hardest workers.

Mr. Konowitz stated that DIMH has people living in their transition house. He advised that a number of their clients are sex offenders, noting that sex offenders are on tiers one (1) through five (5). Mr. Konowitz cited the example of one (1) such individual who was placed in as a custodian and DIMH was told that he was one of the best workers that the secretary at his place of employment had ever seen had ever seen. He noted that these are second chances for many of these people. Mr. Konowitz advised that they also have many people with alcohol problems and drug problems and there is no place in the area to send them.

Mrs. Evans stated that many of those who are incarcerated do not come out of prison clean. Mr. Konowitz advised that he has 14 people living in three (3) transition houses and would stake his life on these individuals. Responding to Ms. Hawkins, Mr. Konowitz explained that those who have proven themselves over the 52 days that they spent in the shelter can move into the transition house if there is a space available. He noted that they must pay rent of \$500 to \$600 per month, supply their own food, and are on their own. Mr. Konowitz stated that some are still on probation. He advised that one (1) resident who is close to 60 years old had been with them for nine (9) years and was very happy because DIMH had just gotten him off probation.

Mayor Christiansen stated that he encouraged Mr. Konowitz to talk to Mrs. Mitchell and the Public Works Department regarding the scope the City is working with and the equipment. Mayor Christiansen stated that he had told Mr. Konowitz that he would give him a weedeater and a blower and would follow through on this.

Mr. Hudson moved for adjournment, seconded by Ms. Evans and unanimously carried.

Meeting adjourned at 2:51 p.m.

Robin R. Christiansen
Chairman

RRC/JS/dd

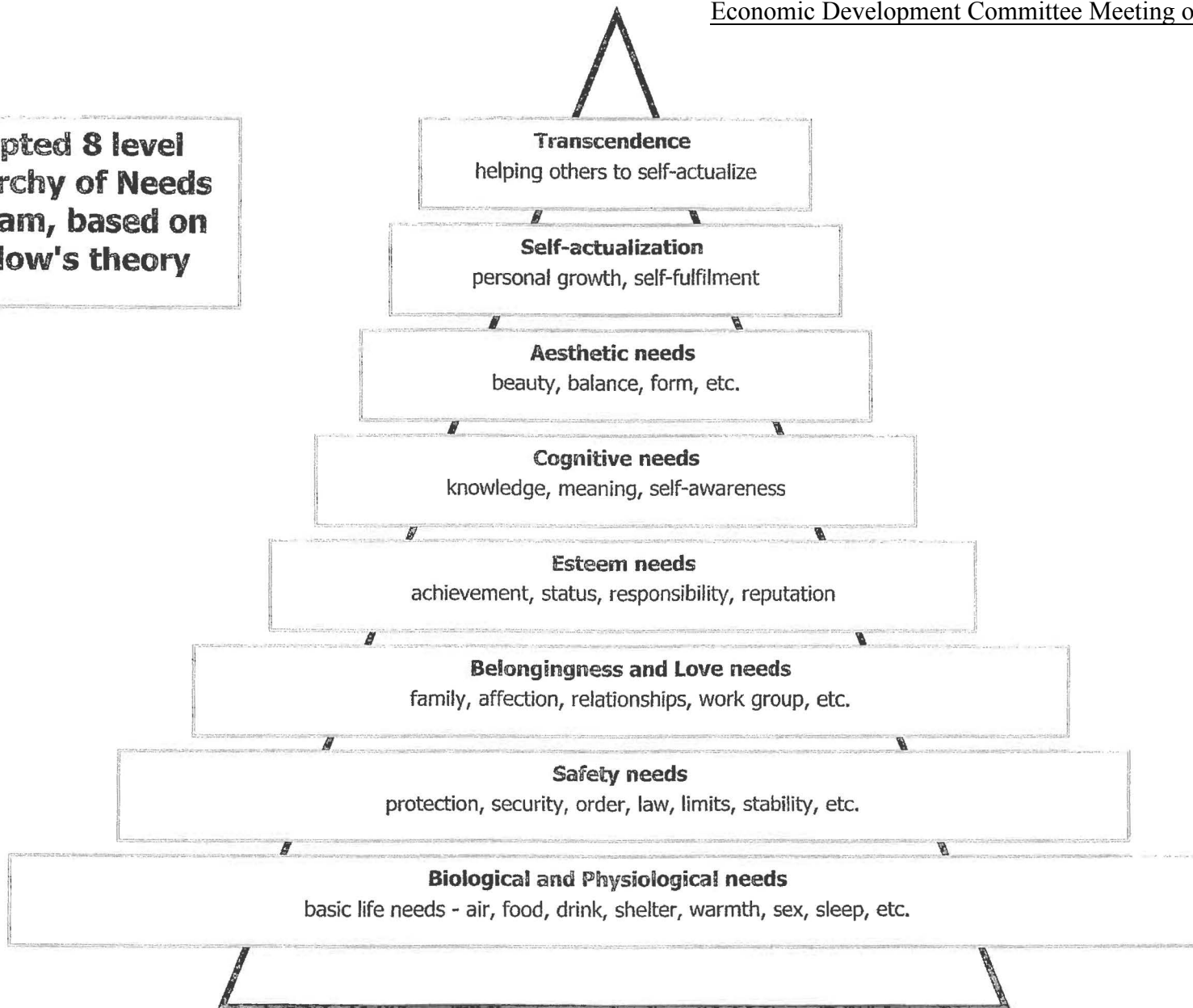
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Attachments

Attachment #1 - Handout entitled, "Adapted 8 level Hierarchy of Needs diagram, based on Maslow's theory", provided by Mr. Herbert Konowitz

Attachment #2 - Advertisement for Dover Interfaith Mission for Housing, provided by Mr. Herbert Konowitz

**Adapted 8 level
Hierarchy of Needs
diagram, based on
Maslow's theory**



© design alan chapman 2001-7 - adapted by persons unknown based on [Maslow's Hierarchy of Needs](#)

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DOVER INTERFAITH MISSION FOR HOUSING

Dover Interfaith Mission for Housing (DIMH) achieves results!

- More than 280 homeless men receive shelter and assistance each year to regain productive and purposeful lives.
- More than 2,200 have been sheltered since 2008.
- Over 70% of those sheltered secure employment.
- The work obtained puts more than \$3.5 million back into the Central Delaware economy yearly.
- Those unable to work are assisted to obtain disability income, housing, and stability.
- Over half of shelter residents are ex-offenders; but they achieve success after staying in the shelter.
- Efforts to work with ex-offenders reduce recidivism to nearly zero compared with statewide rate of 70%.
- Family life and health are restored among many who suffer from addictions and mental illness.



A 36-bed shelter and more than 40 beds of affordable supportive housing make it possible for men to move from homelessness to self-reliant lives.

Our team includes the following:

- An executive director, a housing manager, and two case managers provide core staffing.
- Evening and night supervisors ensure safety for all residents and volunteers.
- An active and engaged board provides significant management and oversight.
- Volunteers contribute more than 100 hours of professional services weekly.
- Community and faith organizations prepare and serve over 12,000 plates of dinner annually on a food budget of zero.



Our daytime Resource Center serves those who continue to lack shelter:

- The Center is used as a mailing address for many who have no place of residence, enabling them to register for public benefits. 172 successful applications were processed.
- Shower and laundry facilities are available to meet personal hygiene needs.
- Computers and assistance help with job applications. 67% of job seekers found employment.
- Experienced volunteer personnel prepare resumes and provide employment counseling.
- Personal financial management training is provided weekly.
- Links with case management, local financial institutions, and all local services facilitate referrals.
- Access to meals is made possible through participation in a local network of providers including DIMH.
- 82 individuals have benefited from case management this year.
- 40 adults who were without a place to stay obtained housing or shelter.
- 81 adults secured birth certificates so that they may begin the process of stabilizing their lives.

Our housing helps to meet the shortfall in affordable units:

- Walt Bagley Hall provides 30 beds available to those with stable income after leaving the shelter.
- Additional houses are rented in the community, with rooms rented to former shelter guests.
- DIMH is working with the Mayor's Task Force and others to develop additional rental options.

Funding is very limited.

We seek pledges of \$1,000 yearly for a year or more from local sponsors. Can you be one of them?

Regular reports will communicate our results to you.

All donations are welcome.

Please send to DIMH at P.O. Box 1148, Dover DE 19903.

THANK YOU FOR YOUR SUPPORT!

COUNCIL COMMITTEE OF THE WHOLE

The Council Committee of the Whole met on December 12, 2017 at 6:04 p.m., with Council President Slavin presiding. Members of Council present were Mr. Anderson, Mr. Sudler, Mr. Neil, Mr. Lewis, Mr. Cole, Mr. Polce, and Mr. Lindell. Mr. Hare was absent. Mayor Christiansen was also present (departed at 6:22 p.m.). Civilian members present for their Committee meetings were Mr. Shevock (*Legislative, Finance, and Administration*), and Mr. Caldwell and Dr. Warfield (*Parks, Recreation, and Community Enhancement*). Dr. Stewart (*Legislative, Finance, and Administration*) was absent.

LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE

The Legislative, Finance, and Administration Committee met with Council President Slavin presiding in the absence of Mr. Hare.

AGENDA ADDITIONS/DELETIONS

By unanimous consent, the agenda was approved as presented.

Proposed Food Truck Pilot Program

Mr. Kirby Hudson, Assistant City Manager, advised that the City Manager's Office was seeking the support of Council to establish a 30 business day Pilot Mobile Food Truck Program for the City of Dover. He explained that after the trial, if the Food Truck Program is successful, the objective would be to make this program permanent.

Mr. Hudson stated that, over the past two (2) years, the City of Dover has seen the development of food truck services operating out of various locations on Route 13 and during special events within the downtown central business district. He indicated that, currently, there is no City Code or operational oversight allowing a permanent framework by which food trucks can park on City streets and sell to Dover's population and, consequently, food trucks are not permitted to operate on the public right-of-way on a regular basis. Mr. Hudson noted that, given the large density of employees and citizens visiting City Hall, the Dover Public Library, the Post Office, and the various State office buildings in the general area of Loockerman Street, these food truck vendors would like to be able to gain access to these potential customers.

Mr. Hudson explained that the Pilot Mobile Food Truck Program would commence on Monday, January 15, 2018 and end on Friday, February 23, 2018, noting that the plan is to have (10) ten food trucks located on Loockerman Street, fronting the Dover Public Library and City Hall area. He indicated that the City would allow food trucks to provide temporary Food Truck Service Monday through Friday, between the hours of 8:00 a.m. and 3:00 p.m. Mr. Hudson advised members that these food vendors will provide food service from pre-designated parking spaces only. Mr. Hudson stated that the City of Dover Police Department will ensure that signage and cones will be installed on a daily basis to inform drivers and the general public of reserved parking spot locations.

Mr. Hudson advised that this pilot program would hopefully give rise to a future comprehensive Mobile Food Truck Program which would address the issues of safety, fees, revenue impact,

program management and oversight, licensing, site locations, and enforcement. He noted that the Mobile Food Truck Program is the culmination of research and conversations centered upon the current “Best Practices” of the City of Wilmington, with the sole goal of creating a positive Mobile Food Truck Program in the City of Dover.

Staff recommended approval of a 30 business day Food Truck Pilot Program.

Mr. Hudson introduced Mr. David Sophrin, Policy Analyst, Mayor’s Office, City of Wilmington. He informed members that he had multiple meetings with Mr. Sophrin because the food truck program in Wilmington had been a huge success that got people out of the office and engaged them. Mr. Hudson stated that he thought food trucks might be a perfect way to stimulate the area in Dover and would also be perfect for the public.

Mr. Sophrin stated that, about two-and-a-half years ago, Delaware’s growing food truck community approached the City of Wilmington with a very well-researched idea to bring food trucks onto the public right-of-way in Wilmington. He advised that, prior to this, the law did not really outlaw food trucks but, as a practical matter, never even considered them since laws sometimes take a while to catch up to changes in business. Mr. Sophrin stated that Wilmington spent seven (7) or eight (8) months working with food truck operators and their representatives; business people and eateries on Market Street, especially downtown; City Council; and the Mayor to research the best practices in other cities and come up with a concept that would work for Wilmington. He indicated that the first thing that they realized was that there was no single best practice. Mr. Sophrin explained that some cities have an absolute laissez-faire approach, allowing trucks to park wherever they want if they do not break any traffic laws, and some cities are very restrictive. He noted that some have outright bans on food trucks or restrict them to very specific parking spots.

Mr. Sophrin advised that Wilmington eventually came up with a compromise that worked for City Council and the representatives. He stated that the food trucks wanted access to the downtown, lunchtime, pedestrian trade. Mr. Sophrin indicated that, in his opinion, it is a waste of time to try to bring food trucks to an area where they have no interest. He stated that the food truck vendors were interested in being in the downtown area; therefore, Wilmington took that general position and identified four (4) or five (5) spots in the immediate downtown area to give them access to what they were looking for. Mr. Sophrin advised that the vendors would pay a set fee, equivalent to the amount that would be paid by putting quarters into a parking meter all day, and would be given access to the public right-of-way. He stated that they started with four (4) or five (5) locations and told City Council that they were creating a pilot program and would keep track of what worked and what did not. He stated that the Food Truck Association was very helpful, flexible, and practical throughout the process. Mr. Sophrin indicated that the Association understood that, while the City of Wilmington wanted food trucks there and was very excited about it, putting trucks right in front of a restaurant would be unnecessary and maybe antagonistic, so wonderful middle ground was found that worked out well.

Mr. Sophrin stated that Wilmington created a licensing system. He noted that there was no charge for a license, but applicants had to provide documents that they were already supposed to have, such as a State business license, a health inspection, a fire inspection, and insurance. Mr. Sophrin

explained that if everything was in working order, the license would be issued and the applicant would be free to sign up. He advised that Wilmington uses the website of a nationwide company that allows applicants to sign up and reserve spots online. Mr. Sophrin stated that the food truck vendors would not be calling City staff and there would be no playing phone tag; they would receive their licenses for one (1) year, reserve the spots, and pay the daily fee.

Mr. Sophrin stated that a fair amount of interaction was required with the departments that were involved, but there was a good deal of enthusiasm. He noted that a handful of Council members and some restaurateurs were reasonably concerned about the impact on existing restaurants; however, it was believed that they had not maxed out the number of people who could come outside in downtown Wilmington. He advised that plenty of people do not come outside for lunch and there was a desire to increase that population. Mr. Sophrin indicated that for the last year and a half there had been a very successful show of people, not just on Market Street but also in Rodney Square, and the food trucks, smells, sounds, and music had provided an atmosphere of positivity. He stated that this had been a place-making undertaking which had been very effective.

Mr. Sudler asked what the concerns were from existing restaurants downtown and the pros and cons. In response, Mr. Sophrin stated that the majority of those who came out were in favor of food trucks, although two (2) or three (3) were concerned that the trucks could take business away. He explained that a fair amount of research had been done on this topic and the City of Wilmington gently pushed back on the idea that this was a zero sum game and that any additional eatery that appears would mean less consumers for existing restaurants. Mr. Sophrin reiterated that there are a large number of people in Wilmington who do not come out of their buildings for lunch, and it was believed that getting them outside, especially those who had worked there for 10 or 20 years, would allow them to see other existing restaurants and the increased exposure would be good for all. He noted that, after two (2) years, the restaurants that raised these reasonable concerns were still in business. Mr. Sophrin indicated that, to his knowledge, the food trucks had not shut any other businesses down but had brought very large numbers of people out of the buildings. He explained that it is more than just an eating experience as there is music, and a very positive atmosphere is created out of what can be neutral or even negative space in a city.

Responding to Mr. Polce, Mr. Sophrin stated that the legislation for Wilmington's food truck program was from the fall of 2015 and there was a one-year pilot program with a sunset provision. He advised that the sponsor of the legislation revisited it at the end of the year and removed the sunset provision, making it effectively permanent. Mr. Sophrin informed members that the same sponsor has some interest in exploring whether food trucks can go to other parts of Wilmington as well; however, the physical spots where they had put signs were currently just downtown.

In response to Mr. Polce, Mr. Sophrin indicated that Wilmington has quantitative metrics regarding the program, noting that they use a for-profit vendor that created a business model. He stated that the food trucks had suggested a vendor called LotMom and parties can sign up once and then reserve spots. Mr. Sophrin noted that more cities are looking to bring food trucks in but do not want to get involved in the day-to-day scheduling or field dozens of phone calls with food trucks that may be vying over one spot or another. Mr. Sophrin advised that the City, district, or vendor can put forth any restrictions they want, such as only allowing trucks to pick a spot once per week, not allowing

them to pick two (2) days in a row, or not allowing them to reserve more than three (3) days. He indicated that the vendor can easily pump out metrics that will indicate which spots have worked and those in which there is no interest, noting that Wilmington had pulled spots off the street in reaction to those metrics.

Mr. Anderson asked if locations close to the industrial areas may be opened to food trucks after the pilot program. He noted that factory shift workers, such as those at Edgewell or General Foods, have a greater challenge in getting lunch. Responding, Mr. Hudson advised that the pilot program was designed to see how things would work. He stated his understanding that there are currently food trucks at the Silver Lake complex and by the courthouse. Mr. Hudson stated the desire to concentrate on the proposed area but anticipated that the program could end up being much larger.

Mr. Cole asked if there is a concerted effort to get the information out to specific buildings, noting that there are 300 or 400 people in some of the buildings who never leave. He stated that he was supportive of the proposal but asked if January 15, 2018 to February 15, 2018 was the best time for the 30-day trial. In response, Mr. Hudson stated that he had not felt comfortable advertising the program until he knew that Council would allow it to happen. He explained that he lives in Wilmington and their program is very successful. Mr. Hudson indicated that he sees people daily at food trucks, even outside Wilmington city limits going toward New Castle, regardless of snow or rain, noting that people have to eat regardless of the weather. Mr. Hudson advised that, in talking with food truck operators, business may taper off a bit but many have large followings, and he did not anticipate weather being a problem.

Responding to Mr. Slavin, Mr. Hudson stated that he had not communicated the City's interest in the food truck pilot program to the owners of existing restaurants in the downtown area that may be impacted. Mr. Slavin advised that it would be very important to do this because there will likely be a negative reaction when they hear about it for the first time when reading the newspaper. He also noted that Mr. Hudson was proposing to start the program on Martin Luther King Day, which is a State holiday, and suggested adjusting that date. Mr. Slavin asked that Mr. Hudson reach out to the Downtown Dover Partnership (DDP) to see if they are doing a First Friday event in February and suggested extending the time to include the hours around that First Friday event. He noted that food truck vendors are typically brought in for First Friday and suggested that Mr. Hudson work with the DDP.

Mr. Sudler stated, in view of the concerns regarding Martin Luther King Day as well as getting information out to existing restaurants and receiving feedback from them, that he would like to see the program approved for 90 days, rather than 30 days.

Mr. Sudler moved to recommend approval of the Food Truck Pilot Program for 90 business days. The motion was seconded by Mr. Anderson and unanimously carried.

Mr. Lindell asked if the effective start date could be delayed and set once the downtown restaurants are notified. Responding, Mr. Slavin stated that members could ask Mr. Hudson to advise members of the start date once everyone is notified, and Mr. Hudson stated that he would do so. He indicated that he had not pulled the dates out of a hat but was waiting for the program to be approved at the

next Regular Council Meeting in January. Mr. Hudson explained that he had wanted to talk to restaurateurs; however, he had felt that it would be putting the cart before the horse to do so before obtaining approval.

Proposed Ordinance #2017-16 - Amending Appendix B - Zoning, Article 3 - District Regulations, Section 28 - Traditional Neighborhood Design Zone (TND), Subsection 28.52 - Neighborhood Commercial District (Fuel Pumps)

Mr. David Hugg, Director of Planning and Community Development, reminded members that there are at least two (2) ways that text amendments to the zoning ordinance come before Council. He explained that typically staff works with the Planning Commission and others to draft an ordinance and requests to bring it forward for introduction and referral; however, he noted that the Code also provides a mechanism whereby three (3) or more Council members can request that a matter be brought forward through sponsorship. Mr. Hugg advised members that Proposed Ordinance #2017-16 would change the text of the Code as it relates to neighborhood commercial districts within the Traditional Neighborhood Design Zone (TND). He stated that the TND was essentially the Eden Hill Farm and the properties that are south of North Street and east of the new connector road.

Mr. Hugg noted that Proposed Ordinance #2017-16 was not a Planning staff recommendation but advised that there were representatives present from Pettinaro Company, the developer of this Neighborhood Commercial District. He asked if these representatives wanted to make any comments before he deferred to the members of Council who had asked for the Proposed Ordinance to be introduced. Mr. Hugg advised that if the Committee is agreeable tonight, the Proposed Ordinance would be presented to Council during their meeting of January 8, 2018, for a First Reading and referral to the Planning Commission. He noted that the rest of the process would follow as normally set forth.

Mr. John Paradee, speaking on behalf of Pettinaro Company, advised that the actual name of the developer of the Eden Hill property was Eden Hill, LLC. He stated that it was his belief that this was the only property in Dover that is a TND District. Mr. Paradee reminded members that the ordinance was written for this property and was a novel concept at the time. He advised that he had been involved in helping to draft that ordinance and, as is typically the case as development occurs, things happen that are not necessarily contemplated at the time an ordinance is drafted. Mr. Paradee noted that this was such a case. He explained that the ordinance allows convenience retail stores as a use in the Neighborhood Commercial District and does not specifically prohibit gas pumps for convenience retail, but it does appear to prohibit gasoline filling stations for service establishments. Mr. Paradee stated that as his client has proceeded to develop this property, both with residential and commercial uses, they have been approached by a number of potential tenants who have questions about whether or not uses would be possible. Noting that one of the potential tenants was Wawa, he indicated that if the Proposed Ordinance is successful, the developer would be coming to the City with a site plan for a proposed Wawa.

Mr. Paradee explained that Wawa approached them because they believed, and the developer agrees, that this would be an ideal location for a Wawa. He stated that the problem is, as members may know, that most of the convenience stores in the country simply will not build a new location

without gas pumps because their business model is gasoline, coffee, milk, bread, and cigarettes. Mr. Paradee noted that those are the things that people are looking for when they pull into a convenience store and without the gas pumps, it simply does not work. He reminded members that there is already a Royal Farms directly across the street from the site where they would propose to place the Wawa in this district. Mr. Paradee stated that they believe that the use would not be in conflict with the spirit of the TND but that it would be consistent and very much supported and appreciated by the other occupants in the District, both commercial and residential. He stated that they thought it would be very successful.

Mr. Paradee advised members that when he had initially approached Mr. Hugg about this idea, Mr. Hugg had suggested that if the Code was amended to allow fuel pumps in the TND, it be made a conditional use. He explained that this would allow the Planning Commission and the Council to impose conditions designed to tailor the use for the particular circumstances of the property around it and ensure that, in fact, the spirit of the TND is observed. Mr. Paradee stated that he thought that this suggestion made a great deal of sense in this context because obviously, he and his clients want to make sure that the TND is something that everyone can be proud of and that nothing is placed in the district that would be inappropriate for any reason. He explained that the Proposed Ordinance would allow fuel pumps as a conditional use in the Neighborhood Commercial District.

Mr. Polce stated that he was in support of the Proposed Ordinance since it is a straightforward matter of fact and something that is good. He noted that this would be an economic and job developer. Mr. Polce noted that although these would be jobs earning minimum wage, they would still be jobs. He advised that there was a safeguard with the conditional use language within the Ordinance and asked his colleagues to support it as written.

Mr. Sudler moved to recommend adoption of Proposed Ordinance #2017-16, seconded by Mr. Cole and unanimously carried.

Recommended Procedure for Requesting a Legal Opinion

During their Regular Meeting of November 13, 2017, members of City Council approved the Council Committee of the Whole/Legislative, Finance, and Administration Committee's recommendation that the City Clerk's Office develop a recommended procedure for requesting legal opinions.

Mrs. Traci McDowell, City Clerk, informed members that the recommended Procedure for Requesting a Legal Opinion sets out how appointees would go about obtaining a legal opinion or legal advice and is, for the most part, what is currently followed. She noted that she had reviewed the policy with Mrs. Donna Mitchell, City Manager. Mrs. McDowell explained that requests from the department heads who report to Mrs. Mitchell would go through Mrs. Mitchell and then through Mrs. McDowell to make sure that there is not an existing opinion, and the legal information that Mrs. Mitchell receives back would come to the City Clerk's Office for their permanent records.

Mrs. McDowell advised that Mr. Lindell had suggested that Council members obtain the concurrence of three (3) members to request a legal opinion or the item would be placed on an agenda. She noted that this is similar to the current procedure used for agenda items that will take

a lot of staff time. Mrs. McDowell advised that Mr. William Pepper, Deputy City Solicitor, had advised that he had not worked with any municipalities that have a good policy in place.

Staff recommended adoption of the Procedure for Requesting a Legal Opinion.

Mr. Sudler moved to recommend adoption of the Procedure for Requesting a Legal Opinion, as recommended by staff. The motion was seconded by Mr. Neil and unanimously carried.

Recommended Procedure for Requesting an Excused Absence

During their Regular Meeting of November 13, 2017, members of City Council approved the Council Committee of the Whole/Legislative, Finance, and Administration Committee's recommendation that the City Clerk's Office develop a procedure for Council members to request being excused for absences, with the level of specificity to be determined by the person requesting it, and that members' requests be placed on the consent agenda for the next meeting so that an action of Council grants the excuse.

Mr. Slavin explained that, although the Charter has provisions for unexcused absences, there is no procedure for notification of an excused absence.

Mrs. Traci McDowell, City Clerk, stated that she had researched codes across the country and found that many places have provisions for prior notification of excused absences. She indicated that there had previously been discussion regarding placing every absence on a consent agenda to be voted on; however, she thought that the recommended procedure would be a good time saver and cover the absences that typically occur. Mrs. McDowell explained that absences that do not fall within the seven (7) excused absences listed in the recommended procedure would be placed on a Council agenda. She advised that the procedure references the section of the Charter that states that a member's seat is declared forfeited if they fail to attend three (3) meetings and are unexcused.

Staff recommended adoption of the Procedure for Requesting an Excused Absence.

Mr. Neil moved to recommend adoption of the Procedure for Requesting an Excused Absence, seconded by Mr. Shevock.

Responding to Mr. Anderson, Mrs. McDowell stated that the proposed procedure related to excused absences for those meetings that are recognized in the Charter as Regular Council Meetings. Mr. Slavin noted that those are the only meetings that members have to be concerned about.

In response to Mr. Lewis, Mr. Slavin stated that absences for military personnel were spelled out in the procedure under item #6.

The motion to recommend adoption of the Procedure for Requesting an Excused Absence was unanimously carried.

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

Meeting adjourned at 6:40 p.m.

PARKS, RECREATION, AND COMMUNITY ENHANCEMENT COMMITTEE

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

AGENDA ADDITIONS/DELETIONS

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

Community Development Block Grant (CDBG) Program Administration Funding for Assessment of Fair Housing (AFH) Plan

Mrs. Tracey Harvey, Planner I, informed members that, in accordance with the applicable statutes and the regulations governing the Consolidated Plan regulations, the City is required to affirmatively further fair housing and required to submit an Assessment of Fair Housing (AFH) under the requirements of 24 CFR §5.150 through 5.180. She stated that the Department of Housing and Urban Development (HUD) has adopted an assessment tool that encourages jurisdictions and public housing authorities to collaborate regionally and enables collaborators to select a lead entity and submit the AFH according to the entity's schedule.

Mrs. Harvey advised that an AFH is due to be submitted to HUD on or before October 5, 2019 and Delaware State Housing Authority (DSHA) has agreed to be the lead entity of the Consortium. She noted that, once the Memorandum of Understanding (MOU) has been executed by all parties, a Request for Proposals (RFP) to obtain a consultant to develop a regional AFH and develop a coordinated regional response to affirmatively further fair housing in each individual jurisdiction and across the region will be implemented.

Mrs. Harvey advised that the estimated cost of the AFH is approximately \$150,000 and DSHA has requested the City to provide financial support in the amount of \$5,000 since the City is a small entitlement community. She noted that the funds for this project will come from CDBG program income received in October 2017 for \$4,000 from the sales proceeds of a property that received settlement assistance from the First-time Homebuyers Program, and \$1,000 will come from the remaining balance of the FY 16 Program Administration line item of \$13,861. Mrs. Harvey stated that no funds will be needed from the FY 17 Program Administration line item.

Staff recommended approval of the funding set-aside for Assessment of Fair Housing (AFH).

Responding to Mr. Sudler, Mrs. Harvey stated that the DSHA was requesting the City to provide financial support in the amount of \$5,000 for an AFH plan. She explained that in 2011 the City was required to do an analysis of impediments, and HUD had now mandated that the City do an AFH as part of the City's requirement to affirmatively further fair housing. Mrs. Harvey advised that part of the AFH would be for the City of Dover but there would be a State-wide assessment as well.

Mr. Sudler asked if DSHA, as a federal and State program, had funding to cover the \$5,000 cost. In response, Mrs. Harvey stated that the total cost of the plan would be \$150,000 and DSHA would be picking up the bulk of the cost. Mr. Sudler asked if they had justified why they needed the City to pay \$5,000. Responding, Mrs. Harvey explained that the City is required to implement this plan and if the City did so itself, it would have to pay \$150,000. She noted that \$5,000 would be cheap compared to \$150,000.

Mr. Anderson moved to recommend approval of the funding set-aside for Assessment of Fair Housing (AFH), as recommended by staff. The motion was seconded by Mr. Neil and unanimously carried.

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

Mrs. Tracey Harvey, Planner I, reviewed the Community Development Block Grant (CDBG) Program Semi-Annual Report.

Mr. Anderson indicated that approximately \$30,000 was allocated for CDBG last year and that \$5,000 had just been allowed. He asked if the rest of the unspent funds were obligated or would be rolled over into the new year. Responding, Mrs. Harvey explained that these funds would roll over into the new year. Mr. Anderson asked if there were issues that prevented the funds from being spent as originally allocated. Responding, Mrs. Harvey stated that the Homeowner Rehabilitation Program was the only thing that rolled over from the previous year due to a lack of people in the City of Dover trying to find eligible properties to rehabilitate. She noted that these properties must be owner occupied and insurance requirements must also be met.

Mr. Anderson asked if staff, in planning the new items, was taking into account the Mayor's Blue Ribbon Panel on Homelessness and how the Panel may affect how CDBG funds are allocated. In response, Mrs. Harvey explained that the City had used 15% of its funding to satisfy the needs of the homeless for the past 10 years. She noted that shelters are a public service activity, and only 15% of the City's allocation can be provided to public service activities. Mr. Anderson stated that some of the Panel's recommendations fall into other categories and asked if Mrs. Harvey had reviewed their recommendations. In response, Mrs. Harvey stated that, at this point, all CDBG funds had been obligated into 2019 because the grants are multi-year. She indicated that she would not be able to reallocate funding to any activities in addition to what the City currently has.

Mr. Polce asked if Mrs. Harvey, as the administrator of the grants, provides technical assistance to any of the organizations with seeking out further grant opportunities. Responding, Mrs. Harvey explained that most of the grantees receive other grant funds and federal assistance from other entities. She stated that she does not provide technical assistance in providing other grants but just monitors sub-recipients.

Mr. Polce asked if, looking forward into 2019, Mrs. Harvey, as the administrator, was working in conjunction with the Housing Alliance of Delaware or other State-wide integrated systems to look at some of the strategic points that the City was hoping to move the needle on. Responding, Mrs. Harvey stated that she is a member of the Homeless Planning Council and other activities are being sought for future funding.

Mr. Polce asked if there is public comment regarding Mrs. Harvey's engagement efforts regarding where dollars are being allocated. In response, Mrs. Harvey explained that there is a public hearing every five (5) years when the application process is opened up. She noted that the public is engaged and welcomed to comment and decide on the activities that they want to be funded. Mr. Anderson advised that the funds are vetted through the Parks, Recreation, and Community Engagement Committee, which sets the priorities in conjunction with Mrs. Harvey. He indicated that there is an entire process that is voted upon and approved by City Council.

Mr. Anderson stated that the City has a new opportunity in regard to a grant finder program through its National League of Cities (NLC) membership. He explained that this relatively new complete software database of around 8,000 grants is free for current members. Mr. Anderson advised that he wanted Mrs. Harvey to be aware that this database exists and is available to the City.

Mr. Sudler thanked Mrs. Harvey for her rigorous overview.

Review of Active Recreation Area Plan (Request for Cash-in-Lieu) - Multiplex at 299 College Road (Planning Reference: S-17-28)

Mr. David Hugg, Director of Planning and Community Development, advised that Article V, Section 10 of the Zoning Ordinance sets forth a number of requirements for the dedication of open space recreation area and other public facilities for new developments. He noted that it also recognizes that there are situations where either the configuration of the land, some other restriction, or just the size of the property makes it difficult or impossible for actual land area to be set aside. Mr. Hugg indicated that this typically relates to properties of less than five (5) acres or less than 10 dwelling units, although there are some cases where that number may be slightly higher.

Mr. Hugg stated that the property at 299 College Road, which is approximately 0.4 acres, is being developed as a multiplex with three (3) dwelling units, and there is no room available to provide any usable or active recreation. He noted that Article V, Section 10 allows for a payment in lieu of park land in that context and sets forth the procedure. Mr. Hugg stated that the applicant has to have a certified appraiser do an appraisal of the property and the fee is assessed at 10% of the appraised amount. He indicated that the property had been appraised by Masten Realty LLC for \$40,000.

Staff recommended acceptance of the \$4,000 cash-in-lieu of recreation area construction donation, as the amount complies with the requirements of the Zoning Ordinance.

Mr. Hugg stated that the Planning Commission concurred with staff's recommendation.

Responding to Mr. Anderson, Mr. Hugg stated that the money would go into the Parkland Reserve Fund and would be available for park development, park maintenance, or other park-related activities throughout the City.

In response to Mr. Neil, Mr. Hugg stated that there were nearby recreational activities for the occupants of the homes which would be convenient for them to access.

Mr. Neil moved to recommend acceptance of the \$4,000 cash-in-lieu of recreation area construction donation, as the amount complies with the requirements of the Zoning Ordinance, as recommended by staff. The motion was seconded by Mr. Lindell.

Mr. Slavin asked Mr. Hugg to keep an eye on this issue. He stated the desire to be flexible and use cash-in-lieu as a tool but not for people to be able to buy their way out of commitments that the City had worked very hard to plan for the community. Mr. Hugg stated that he agreed and reiterated that the provisions of Section 10 require an open space commitment above five (5) acres or a certain number of housing units. He noted that anything beyond that would be a significant deviance from the requirements and there would have to be an unusual hardship. Mr. Slavin noted that this could be a slippery slope and Mr. Sudler echoed this concern.

The motion to recommend acceptance of the \$4,000 cash-in-lieu of recreation area construction donation, as the amount complies with the requirements of the Zoning Ordinance, as recommended by staff, was unanimously carried.

Proposed Land Swap - City of Dover and Capitol Baptist Church/Mayfair Park - Application for Approval from National Parks Service

During their Regular Meeting of January 9, 2017, members of City Council approved the Council Committee of the Whole/Parks, Recreation, and Community Enhancement Committee's recommendation to move ahead with the process using Option 1, that staff come back to the Committee with details at a later meeting, and that any expenses shall be incurred by the church.

Mr. David Hugg, Director of Planning and Community Development, advised members that, because federal funds were used to acquire the property, approval from the National Park Service (NPS) is required, and the Department of Natural Resources and Environmental Control (DNREC)/Division of Parks and Recreation will file the application on behalf of the City. Federal regulations require that the City of Dover, as the applicant, provide an opportunity for public comment prior to submission of the application to the NPS. No action is required other than providing for public comment. The actual land swap and an associated matter relating to reconstruction of the playground will be brought back to Council for final approval once the NPS approval is received.

Mr. Hugg, referring to the Action Form dated December 1, 2017, noted that the reference to the Parks, Recreation, and Community Enhancement Committee meeting of December 13, 2017 was incorrect and that the correct date was December 13, 2016.

Mr. Hugg stated that the land swap process had been outlined through a number of discussions with the Capitol Baptist Church and DNREC. He reminded members that the land was acquired in

approximately 1988 with the Federal Land and Water Conservation Fund but the playground was subsequently developed with State open space funds. Mr. Hugg advised that, before the City can complete the land swap, the federal government must be satisfied that the land being exchanged is of equal value and that the recreation needs will be equally met, if not enhanced.

Mr. Hugg indicated that there had been a meeting with DNREC two (2) weeks ago and staff had gone through the NPS application process to get them to agree to the land swap. He stated that he believed that the City's actions in December 2016 and January 2017 had probably satisfied the requirement for public comment; however, it was suggested that the Parks, Recreation, and Community Enhancement Committee be asked to open this matter to the public, not in the form of a hearing but just for public comment, to go along with the application. Mr. Hugg asked that public comment be invited on this matter and stated that staff would then move the application forward.

Reverend Terry Moore, 637 Carol Street, Pastor, Capitol Baptist Church, explained that they had gone through the surrounding community and gotten a petition of many names of those who were okay with the land swap and the petition would be submitted with the application. He stated that, in talking to the people in the surrounding area, they were aware of no resistance to the land swap, other than perhaps one (1) person who had been at a previous meeting at City Hall.

Responding to Mr. Sudler, Reverend Moore stated that they had not counted the number of petitioners; however, there were several pages of signatures from Dover residents and many in outlying areas.

Mr. Anderson stated that he was glad the process was moving forward and thought the swap would be beneficial. He requested a copy of the petition for the record, stating that it would help the public comment process, and Reverend Moore indicated that he would provide it. *(City Clerk's Office Note: Subsequent to the meeting, Reverend Moore provided the City Clerk's Office with a copy of the petition in support of the proposed Mayfair Park land swap between the City of Dover and Capitol Baptist Church (Attachment #1).)*

Mr. Neil stated his belief that there had been an open hearing at the time this matter was proposed and that some people had objected; however, the majority approved of the land swap. He indicated that he was very comfortable with approval of the swap.

Mr. Lewis attested to Mr. Neil's comment and noted that he and Mr. Hare had been present at a community meeting where many of the concerns of the Mayfair community were addressed. He indicated that this issue was nothing new and he supported the swap.

Mr. Hugg advised that the next step would be to submit the application to the NPS through DNREC before the end of the month. He explained that the current discussion was out of abundance of caution to avoid someone coming back and saying that there had not been a public meeting. Mr. Hugg indicated that the City had provided more than adequate opportunity and this would initiate the review, and hopefully the approval, of the land swap. He stated that in January there would be a need to approach Senator Bushweller, Representative Lynn, or someone else to introduce this matter into the General Assembly on behalf of the City to allow the exchange of the

playgrounds, because they were funded by State funds. He advised that when that is complete, the matter can be brought to a close. Mr. Hugg noted that the process was complicated because of the federal funds involved.

Responding to Mr. Anderson, Mr. Hugg indicated that the park is in Representative Bennett's district and that this may be the right way to go. He reiterated that, on behalf of the City, there must be legislative action that states, "We concur with the exchange of property and the swapping of playgrounds." He advised that this is a fairly simple legislative action that is required under State law.

Status Report - Request for Dog Park and Passive Playground - Acorn Farms

During their Regular Meeting of September 25, 2017, members of City Council approved the Council Committee of the Whole/Parks, Recreation, and Community Enhancement Committee's recommendation to accept the petition and letter submitted by Ms. Mahala Duffy requesting a dog park and passive playground in Acorn Farms, and referred the matter to Mr. David Hugg.

Mr. David Hugg, Director of Planning and Community Development, advised that when this item was previously considered, he was also serving as the Parks and Recreation Director. Referring to his memorandum dated November 16, 2017, he provided an analysis of the proposal relating to a dog park at Acorn Farms. Mr. Hugg noted that dog parks had become of some interest in a variety of communities and there are only a couple that have fully developed dog parks, which typically have fencing to separate large and small dogs, facilities for water, benches, shade, etc., and are not just open grass areas where dogs can run. He advised that a little over an acre was set aside when Acorn Farms was developed in 1992 and noted that this property is a wedge-shaped parcel. Mr. Hugg stated that, after talking to a number of people in places like Milford and Newark and doing web research, the concern that became readily apparent was that parcels that are immediately surrounded by residential homes in close proximity tend not to be favorable to the long-term operation of a dog park. He indicated that the Acorn Farms property is on Acadia Street, has only one (1) access, and there are 14 homes that have immediate contact with the park.

Mr. Hugg stated that he was not saying that dog parks are not a desirable activity to be looked at as part of recreation planning in the City, but the staff recommendation was that this is probably not the appropriate place to develop this kind of facility. He advised that there was a recent article in the *Delaware State News* about a dog park on city-owned land in Little Creek that is bigger than the Acorn Farms property and has a separate fenced area. Mr. Hugg informed members that it cost about \$35,000 and a lot of free labor to develop the facility in Little Creek. He explained that the key difference is that it is not immediately adjacent to residential districts where the activities could constitute a nuisance.

Staff recommended not proceeding with the dog park at Acorn Farms.

Ms. Mahala Duffy, 104 Teak Court, stated that she is one of the residents that would be affected. She reminded members that people from at least 12 of the 14 properties around this area signed a petition that they agreed with having the dog park. Ms. Duffy advised that the idea for the dog park came from the community and the whole point was to bring the community together. She stated that

Acorn Farms is a small community, Lexington Glen had just been built behind them, and there are other communities adjacent to them.

Ms. Duffy explained that the dog park was not to be like Tidbury Park but something for the people in surrounding communities to establish morale. She advised that this is an established community, they had swapped out the land in 1992, and she had been living there for 15 plus years. Ms. Duffy indicated that there are other opportunities to recoup some of the costs even if they utilize people in the surrounding areas as members to help create it. She stated that this would be a members-only type park where people would have to register and a fee would be assessed for having a dog registered to this area.

Ms. Duffy advised that there had been mention of going to other places as far as Schutte Park and Dover Park, but those are large areas and this is a smaller, intimate area. She stated that she agreed with having a fenced-in area so that both smaller and larger dogs in the area would be able to play. Ms. Duffy explained that this community has a bunch of dogs and everybody was stating that they were tired of going to Tidbury or just walking around the neighborhood. She indicated that the community came together and agreed on the dog park, noting that there were 84 houses in the area, if she was not mistaken, and she had over 50 signatures from those in the community who agreed to have this park. Ms. Duffy noted that all dog parks are man-made, so of course everything is not already set and adjustments would have to be made in order to make this dog park successful. She advised that, in their community alone, they have medical personnel, City and State employees, retirees, veterans, teachers, and other respected members of the community. Ms. Duffy indicated that everybody who comes to the dog park and owners would be responsible for their dogs, just like anywhere else. She stated that this matter should be readdressed because she thought it was being looked at as if it were the Dover City Dog Park and noted that it is more or less a branching of the communities in the area. Ms. Duffy advised that Mapleton Square has a dog park that is only about 50 square feet. She explained that they were not looking to fill up the entire space with a dog park and it would be good for the community.

Responding to Mr. Lewis, Ms. Duffy indicated that the community has a homeowners' association. Mr. Lewis asked if the association would be looking to fund this dog park. In response, Ms. Duffy stated that she would have to discuss this with them, noting that she did not see that they could not work together to make something happen.

Mr. Lewis stated that he thought dog parks are good ideas in communities. He noted that there are sanitation issues and asked what kind of liabilities would come with a dog park. Responding, Mr. Hugg advised that all dogs under the control of their owners are currently allowed in almost all City park areas. He noted that he could walk his dog at Schutte Park, except on the softball fields and a couple of other restricted areas, as long as the dog is either under his control or on a leash. Mr. Hugg indicated that whatever liability extends beyond that is the same as what exists in a dog park. He explained that someone currently could and may walk their dog on this particular property as long as it is properly controlled or leashed. Mr. Hugg stated that the liability from the City's standpoint is really no different from what the City already permits. He advised that there would potentially be personal liability if his dog bit another dog, but this does not involve the City directly.

Mr. Anderson stated that he liked the idea and that the County currently has some money in their park funds. Responding to Mr. Anderson, Ms. Duffy stated that she had not approached Kent County Levy Court Commissioner Allen Angel, who is in that area, or any other commissioners; however, she could look into this or get her HOA to do so.

In response to Mr. Anderson, Ms. Duffy stated that she would be open to members tabling this matter until she can do background checks and bring back more information.

Mr. Lindell stated that he applauded the effort of the community in trying to create a park and some positivity and to unify the general area. Referring to Mr. Sudler's review of all the parks and their condition, Mr. Lindell expressed concern that members would be adding an additional responsibility when they had not addressed the core issues in the City's current parks.

Mr. Neil stated that he would like to see what Ms. Duffy is bringing to the table. He noted that there had been discussion about fencing, care within the park, and opening up the park for the use of other areas. Mr. Neil indicated that the community should be taking responsibility in this and relieving the pressure from the City. He noted that, as Mr. Lindell had stated, members are looking at everything that is going on and he was unsure if the City was ready for the dog park yet. Mr. Neil advised that he was not saying no but was saying not now.

Mr. Slavin expressed his understanding that this piece of land is owned by the City primarily for open space and it would not be programmed into active recreation, noting that it has egress issues related to parking and other things. He advised that if a City dog park is created on the parcel, anyone from the City could park in this neighborhood, which would create problems. Mr. Slavin asked if the City could lease the land to the HOA for the purposes of their establishing a dog park and help them with the one-time fit-out costs. He suggested that they could operate it as an HOA function, and if they cease to do that it would just become open space again for the City.

Mr. Hugg stated that he did not know of any limitation or restriction to Mr. Slavin's suggestion. He advised that from time to time parcels or parts of parcels, at Schutte Park for example, had been leased to recreation organizations to run programs and did not think there was any reason that this could not happen. Mr. Hugg noted that he had not been able to find any restrictions in the subdivision or site plan accompanying this property, explaining that the documents only stated that this piece of property would be set aside for City park and recreation, and the other small wedges of property in the community would be the responsibility of the homeowners' association.

Mr. Slavin noted that the City would not be vacating its obligation regarding the property but would simply be partnering with the HOA. Mr. Hugg advised that appropriate safeguards regarding hours of operation and other potential concerns could be added if the City chose to do this. Mr. Slavin stated that if the property was leased as an HOA function, the HOA could limit who uses it without snagging City issues, and Mr. Hugg concurred.

Mr. Anderson stated that he thought there had been some great suggestions and wanted everyone to have a chance to consider them.

Mr. Anderson moved to lay this issue on the table, seconded by Mr. Neil.

Mr. Sudler stated that he thought that membership and seeing if the HOA would be willing to proceed as Mr. Slavin suggested were good ideas. He indicated that he thought membership would address issues of parking and people coming from other areas and make the area more private.

The motion to lay this issue on the table was unanimously carried.

Discussion of the Definition and Permissibility of Rooming Houses/Boarding Houses in the Zoning Ordinance

Mr. David Hugg, Director of Planning and Community Development, advised members that Mr. Sudler had requested a discussion on the issues of rooming houses and storage of personal items related to the homeless. He noted that he chairs one of the working committees of the Mayor's Blue Ribbon Panel on Homelessness and was looking at these issues from the standpoint of how to provide things that could be done quickly and would make the lives of the homeless much more pleasant.

Mr. Hugg indicated that, a number of years ago, the Zoning Ordinance in the City Code had provisions for rooming houses within the definition of all of the residential zoning districts. He stated that he was informed that most of those provisions were deleted or extracted from the Zoning Ordinance as a result of issues that the City was having with student housing. Mr. Hugg explained that the current language allows rooming houses in the RM-1 and RM-2 zoning districts. He advised that there is not a specific definition of a rooming house and the language suggests that it is a place where up to five (5) people have a room. Mr. Hugg stated that this is interesting because the definition of family in the Zoning Ordinance is five (5) unrelated people living together in a single-family dwelling and he was unsure of the distinction between this and the definition of rooming house. He indicated that if they did not want to call a situation a rooming house, a group of people living in an RM-1 or RM-2 district could call themselves a family of five (5) and essentially operate as if they were a rooming house. Mr. Hugg stated that the Zoning Ordinance states that in the RM-1 zone "no building or premises shall be used, and no building or part of a building shall be erected, which is arranged, intended or designed to be used, in whole or in part, for any purposes, except the following: (a) Any use permitted in one-family residence zones; (b) One-family lot-line dwellings, not to exceed one such dwelling per lot; (c) Duplex dwellings; (d) Multiplex dwellings; (e) Townhouses; (f) Roominghouses accommodating not more than five roomers." He indicated that the uses for the RM-2 zone are the same but include garden apartments.

Mr. Hugg stated that he had looked at a couple of other zoning ordinances in other communities and did not find anything that was on point. He indicated that Newark is very complicated because of all of the student and fraternity housing, etc., that make it much more cumbersome. Mr. Hugg advised that the National Fire Prevention Code states that a rooming house "is a building or portion thereof that does not qualify as a one- or two-family dwelling but that provides sleeping accommodations for a total of 16 or fewer people on a transient or permanent basis without personal care services, with or without meals, but without separate cooking facilities for individual occupants." He noted that the term "rooming house" is often used interchangeably with the term "boarding house" and with the term "SRO" or "single room occupancy." Mr. Hugg advised that

SRO's are very common in larger urban areas and are typically old hotels, apartment buildings, or things of that nature where a large number of people rent a room often on a weekly basis. He explained that they share common bathrooms and typically do not have any kind of cooking facilities available to them. Mr. Hugg indicated that the only distinction that he was able to find is that, where the term boarding house appears in zoning ordinances as compared to rooming house, a boarding house typically provides some kind of meals or communal kitchen. He stated that rent for rooming houses is paid either daily or weekly and they are very much transient housing. Mr. Hugg noted that the only distinction he found for boarding houses is that they typically have some kind of management, such as a resident manager, or one of the residents serving as the "house mother" or "house father," which was not typically the case in the rooming houses he had looked at.

Mr. Hugg stated that 100 years ago the rooming house was where young singles, people with limited incomes, and immigrants lived. He advised that a century ago a housing type called a rooming house or boarding house was a sustainable, ordinary part of most communities, particularly larger communities. Mr. Hugg noted that his grandmother lived in a rooming house when she went to what became Goldey-Beacom College 100 years ago, and this was not an unusual kind of housing but is just not prevalent today. He stated that he suspected that the question had arisen in regard to whether the rooming house or boarding house notion is an option for addressing the current homeless situation.

Mr. Hugg explained that the current ordinance does not help a lot because it has the same "five (5) or less" provision in it, and he had not found a good example anywhere. He stated that he read one (1) ordinance where rooming houses were required to have a resident manager and they had to have a fairly specific set of rules; however, he did not get into the logistics of how to accomplish this.

Mr. Sudler stated that, as a co-sponsor of placing this discussion on the agenda, he thought that rooming or boarding houses would be a good way to offset the cost of at least \$750 to \$850 for a one-bedroom unit, which the homeless cannot afford. He noted that most individuals who are homeless, or disabled and homeless, receive checks for \$750 if they are partially disabled or \$900 if they are fully disabled. Mr. Sudler explained that he is a rental sales professional for seniors, the handicapped, and veterans, and had been in this position for over 16 years. He indicated that he thought this would be a good component to try to offset the cost and provide immediate housing relief for the homeless as it could be doable and would not cost the taxpayers an excessive amount of financial hardship. Mr. Sudler stated that members had recently been discussing land banks; however, rooming or boarding houses could provide immediate relief rather than relying on implementing a program that may cost money and this was a good opportunity to explore.

Mr. Slavin advised that he had some concerns, some of which dated back to two (2) other times during his tenure when this subject was brought before Council, as long as 13 years ago. He explained that the first time there was an effort to open up the Code to allow for boarding houses around Wesley College's campus. Mr. Slavin advised that this met with widespread opposition because people were worried that it was something that could not be contained to a certain area of the City and that the numbers could not be contained well enough. He stated that the second time related to the longstanding issues that took 10 years to resolve on New Street with the House of

Pride. Mr. Slavin informed members that the House of Pride ran rooming houses and rented them out on a room-by-room basis to individuals, which led to a series of problems there, and noted that he would not want the City to go back down that path. He asked that any discussion of this matter be aligned with the thinking in the community about the rapid rehousing of homeless. Mr. Slavin advised that he did not believe that warehousing the homeless is solving the problem of homelessness. He noted that giving them a place to sleep is a noble effort, but a room without one's own bathroom or kitchen is not the kind of home the City is trying to get people into.

Mr. Hugg stated that a discussion had come up in the Mayor's Blue Ribbon Panel on Homelessness which was not aimed so much at those who are thought of as homeless but at the relatively large population of people who cannot afford housing. He noted that Mr. Sudler had mentioned that many of the people who find themselves in limiting circumstances could afford \$200 or \$300 a month as part of a collective housing solution but cannot afford an apartment or housing of their own.

Mr. Hugg stated that he agreed with Mr. Slavin that this was probably a slippery slope. He noted that the Oxford House is the epitome of how a group home is run for up to 10 people; however, this was not really the model. He indicated that, unless there is strong management, even in rooming houses with five (5) and fewer people, there are problems. Mr. Hugg stated that if he owned a single-family house in Mayfair, he could put five (5) people in it, call it a family, and it would in essence be a rooming house. He noted that these residents would potentially have individual rooms, a shared bathroom, and some kitchen facilities. Mr. Hugg advised that this concern is there, even if the rooming house issue is not addressed. He stated that, fortunately, there had not been many problems; however, there are Code violations on a regular basis in rooming houses where four (4) or five (5) people are living together. Mr. Hugg indicated that he did not have a recommendation, explaining that staff had just started discussing this matter and trying to find an answer, and he was unsure whether there is one.

Mr. Anderson stated that he shared the concerns of Mr. Slavin, but also those of Mr. Sudler because the City had essentially interfered with the free market. He stated that this interference was costing people their lives, noting that people were dying on the streets, and it was not a theoretical issue. Mr. Anderson advised that he knows of people who are disabled and on three- or four-year waiting lists for subsidized housing. He indicated that it is essential to explore housing and, whether by reclaiming certain brownfield areas and looking at a planned neighborhood development of tiny houses or something like rooming or boarding houses, members must use a market-based solution because there are not enough taxpayer funds to solve the problem. Mr. Anderson stated the need for solutions where people can use their own money to take care of themselves.

Mr. Anderson stated that this topic should be explored; however, he wanted to see insistence on safety and fire codes, etc. He noted that if there are too many people and it is not managed, a problem could be created which could be damaging and affect the quality of neighborhood life, which he had seen up close where he lives and all around. Mr. Anderson indicated that he thought a balance could be reached and members must explore this because they cannot afford not to. He advised that there are many people who should not be struggling the way they are, many of whom are the hidden homeless who are currently overcrowded because they do not have this opportunity, and are living in tents in the City's woods and elsewhere. Mr. Anderson stated that he thought this

issue should be pursued in depth, taking into account safety, some of the other issues, and quality of life. He indicated that he thought that, with the public, members could reach a consensus.

Mr. Neil advised that members were discussing the total picture of housing in the state of Delaware, not just in Dover. He stated that the Housing Alliance produces figures each year about how much it costs to live in an apartment, etc. Mr. Neil indicated that people who own their own homes and live on leased land are now being purchased out by out-of-state companies because they are commodities and have low income, seniors in particular because they are a source of money and self-filling ATM machines. He stated that the headlines in the *News-Journal* the other day stated that the leased land community in Sussex is \$100 per month. Mr. Neil explained that Wild Meadows was purchased for \$16M, they want \$45 per month to live, and the seniors there own their own homes but are going to lose them and will not be able to pay. He advised that the same company that bought Wild Meadows purchased 786 homes in New Castle County in Murray Manor, which are old fashioned, trailer park type homes, yet they want \$35 per month. Mr. Neil noted that the total amount of money going out of the local economy from just these three (3) communities is nearly \$3M per year. He asked where these people would be put and noted that this is affecting everybody in the State, including those who have nice homes along State Street and are concerned about what is going to happen in their community when the City has rooming houses. Mr. Neil advised that the City has problems with people in apartment houses who are not controlled or taken out. He stated that he would like individual ownership which is why he supports Habitat for Humanity. Mr. Neil indicated that this affects the affordability of housing. He noted that when someone has to pay \$100 more just to keep their house and will be paying close to \$1,000 a month, this is a problem, because even people who are not being subsidized by the taxpayers are being affected by the cost of housing, which is going up.

Mr. Neil stated the need to be careful not to destroy neighborhoods, the value of homes, and the quality of life of the people by having rooming houses. He asked how the City was going to have fair housing, noting that members had discussed the \$5,000 funding for the Assessment of Fair Housing Plan earlier in the meeting. Mr. Neil advised that this is not an easy thing and would not be solved this evening, explaining that it would take serious thought and members would need to ensure that they do what they believe has to be done socially if they are going to put out places where rooming houses will be allowed. Mr. Neil noted that humanity says that this has to be done; however, there is a need to be careful regarding what is done and how it is done.

Mr. Sudler stated that he thought that the main concern was providing affordable housing for those who can only afford a certain amount rather than housing all the homeless. He noted that some residents own homes that have acres of woods behind them and his family, for example, had dealt with people walking in their woods the previous day looking to set up tents, gather metal, or go “junking” to get income. Mr. Sudler advised that this was becoming a very alarming concern, noting that there are tents and homeless people in the woods on State College Road past the bridge. He advised that if it is said “not here” and “not there,” eventually the homeless will be everywhere, noting that they are already in his backyard and will be in the backyards of others. Mr. Sudler indicated that, as local officials, members should do what is in their power and have the advantage of being able to set guidelines and put forth restrictions to help monitor and maintain order. He stated that this is the power that members had been given through the people that he thought they

sometimes fail to exercise, noting that he was not pointing the finger at anyone or saying they are right or wrong. Mr. Sudler asked that members take some time, as Mr. Neil suggested, to think about this, stating that it would not be resolved tonight but would eventually have to be resolved by current or future members who are elected. He noted that today helps to plan for tomorrow.

Mr. Sudler stated that he would like to place further discussion on the agenda in the near future. He advised that he and Mr. Hugg would be working together on this matter and invited Council members to join them. Mr. Sudler noted that Mr. Polce, Mr. Lewis, and Dr. Warfield had indicated that they would like to work with them as well.

Mr. Hugg stated that his subcommittee of the Mayor's Blue Ribbon Panel on Homelessness had been meeting approximately every two (2) weeks and planned to meet on Thursday, December 14, 2017 at 3:00 p.m. in the library and he would send out a notice. Mr. Hugg indicated that so far the subcommittee's discussion had been very much like the current discussion. He advised that there is a problem with no real, obvious solution; however, they are trying to get some understanding, and the more people that participate, the better.

Discussion of the Availability of Storage Lockers for Homeless Individuals

Mr. David Hugg, Director of Planning and Community Development, advised that some homeless individuals had come to a meeting and, following the meeting, a homeless gentleman came up to him stating that he had a job and was making some money but not a lot, can get back and forth, is comfortable in his tent, and knows where he can sleep most nights. Mr. Hugg advised that this gentleman indicated that his problem is that everything he owns is on his back, so he goes to work with a backpack, a tent, a sleeping bag, etc., strapped to himself because he cannot leave them anywhere. He indicated that if he goes to the drugstore to get a prescription, he is fearful of being mugged because he has no safe place for his items.

Mr. Hugg advised that he had never thought about this issue and that the common perception of a homeless person is someone pushing a cart or walking down the street with everything strapped on them. He noted that this is a serious issue, and the gentleman had made the point that if there was a way to solve this problem, he would not be looking to anybody else to take care of his needs.

Mr. Hugg informed members that the YMCA is remodeling their locker rooms and offered the old lockers to Dover Interfaith Mission for Housing (DIMH). He stated that the question was where to put the lockers and that perhaps something could be done to address the problem of storage for the homeless. Mr. Hugg advised that he had reached out to the Police Chief, who stated that it was a great idea; however, he questioned where the lockers would be put and who would make sure that they are secure. Mr. Hugg stated that, as he had gotten involved in the issues of homelessness, some of the solutions to addressing the problems were as simple as giving somebody a place to store their goods, rather than things like building rooming houses.

Mr. Slavin stated that it was his understanding that this matter related to the need to provide storage lockers for people who want to remain homeless, noting that there is a certain population of homeless who do not want to come in. He indicated that he was struggling with why this would be a government function. Mr. Slavin advised that the issue would not be just whether the lockers are

secure but also whether the contents are legal or subject to search. He noted that the phrase “slippery slope” had been used and expressed his hope that the availability of free, old lockers would not have the City government backing into an issue that is rife with civil liberty and public safety issues. Mr. Slavin stated that certain people who may not be homeless would have the ability to use the lockers and asked how someone would prove that they are homeless since there is no identification that they would carry. He indicated that someone could use a locker if they saw it as a hole in the security system that could provide a safe place to hide stolen merchandise, drugs, guns, and perhaps explosive things. Mr. Slavin advised that he did not understand why members would want to go down the path of creating a solution that does not help to reduce homelessness. He expressed the desire not to increase homelessness or make it easier to be homeless. Mr. Slavin indicated that he did not want to make things harder on people who are homeless but did not think that some of the services provided are an incentive to getting out of homelessness. He cautioned against creating more infrastructure for people to stay homeless.

Mr. Polce thanked Mr. Hugg for bringing up this issue and stated that he thought there was a lot of merit to the conversation. He indicated that he planned to attend Mr. Hugg’s subcommittee of the Mayor’s Blue Ribbon Panel on Homelessness meeting on December 14, 2017. Mr. Polce advised that he thought these conversations are very important and that Dover could look at what other cities around the nation are doing. He noted that Denver has a comprehensive locker exchange program and there are critical components, such as being geographically located in a central hub. Mr. Polce explained that they look at the Centers for Disease Control and Prevention (CDC) track level data, identify a hot spot where the homeless typically gather, and implement lockers there. He noted that this is a data set and information that the City does not have right now and would have to collect. Mr. Polce explained that it would be important for Dover to capture the process, noting that in Denver, before an individual receives a lock to secure their belongings, they must sit down with what they have established as a community resource center and go through an inventory of the belongings during a one-hour consultation. He noted that DIMH currently has a resource center. Mr. Polce explained that the individuals secure a locker and, more importantly, are getting many resources, such as the Department of Labor, local business owners who have partnered with the local resource center to employ homeless individuals, literacy on financial management, and tangible things that would hopefully guide them on a path from homelessness to home ownership or some form in between. Mr. Polce indicated that in Delaware about 83% of the homeless population are comorbid, meaning that they have both a mental health and a behavioral health issue. He stated that the inventory of the belongings ultimately ensures that no bad things are going in. Mr. Polce noted that this would still open up massive legal implications, as Mr. Slavin had alluded to, from sources like the ACLU. He explained that technically what is in their locker is the property of the homeless, but the locker is not their property.

Mr. Polce stated that this was a great conversation that was just getting started and is something that needs to be discussed further. He noted that he has contacts in Denver and Seattle with people who have led initiatives from the grassroots level to this conversation, and it would be easy to contact them and ask what worked, what did not, and what the strengths, weaknesses, and legal ramifications are. Mr. Polce noted that there are significant legal ramifications to the initiative but he thought it was great to have the conversation and see if it is the right fit for Dover.

Mr. Anderson stated that the government had created part of the problem because if it did not treat the property of the homeless with less respect than it treats the property of anyone else, there would not be as much stress in this area. He asked how many times the government had come across areas and just thrown away the property of homeless people, including their paperwork and identification, when these things would normally be placed in a lost and found so they could be reclaimed. Mr. Anderson indicated that if the government is one of the biggest offenders, then the government should create a solution to the problem that it helped to cause. He noted that he was referring to the State of Delaware, the Delaware Department of Transportation (DelDOT), and others. Mr. Anderson indicated that he knows of people who have been set back greatly because when they came back from work the government had thrown all their things away. Mr. Anderson suggested that members could look at implementing something that would state that the property of the homeless should be held the same way that anyone else's is held, if it is known whose property it is, and this would help relieve some of the stress.

Mr. Lewis moved for adjournment of the Parks, Recreation, and Community Enhancement Committee meeting. The motion was seconded by Mr. Anderson and unanimously carried.

Meeting adjourned at 8:00 p.m.

Mr. Slavin cautioned members, in regard to subcommittees and meetings, to make sure that they are not violating any provisions of the Freedom of Information Act (FOIA) by having too many members of any one (1) committee in place at one time.

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

Meeting adjourned at 8:01 p.m.

Timothy A. Slavin
Council President

TAS/TM/js/dd

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Attachments

Attachment #1 - Petition in support of the proposed Mayfair Park land swap between the City of Dover and Capitol Baptist Church, provided by Reverend Terry Moore

PETITION

Council Committee of the Whole Meeting of 12/12/2017

My signature below indicates my support of the proposed Mayfair Park land swap between the City of Dover and Capitol Baptist Church as indicated in the attached drawing

| | <i>Name</i> | <i>Address</i> | <i>Phone</i> | <i>email</i> |
|----|-----------------|------------------------|--------------|--------------|
| 1 | Alejah Boehme | 130 HAWAN DR. apt. 201 | 302-670-1162 | |
| 2 | La'Quetta Ricks | 400 Kesselring Ave. | 302-241-7556 | |
| 3 | HANLEY HARDEY | 402 Kesselring Ave. | 908-247-6620 | |
| 4 | Lois A. Glading | 362 Alder Rd. | 302-734-8137 | |
| 5 | Amree Willey | 354 Alder Rd | 302-747-4640 | |
| 6 | Ralph G. Lee Jr | 143 Bluebeach Rd. | 302-674-1418 | |
| 7 | Maude R. Lee | 135 BLUE BEACH DR | 302-734-1353 | |
| 8 | Lampert | 202 ALDER RD DOVER | 302 676-9327 | |
| 9 | | | | |
| 10 | | | | |
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| 12 | | | | |
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| 14 | | | | |
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PETITION

My signature below indicates my support of the proposed Mayfair Park land swap between the City of Dover and Capitol Baptist Church as indicated in the attached drawing

| Name | Address | Phone | email |
|---------------------------|---------------------------------|--------------|------------------------|
| 1 Janette Jones | 37Alder Road Dover, DE 19904 | 484-485-1108 | jjones1975@gmail.com |
| 2 Cynthia K. Kelle | 152 Blue Beach Dr. | | |
| 3 James W. W. | 136 BLUE BEACH RD | 302-734-2755 | devecoces@comcast.net |
| 4 Freddi L. Veer | 128 BLUE BEACH RD | | N/A |
| 5 Rosemond, Appich | 112 Blue Beach Rd. | | |
| 6 David Lane | 108 Blue Beach RD | 302-357-6615 | precastdove2@yahoo.com |
| 7 Elaine L. Kesselring | 1315 New Burton Rd | 302 734-1375 | ekessel70@gmail.com |
| 8 Larry Kesselring | 1315 New Burton Rd | 302 734-1375 | ekessel70@gmail.com |
| 9 Wayne Levy | 369 Kesselring Ave | 302-734-5113 | |
| 10 | | | |
| 11 | | | |
| 12 | | | |
| 13 | | | |
| 14 | | | |
| 15 | | | |
| 16 | | | |

PETITION

My signature below indicates my support of the proposed Mayfair Park land swap between the City of Dover and Capitol Baptist Church as indicated in the attached drawing

| Name | Address | Phone | email |
|------------------------|--|--------------|-------------------------|
| 1 Sam Mukoyama | 270 N. Planters Ln | 302-538-5606 | gmukoyama@gmail.com |
| 2 Harnett Mukoyama | " | " | " |
| 3 Dorothy Megonigal | 2206 Hagerthrice Rd. Dover | 302-674-4688 | — |
| 4 Raymond B. Megonigal | " " " | " " | — |
| 5 Jeanne Buble | 519 West Denny's Rd Dover, DE 19904 | 302-883-2548 | Jlannebuble3@gmail.com |
| 6 Bobby Bubl | 519 West Denny's Road Dover, Delaware 19904 | 302-883-2548 | — |
| 7 Kim Carrow | 27 E. Darby Cir. Dover, DE 19904 | 302-233-3369 | kcarrow@hotmail.com |
| 8 Wil T. Carrow | 27 E. Darby Circle Dover, DE 19904 | 302-222-6612 | bill.carrow@outlook.com |
| 9 Sharon Schmittinger | 1947 Nault Rd Dover DE 19904 | 302-736-1153 | Sharon51947@comcast.net |
| 10 Lisa Thomson | 167 Massy Drive, Dover DE 19904 | 302-242-2440 | chuckllisa@comcast.net |
| 11 Debbie Edwards | 206 Middessa Xing Dover, DE 19904 | 302-674-3866 | Briane97@Verizon.net |
| 12 Brian Edwards | 206 Middessa Xing Dover DE 19904 | 302-674-3866 | Briane97@Verizon.net |
| 13 Joan Edwards | 6112 W. Denny's Rd Dover DE 19901 | 302-678-3499 | — |
| 14 Justin Carrow | 27 East Darby Circle Dover de | 302-233-3369 | jc24fan@hotmail.com |
| 15 Margaret Buckley | 96 Lynnebroom lane Dover DE 19904 | 302-677-1957 | NBUCKLEY@GMAIL.COM |
| 16 NOEL BUCKLEY | 96 LYNNEBROOM LANE DOVER DE 19904 | 302-677-1957 | NBUCKLEY@GMAIL.COM |

PETITION

My signature below indicates my support of the proposed Mayfair Park land swap between the City of Dover and Capitol Baptist Church as indicated in the attached drawing

| Name | Address | Phone | email |
|--------------------------------------|---|--------------|--------------------------|
| 1 Mary Lou Olsen Mary Lou Olsen | 430 Kings Hwy. APT 208 Dover, DE | 730-3089 | |
| 2 Frances Godlove Frances Godlove | 430 Kings Hwy. APT 204 Dover, DE | 538-4947 | |
| 3 Nehemiah Dixon | 252 Stone Ridge Dr. Dover, DE 19901 | 302-697-6510 | |
| 4 Myra Dixon | 252 Stone Ridge Dr. Dover DE ¹⁹⁹⁰¹ | 302-697-6510 | |
| 5 Chirmine Avril | 51 Webb's A-Pg 7 | 302 423 8235 | |
| 6 Joyce August | 5676 Pearson's Gm Pl Dover 19904 | 302 298 1278 | |
| 7 Caroline Church | 140 Omni Rd. Dover ¹⁹⁹⁰⁴ | 302 678-0414 | |
| 8 Smith Roberts | 110 Haman Drive Dover ^{Dover} Apt 101 | 302-525-4265 | |
| 9 Gloria Johnson-Williams | 838 Paul St Dover, De 19904 | 302-359-9465 | |
| 10 | Keenan Jones | | |
| 11 Perry George | 32 Scioto Ct | 302-540-4176 | |
| 12 Ray Poggemann | 255 Webb Lane Apt G14 | 302 535-3235 | Ray.Poggemann@gmail.com |
| 13 Mary Poggemann | 255 Webb Ln - G14 | 302-535-7848 | Mary.poggemann@gmail.com |
| 14 Linda Nix | 1098 Garfield Dr Dover 19901 | 302-531-8697 | Nixfamily23@aol.com |
| 15 Josh Beet | 1211 Voskelis mill rd | 302-465-7025 | Josh.Beet@gmail |
| 16 Alex Ramos | 598 Roberta Ave. Dover DE | 302-423-7763 | |

19901

PETITION

My signature below indicates my support of the proposed Mayfair Park land swap between the City of Dover and Capitol Baptist Church as indicated in the attached drawing

| Name | Address | Phone | email |
|-------------------------|--|----------------|---------------------------|
| 1 Estar Moyer | 268 Fiddlers Green, Dover | (302) 678-9572 | — |
| 2 Judy Bungri | 277 Winesap Lane | 302-535-8861 | jersey415@gmail.com |
| 3 Jonathan Geoffrion | 14 Heritage Dr, Dover DE | 940-273-2826 | |
| 4 WILLIAM HARPER WALKER | 430 KINGS HIGHWAY N.E. LT 61 DE 19901 DOVER DE 19901-0711 | 302-528-3942 | None |
| 5 Miguel Rivera | 75 Quail Hollow Dr Dover DE 19904 | 302 423 5168 | m.rivera25@yahoo.com |
| 6 Karen Sewell-Rivera | 75 Quail Hollow Dr Dover DE 19904 | 423-5169 | Karenlws2dec07@aol.com |
| 7 Bill Shirey | 119 Lake Front Dr Dover | 302-274-1890 | Wm Shirey @ AOL.com |
| 8 Amy Messick | 344 Fear Dr. Dover DE 19901 | 302-632-7185 | amess66607@gmail.com |
| 9 Christopher Messick | 344 Fear Dr Dover DE 19901 | 302-632-9047 | Chrismessick@yahoo.com |
| 10 James Brogdon | 21 Evergreen Cir Dover De 19901 | 302 538 4164 | c5jim@comcast.net |
| 11 Donna Brogdon | 21 Evergreen Cir, Dover, DE 19901 | 302-744-4948 | donna.brogdon@state.de.us |
| 12 John Hauer Jr | 215 Winterberry Dr, Dover 19904 | 302-943-8206 | jhauer@gmail.com |
| 13 Jessica Hauer | 215 Winterberry Dr, Dover 19904 | 302-943-8205 | jnhauerjr@gmail.com |
| 14 Lakisa Perry | 1389 Rosevalley School Rd Dover DE 19904 | (302) 450-8057 | perry.lakisa@yahoo.com |
| 15 Susan Randall | 910 Schoolhouse Ln Dover, DE 19901 | 772-475-1072 | suseran@hotmail.com |
| 16 Cynthia Prange | 225 Beechwood Ave Dover DE 19901 | 302-241-6774 | 2nanabanana2@gmail.com |

PETITION

My signature below indicates my support of the proposed Mayfair Park land swap between the City of Dover and Capitol Baptist Church as indicated in the attached drawing

| Name | Address | Phone | email |
|-----------------------|--|----------------|-------------------------------------|
| 1 Dawn Vanderpool | 26 Poplar Ln, Dover, DE 19901 | 302-678-2734 | |
| 2 Cecivick Johnson | 100 Lakeview Dr. APT 206 Dover DE, 19901 | 302-241-1640 | |
| 3 Mary Obioffiong | 100 Lakeview Dr. APT 206 Dover DE 19901 | 302-465-0484 | |
| 4 Agnes Toussaint | 20 Westover Dover DE 19904 | (302) 741-0250 | |
| 5 Jonathan R Carmona | 14 Heritage Dr. Dover DE 19904 | 302-272-3318 | jcarml85@yahoo.com |
| 6 Delois M. Shirey | 119 LAKE FRONT DR. DOVER DE 19904 | 302-270-0918 | |
| 7 Theodore Bayant | 344 United way APT B-13 | 302-393-2022 | |
| 8 Martha Tucker | 4110-A Connecticut Ln Dover DE | 302-632-0486 | |
| 9 DONALD NIX | 1098 GARFIELD DR Dover DE | 302-241-4474 | Nix Family 23 @ AOL.com |
| 10 Darlene Siewter | 45 Acacia Pl. Dover DE | 302-233-6061 | |
| 11 Sandra DeLone | 62 Peerington Dr Dover DE | 302-270-3533 | cakeprints@yahoo.com |
| 12 Kenneth Avery | 1131 S Bay Rd lot 76 Dover DE | 302 734-5451 | |
| 13 Debra A. Moore | 637 Carol St., Dover, DE | 302-535-1901 | |
| 14 Terri H. More | 637 Carol St. Dover DE | 302-272-8326 | |
| 15 John Randall | 910 Schoolhouse Lane, Dover | 302-399-2277 | |
| 16 Marshall Humphreys | 382 Mimosa AVE, Dover DE | 228-383-6086 | Marshall.Humphreys 360@ yelp.com |

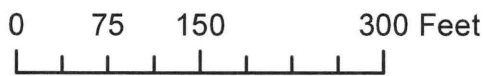
PETITION

My signature below indicates my support of the proposed Mayfair Park land swap between the City of Dover and Capitol Baptist Church as indicated in the attached drawing

| | Name | Address | Phone | email |
|----|--------------------|---|--------------|------------------------------|
| 1 | Ralph Prange | 225 Beechwood Ave Dover | 302 678 1526 | risingson42@aol.com |
| 2 | Ryan Combs | 958 Buck Drive Dover DE | 410-708-8676 | ryan.cfa1@yahoo.com |
| 3 | Jessica Combs | 958 Buck Drive Dover DE | 302-943-8512 | ryan-jessica.combs@yahoo.com |
| 4 | John Moseman | 260 Richard Bassett Rd. <small>Dover, DE 19904</small> | 302 684 5539 | |
| 5 | Carol Moseman | 260 Richard Bassett Road <small>Dover Delaware</small> | 302 674 5537 | |
| 6 | Chris Murphy | 116 Blue Beach Rd Dover, DE 19904 | 302 677 1991 | emmasuechris@comcast.net |
| 7 | Susan Murphy | 116 Blue Beach Rd Dover, DE 19904 | 302-677-1991 | emmasuechris@comcast.net |
| 8 | Emma Murphy | 116 BLUE BEACH RD DOVER, DE 19904 | 302-677-1991 | |
| 9 | Leanne Tecson | 220 Trafalgar Drive DOVER, DE 19904 | 585 455 6219 | leabugs@aol.com |
| 10 | Rich Tecson | 220 Trafalgar Drive DOVER, DE 19904 | 302 423 4533 | richters25@yahoo.com |
| 11 | Bill + Sylvia Almy | 966 W. W. St Magnolia DE 19962 | 674-3974 | |
| 12 | Martez Satchell | 861 Autumn Moon Ln Magnolia DE 19962 | 538-3321 | |
| 13 | MARCO PIRO | 14 Heritage Dr. Dover DE 19904 | 609-408-8703 | marco5186@gmail.com |
| 14 | Denise Roy | 1131 S. Bay Rd lot 186 Dover DE 19901 | 302-242-4047 | deniseandgirls@yahoo.com |
| 15 | | | | |
| 16 | | | | |

Mayfair Park

Potential Land Swap: Option 1



Date Printed: August 31, 2016
File: m:\gis_data\projects\tech_mxds
\planning_maps\mayfair_park_land_swap
\option_1
Department: Public Works GIS
City of Dover, Delaware



Legend

- Dover Parcels
- Lands to be Exchanged**
- Option 1

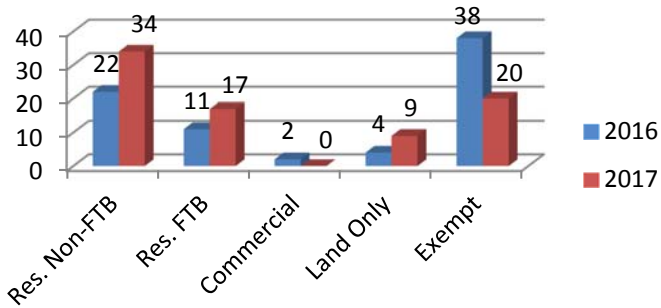
Monthly Report November 2017



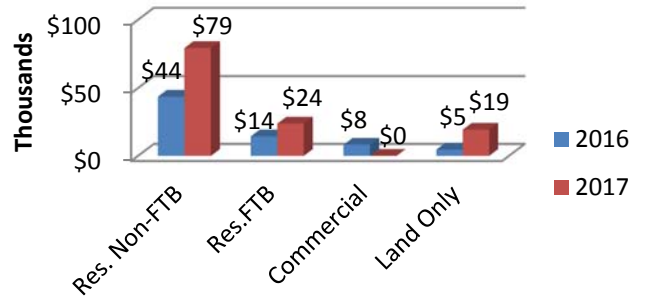
Office of City Assessor

Assessor's Report

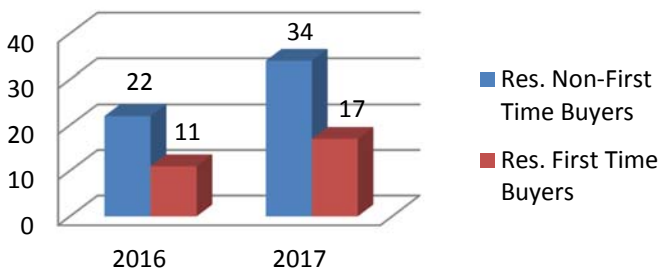
Number of Deeds Stamped for the Month of Nov. 2016/2017



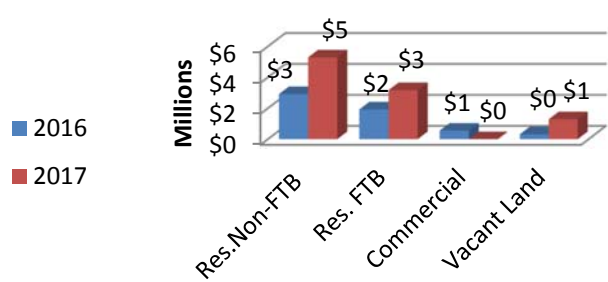
Transfer Tax Dollar Amount for the Month of Nov. 2016/2017



First Time Buyer for the Month of Nov. 2016/2017



Nov. 2016/2017 Realty Property Sales in Dollars Received Prior to Recording



Major Updates

| | Sept - 17 | Oct -17 | Nov - 17 |
|--------------------------|--------------------|--------------------|--------------------|
| Assessment Change | \$7,923,000 | \$2,562,600 | \$4,399,200 |

Residential Sales Ratio Report

| Sales in Study | Total Assessed Value | Total Sale Price | Ratio | PRD |
|----------------|----------------------|--------------------|-------------|-------------|
| 27 | \$3,766,400 | \$4,108,227 | 0.92 | 1.05 |

Assessor's Report

Ratio – Assessed Value divided by Sale Price.

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

Points of Interest

Scanning & Filing

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

Assessor's Office

The following were mailed out:

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

CITY OF DOVER
SALES RATIO REPORT

| PARID | NBHD | LUC | ADDRESS | UNITS | STYLE | YRBLT | STORIES | SFLA | GRADE | CDU | TOTAL APPR | SALE DT | PRICE | ASR |
|-----------------------|------|-----|-----------------------|-------|-------|-------|---------|------|-------|-----|------------|-----------|---------|------|
| ED05-067.11-01-05.00 | 10 | R10 | 918 WOODCREST DR | 1 | 5 | 1972 | 2 | 2919 | C | FR | 177,600 | 06-NOV-17 | 118,000 | 1.51 |
| ED05-067.15-01-24.00 | 2 | R10 | 91 VILLAGE DR | 1 | 13 | 1974 | 2 | 1518 | C- | GD | 105,100 | 20-NOV-17 | 117,500 | .89 |
| ED05-067.17-01-12.00 | 3 | R10 | 29 N TURNBERRY DR | 1 | 13 | 1979 | 2 | 2076 | B- | AV | 165,300 | 20-NOV-17 | 237,500 | .70 |
| ED05-067.17-04-32.00 | 3 | R10 | 112 SWEETGUM DR | 1 | 6 | 1993 | 2 | 1845 | B- | AV | 175,200 | 05-NOV-17 | 210,000 | .83 |
| ED05-067.17-04-35.00 | 3 | R10 | 106 SWEETGUM DR | 1 | 6 | 1993 | 2 | 2052 | B- | AV | 183,500 | 06-NOV-17 | 235,000 | .78 |
| ED05-067.19-03-09.00 | 17 | R10 | 717 BICENTENNIAL BLVD | 1 | 5 | 1987 | 2 | 2353 | B | AV | 208,100 | 30-NOV-17 | 227,000 | .92 |
| ED05-068.09-02-49.00 | 13 | R10 | 751 MILLER DR | 1 | 14 | 1966 | 1 | 1527 | C | AV | 123,200 | 17-NOV-17 | 168,000 | .73 |
| ED05-068.13-01-04.18 | 100 | R50 | 35 CHATHAM CT | 1 | 13 | 1984 | 2 | 2240 | B- | AV | 134,200 | 24-NOV-17 | 111,000 | 1.21 |
| ED05-068.14-03-34.00 | 13 | R10 | 210 MACARTHUR DR | 1 | 14 | 1964 | 1 | 1130 | C | GD | 150,900 | 17-NOV-17 | 178,000 | .85 |
| ED05-068.17-02-15.00 | 8 | R10 | 224 N BRADFORD ST | 1 | 1 | 1915 | 2 | 1782 | B- | AV | 142,900 | 22-NOV-17 | 130,000 | 1.10 |
| ED05-068.18-04-34.01 | 7 | R10 | 106 SPRUANCE RD | 1 | 14 | 1999 | 1 | 767 | C- | AV | 94,700 | 28-NOV-17 | 95,000 | 1 |
| ED05-076.05-02-37.00 | 14 | R10 | 73 STONEY DR | 1 | 8 | 1987 | 2 | 1761 | C+ | AV | 135,900 | 01-NOV-17 | 160,500 | .85 |
| ED05-076.05-04-01.110 | 102 | R50 | 97 PAR HAVEN DR | 1 | 20 | 1978 | 1 | 1008 | C- | AV | 44,400 | 30-NOV-17 | 42,000 | 1.06 |
| ED05-076.06-05-21.00 | 17 | R10 | 112 COBBLESTONE LN | 1 | 5 | 1985 | 2 | 2348 | B | AV | 197,000 | 28-NOV-17 | 220,000 | .90 |
| ED05-076.11-02-05.00 | 16 | R10 | 36 BENNINGTON ST | 1 | 3 | 1978 | 1 | 1891 | C | AV | 131,900 | 30-NOV-17 | 185,500 | .71 |
| ED05-076.12-02-63.00 | 9 | R10 | 440 W REED ST | | 13 | 2017 | 2 | 1302 | C+ | AV | 103,200 | 15-NOV-17 | 139,900 | .74 |
| ED05-076.13-03-19.00 | 14 | R10 | 245 CHARRING CROSS DR | 1 | 13 | 1996 | 2 | 1854 | C+ | AV | 120,100 | 06-NOV-17 | 96,000 | 1.25 |
| ED05-077.06-02-03.00 | 7 | R20 | 714 E DIVISION ST | 2 | 1 | 1900 | 2 | 2357 | C- | FR | 130,100 | 17-NOV-17 | 92,500 | 1.41 |
| ED05-077.06-02-85.00 | 7 | R10 | 810 E LOOCKERMAN ST | 1 | 14 | 1954 | 1 | 1584 | C | AV | 158,900 | 10-NOV-17 | 130,000 | 1.22 |
| ED05-077.07-06-28.00 | 6 | R10 | 14 CALDWELL CT | | 1 | 2017 | 2 | 2200 | B- | AV | 205,900 | 02-NOV-17 | 250,592 | .82 |
| ED05-077.07-06-73.00 | 6 | R10 | 432 NOB HILL RD | | 14 | 2017 | 1 | 1352 | B- | AV | 181,900 | 15-NOV-17 | 215,065 | .85 |
| ED05-077.07-07-36.00 | 6 | R10 | 215 LADY BUG DR | | 13 | 2017 | 2 | 1220 | B- | AV | 117,800 | 15-NOV-17 | 145,270 | .81 |
| ED05-077.11-04-88.00 | 2 | R10 | 499 BARRISTER PL | 1 | 13 | 1972 | 2 | 1643 | D+ | FR | 57,800 | 15-NOV-17 | 47,000 | 1.23 |
| ED05-077.13-02-54.00 | 4 | R10 | 68 SACKARACKIN AVE | 1 | 14 | 1950 | 1 | 1170 | C | AV | 138,600 | 15-NOV-17 | 150,000 | .92 |
| ED05-085.08-01-75.00 | 12 | R10 | 158 LYNNHAVEN DR | 1 | 14 | 1964 | 1 | 1582 | C | AV | 186,800 | 15-NOV-17 | 189,900 | .98 |
| ED05-085.12-02-84.00 | 12 | R10 | 310 MOCKINGBIRD AVE | 1 | 14 | 1966 | 1 | 1276 | C | AV | 117,200 | 29-NOV-17 | 117,000 | 1.00 |
| LC05-058.17-04-23.00 | 1 | R10 | 138 GORDON DR | 1 | 11 | 1989 | 1 | 1355 | D+ | AV | 78,200 | 29-NOV-17 | 100,000 | .78 |

CITY COUNCIL COMMUNITY ENHANCEMENT FUND
JULY 1, 2017 - JANUARY 3, 2018
110-1200-512.30-37

| Current Balance | | - | \$18,884.48 | | | | |
|------------------------|------------------------|--|---|---|----------------------|---------------------|--------------------|
| BUDGETED AMOUNT | | COMMUNITY ENHANCEMENT FUND - \$2,500 FOR EACH COUNCIL MEMBER PER DISTRICT AND \$5,000 FOR THE AT-LARGE COUNCIL MEMBER. THE PURPOSE OF THE FUND IS TO ALLOW MEMBERS TO CONTRIBUTE FUNDS TO A SMALL PROJECT OR COMMUNITY NEEDS IN EACH DISTRICT. | | | | | \$25,000.00 |
| TOTAL | | | | | | | \$25,000.00 |
| DATE | COUNCIL SPONSOR | VENDOR | DESCRIPTION | P.O. #/ INVOICE # | TOTAL CHARGES | YEAR TO DATE | BALANCE |
| 07/12/17 | Anderson | Inner City Cultural League, Inc. | Councilman Anderson authorized the use of \$600.00 of his community enhancement funds to fund 50% of the membership dues for 5 needy students to participate in the Sankofa African Drum and Dance Troupe. | Email dated 07/11/17 from David Anderson to City Clerk's Office | \$600.00 | \$600.00 | \$24,400.00 |
| 07/16/17 | Anderson | MLK Jr. Educational Community Center, Inc. | Councilman Anderson authorized the use of \$500.00 of his community enhancement funds to help pay for breakfast and lunch for the Saturday Academy participants. | Email dated 07/16/17 from David Anderson to City Clerk's Office | \$500.00 | \$1,100.00 | \$23,900.00 |
| 07/26/17 | Slavin | Central Delaware Habitat for Humanity | Councilman Slavin authorized the use of \$670.56 to purchase incidental equipment and play apparatus for the Habitat for Humanity's pop up parks/play streets program. It was noted that the games would be usable for future | Email dated 07/26/17 from Tim Slavin to Traci McDowell | \$670.56 | \$1,770.56 | \$23,229.44 |
| 07/31/17 | Hare | Air Force Ball Committee | Councilman Hare authorized the use of \$500.00 for the deposit to reserve the Dover Downs ballroom for 436 Squadron's Annual Air Force Ball. | Dover Downs Banquet Event Order (BEO) #24,727 dated 06/27/17 | \$500.00 | \$2,270.56 | \$22,729.44 |
| 08/02/17 | Cole | Dover Library Foundation | Councilman Cole authorized the use of his community enhancement funds to reimburse the Dover Library Foundation for the purchase of bottled water for the Dover Comic Con 2017 event. | Sam's Club receipt dated 08/15/17; Email dated 08/02/17 from Scott Cole to Traci McDowell | \$397.50 | \$2,668.06 | \$22,331.94 |
| 08/07/17 | Neil | 3d Airlift Squadron Booster Club | Councilman Neil authorized \$100.00 of his community enhancement funds to be donated to the 3d Airlift Squadron Booster Club for the Dover Air Force Base Open House. | Email dated 08/07/17 from Fred Neil to Traci McDowell | \$100.00 | \$2,768.06 | \$22,231.94 |
| 08/14/17 | Anderson | Boys and Girls Club of Delaware | Councilman Anderson authorized a donation of \$100.00 of his community enhancement funds to the Boys and Girls Club of Delaware, for the Greater Dover Boys and Girls Club - 4th District children. | Emails dated 08/08/17 and 08/14/17 from David Anderson to Debbie Krueger | \$100.00 | \$2,868.06 | \$22,131.94 |

| | | | | | | | |
|-------------------|----------|---|--|--|----------|--------------------|-------------|
| 08/14/17 | Anderson | City of Dover Parkland Reserve | Councilman Anderson authorized a donation of \$250.00 of his community enhancement funds for the Back to School Giveaway and Rib-Off Fundraiser Initiative (to be credited to the City's Parkland Reserve) | Email dated 08/14/17 from David Anderson to Debbie Krueger | \$250.00 | \$3,118.06 | \$21,881.94 |
| 08/23/17 | Cole | Dover High School AFJROTC Booster Club | Councilman Cole authorized \$300.00 of his community enhancement funds to help pay for storage units for the air rifles used by the Rifle Team. | Email dated 08/23/17 from Scott Cole to Traci McDowell | \$300.00 | \$3,418.06 | \$21,581.94 |
| 09/08/17 | Polce | City of Dover Clearing Account - Rec Revenue | Councilman Polce authorized the allocation of \$250.00 of his community enhancement funds for the Dover Park Revitalization Event on 09/09/17. | Email dated 09/08/17 from Tanner Polce to Donna Mitchell | \$250.00 | \$3,668.06 | \$21,331.94 |
| 09/08/17 | Lewis | City of Dover Clearing Account - Rec Revenue | Councilman Lewis authorized the allocation of \$250.00 of his community enhancement funds for the Dover Park Revitalization Event on 09/09/17 | Email dated 09/08/17 from Tanner Polce to Donna Mitchell | \$250.00 | \$3,918.06 | \$21,081.94 |
| 09/11/17 | Slavin | City of Dover Clearing Account - Rec Revenue | Councilman Slavin authorized the allocation of \$250.00 of his community enhancement funds for the Dover Park Revitalization Event on 09/09/17 | Email dated 09/07/17 from Tim Slavin to Roy Sudler and Donna Mitchell | \$250.00 | \$4,168.06 | \$20,831.94 |
| 09/07/17 | Sudler | City of Dover Clearing Account - Rec Revenue | Councilman Sudler authorized the allocation of \$300.00 of his community enhancement funds for the Dover Park Revitalization Event on 09/09/17 | Email dated 09/07/17 from Roy Sudler | \$300.00 | \$4,468.06 | \$20,531.94 |
| 09/19/17 | Anderson | Interdenominational Ministerial Alliance of Dover and Vicinity (IMA) | Councilman Anderson authorized the designation of \$520.00 to the Interdenominational Ministerial Alliance of Dover and Vicinity (IMA) for the Expungement Clinic on 11/03/17. The funds are for Dover residents. The cost is estimated to be \$52 per person. | Email dated 09/19/17 from David Anderson to City Clerk's Office | \$520.00 | \$4,988.06 | \$20,011.94 |
| 11/13/17 | Anderson | Interdenominational Ministerial Alliance of Dover and Vicinity (IMA) | Councilman Anderson authorized the designation of \$380.00 for the Community, Family, and Fellowship Dinner | Email dated 11/11/2017 from David Anderson to City Clerk's Office | \$380.00 | \$5,368.06 | \$19,631.94 |
| 11/13/17 | Slavin | National Council on Agricultural Life and Labor Research Fund, Inc. (NCALL) | Councilman Slavin authorized the designation of \$697.46 for playstreets equipment. It was noted that the games would be usable for future events too. (Note: \$670.56 was previously paid to Central Delaware Habitat for Humanity for the purchase of these items based upon the email correspondence received; however, the items were actually purchased and invoiced by NCALL. Habitat is supposed to return the \$670.56 that they received in error.) | Email dated 07/26/17 from Tim Slavin to Traci McDowell and invoice #20171031 | \$697.46 | \$6,065.52 | \$18,934.48 |
| 12/08/17 | Neil | White Oak/Town Point Civic Association | Councilman Neil authorized the designation of \$50.00 to the White Oak/Town Point Civic Association to help with Christmas donations for Dover families in need of assistance | Email dated 12/08/17 from Fred Neil to Traci McDowell | \$50.00 | \$6,115.52 | \$18,884.48 |
| \$6,115.52 | | | | | | \$18,884.48 | |

| Budgeted Amount | District | Council Sponsor | YTD Expenditures | Balance |
|----------------------------|-----------------|----------------------------|-------------------------|--------------------|
| \$5,000.00 | At-Large | Slavin | \$1,618.02 | \$3,381.98 |
| \$2,500.00 | 1st District | Lindell | \$0.00 | \$2,500.00 |
| \$2,500.00 | 1st District | Polce | \$250.00 | \$2,250.00 |
| \$2,500.00 | 2nd District | Hare | \$500.00 | \$2,000.00 |
| \$2,500.00 | 2nd District | Lewis | \$250.00 | \$2,250.00 |
| \$2,500.00 | 3rd District | Cole | \$697.50 | \$1,802.50 |
| \$2,500.00 | 3rd District | Neil | \$150.00 | \$2,350.00 |
| \$2,500.00 | 4th District | Anderson | \$2,350.00 | \$150.00 |
| \$2,500.00 | 4th District | Sudler | \$300.00 | \$2,200.00 |
| TOTAL | | | \$6,115.52 | \$18,884.48 |

CITY MANAGER'S MONTHLY



**REPORT
NOVEMBER 2017**

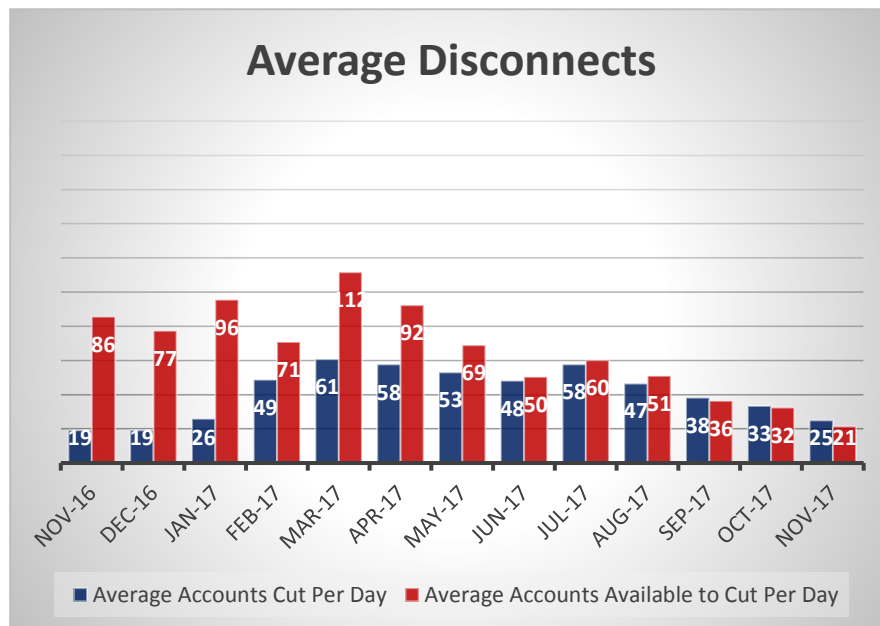
City of Dover Customer Services Department

| Major Program Updates | Nov 2017 | Nov 2016 | Difference | FY 2018 | FY 2017 |
|--|------------|-------------|------------|--------------|--------------|
| | | | | Year-to-Date | Year-to-Date |
| Number of Customers Served | 22,043 | 20,906 | 1,137 | 121,695 | 120,178 |
| Final Bills | 534 | 593 | (59) | 3,237 | 3,369 |
| Estimated Bills | 241 | 204 | 37 | 1,069 | 1,011 |
| Penalties Posted | \$ 9,383 | \$ 10,447 | (1,064) | \$ 36,960 | \$ 39,451 |
| Extensions of Credit - Amount Extended | \$ 80,339 | \$ 97,975 | (17,635) | \$ 560,291 | \$ 606,928 |
| Balance Transfers | \$ 12,478 | \$ 2,035 | 10,443 | \$ 29,237 | \$ 3,869 |
| Utility Collections | \$ 15,130 | \$ 16,977 | (1,847) | \$ 120,411 | \$ 146,511 |
| Miscellaneous Billings | \$ 147,609 | \$ 49,835 | 97,775 | \$ 938,898 | \$ 711,177 |
| Taxes Levied | \$ 542,697 | \$ 512,452 | 30,245 | \$ 542,697 | \$512,452 |
| Billing Adjustments | \$ 8,386 | \$ (74,667) | 83,053 | \$ 8,386 | (\$13,006) |
| Total Taxes Collected | \$ 78,778 | \$ 24,351 | 54,427 | \$ 78,778 | \$86,012 |
| Taxes Outstanding | \$ 472,305 | \$ 413,434 | 58,871 | \$ 472,305 | \$413,434 |

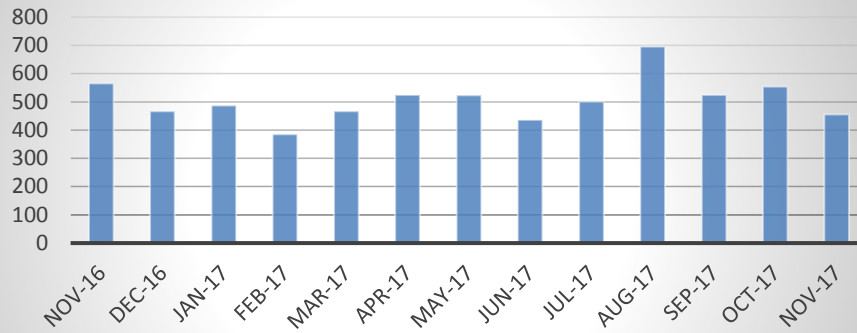
Disconnect Summary Report

| | Nov-16 | Dec-16 | Jan-17 | Feb-17 | Mar-17 | Apr-17 | May-17 | Jun-17 | Jul-17 | Aug-17 | Sep-17 | Oct-17 | Nov-17 |
|---|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|
| % of Cust Cut | 22% | 25% | 27% | 69% | 54% | 62% | 77% | 95% | 96% | 91% | 93% | 93% | 95% |
| % of Total \$ Cut | 16% | 24% | 31% | 68% | 66% | 63% | 77% | 92% | 96% | 88% | 89% | 73% | 85% |
| Total Days Available to Cut | 21 | 22 | 22 | 16 | 13 | 16 | 20 | 22 | 12 | 19 | 19 | 22 | 20 |
| Average Accounts Cut Per Day | 19 | 19 | 26 | 49 | 61 | 58 | 53 | 48 | 58 | 47 | 38 | 33 | 25 |
| Average Accounts Available to Cut Per Day | 86 | 77 | 96 | 71 | 112 | 92 | 69 | 50 | 60 | 51 | 36 | 32 | 21 |
| Total on original list | 1797 | 1702 | 2102 | 1134 | 1451 | 1476 | 1377 | 1109 | 653 | 885 | 691 | 714 | 427 |
| Total \$ on original list | \$782,883.39 | \$636,019.34 | \$675,694.36 | \$373,545.84 | \$371,175.90 | \$362,563.80 | \$405,699.71 | \$476,569.79 | \$210,692.12 | \$339,268.87 | \$258,437.94 | \$322,557.57 | \$148,091.70 |
| Total Actual Cust Cut | 402 | 419 | 570 | 779 | 788 | 922 | 1059 | 1059 | 692 | 884 | 728 | 733 | 499 |
| Total \$ of Actual Cut | \$124,907.89 | \$154,000.16 | \$212,407.49 | \$255,781.83 | \$243,763.03 | \$229,928.08 | \$312,473.14 | \$437,125.60 | \$214,022.39 | \$315,751.83 | \$242,444.38 | \$245,540.19 | \$152,033.26 |

Average Disconnects

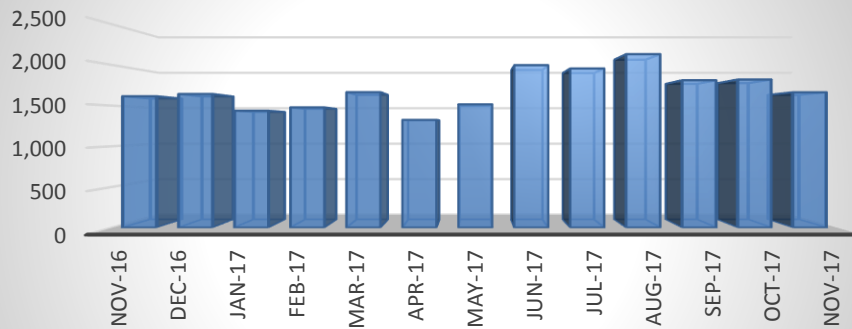


Payment Agreements / Extensions



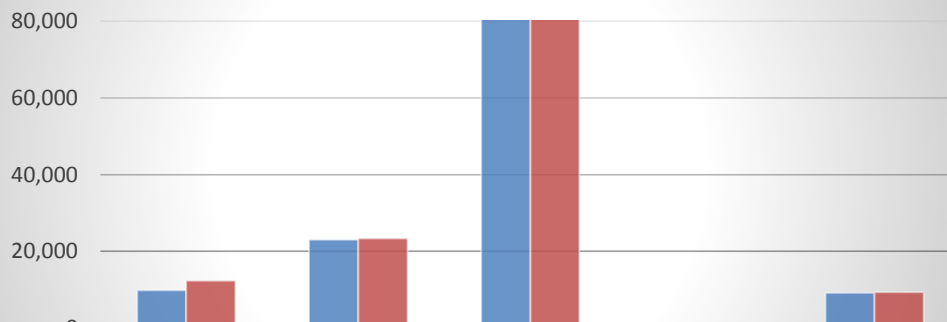
| | Nov-16 | Dec-16 | Jan-17 | Feb-17 | Mar-17 | Apr-17 | May-17 | Jun-17 | Jul-17 | Aug-17 | Sep-17 | Oct-17 | Nov-17 |
|---------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
| Series1 | 565 | 467 | 487 | 385 | 467 | 525 | 523 | 436 | 501 | 695 | 525 | 554 | 455 |

Work Orders Processed



| | Nov-16 | Dec-16 | Jan-17 | Feb-17 | Mar-17 | Apr-17 | May-17 | Jun-17 | Jul-17 | Aug-17 | Sep-17 | Oct-17 | Nov-17 |
|---------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
| Series1 | 1,615 | 1,643 | 1,437 | 1,478 | 1,665 | 1,325 | 1,515 | 1,996 | 1,955 | 2,132 | 1,811 | 1,820 | 1,664 |

CUSTOMER PAYMENT USAGE



| | Drive-Thru Window | Over the Counter | Mail, Drop Box | Credit Cards | Bank Drafts |
|----------|-------------------|------------------|----------------|--------------|-------------|
| 2018 YTD | 9,853 | 22,992 | 86,730 | 987 | 9,225 |
| 2017 YTD | 12,372 | 23,369 | 81,696 | 911 | 9,392 |

ELECTRIC DEPARTMENT

Electric Divisions

| System Peak | |
|-------------|--------|
| Mar 16 | 98.93 |
| Apr 16 | 100.37 |
| May 16 | 128.16 |
| June 16 | 133.59 |
| July 16 | 165.92 |
| Aug 16 | 162.61 |
| Sept 16 | 159.99 |
| Oct 16 | 116.94 |
| Nov 16 | 98.27 |
| Dec 16 | 101.04 |
| Jan 17 | 113.04 |
| Feb 17 | 106.4 |
| Mar 17 | 108.2 |
| Apr 17 | 107.03 |
| May 17 | 133.93 |
| June 17 | 155.81 |
| July 17 | 162.88 |
| Aug 17 | 157.18 |
| Sept 17 | 137.01 |
| Oct 17 | 129.11 |
| Nov 17 | 98.13 |

| Total System Load | |
|-------------------|--------|
| Mar 16 | 55,967 |
| Apr 16 | 53,202 |
| May 16 | 56,586 |
| June 16 | 65,414 |
| July 16 | 80,114 |
| Aug 16 | 83,086 |
| Sept 16 | 67,117 |
| Oct 16 | 57,707 |
| Nov 16 | 54,812 |
| Dec 16 | 60,179 |
| Jan 17 | 63,172 |
| Feb 17 | 54,811 |
| Mar 17 | 60,690 |
| Apr 17 | 54,062 |
| May 17 | 57,823 |
| June 17 | 70,081 |
| July 17 | 79,883 |
| Aug 17 | 74,534 |
| Sept 17 | 64,235 |
| Oct 17 | 59,890 |
| Nov 17 | 56,552 |

| Month | outages | customers |
|---------|---------|-----------|
| Mar 16 | 7 | 353 |
| Apr 16 | 5 | 672 |
| May 16 | 2 | 206 |
| June 16 | 14 | 601 |
| July 16 | 9 | 307 |
| Aug 16 | 9 | 214 |
| Sept 16 | 7 | 915 |
| Oct 16 | 8 | 224 |
| Nov 16 | 6 | 4293 |
| Dec 16 | 5 | 207 |
| Jan 17 | 3 | 12 |
| Feb 17 | 1 | 2 |
| Mar 17 | 4 | 160 |
| Apr 17 | 4 | 114 |
| May 17 | 5 | 148 |
| June 17 | 7 | 3084 |
| July 17 | 19 | 2556 |
| Aug 17 | 8 | 1466 |
| Sept 17 | 2 | 1094 |
| Oct 17 | 5 | 2311 |
| Nov 17 | 7 | 176 |

| Number of New Services | |
|------------------------|----|
| Mar 16 | 16 |
| Apr 16 | 29 |
| May 16 | 13 |
| June 16 | 53 |
| July 16 | 13 |
| Aug 16 | 13 |
| Sept 16 | 35 |
| Oct 16 | 27 |
| Nov 16 | 41 |
| Dec 16 | 37 |
| Jan 17 | 40 |
| Feb 17 | 31 |
| Mar 17 | 15 |
| Apr 17 | 58 |
| May 17 | 58 |
| June 17 | 25 |
| July 17 | 90 |
| Aug 17 | 24 |
| Sept 17 | 31 |
| Oct 17 | 83 |
| Nov 17 | 41 |

Electric Monthly Outage Report

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

| FY 18 YTD | FY 17 | FY 16 |
|-----------|-------|-------|
| 43.31 | 24.33 | 23.56 |

| Controllable Outages <i>Annual goal is less than 40</i> | | Average Response Time <i>Goal is less than 30 minutes</i> | |
|--|--------------|--|---------------|
| Month | Year-to-date | Month | Year-to-date |
| 2 | 14 | 23.57 Minutes | 34.39 Minutes |

| PROGRAM UPDATES | NOV 17 | NOV 16 | FY18 YTD |
|--|--------|--------|----------|
| Tree Trimming | 276 | 133 | 1523 |
| Number of Oil Releases | 1 | 0 | 2 |
| Lost Time Accidents – All Electric Utility Divisions | 1 | 0 | 1 |
| New Services | 41 | 41 | 269 |

HUMAN RESOURCES

November 2017

| Category | Nov 16 | Dec 16 | Jan 17 | Feb 17 | March 17 | April 17 | May 17 | June* 17 | July 17 | Aug 17 | Sept 17 | Oct 17 | Nov 17 | Total |
|-----------------------------------|--------|--------|--------|--------|----------|----------|--------|----------|---------|--------|---------|--------|--------|-------|
| Caucasian* | 302 | 300 | 299 | 296 | 293 | 290 | 289 | 291 | 292 | 290 | 291 | 288 | 285 | n/a |
| Minorities* | 72 | 71 | 71 | 71 | 72 | 73 | 73 | 74 | 79 | 76 | 77 | 74 | 75 | n/a |
| Hired | 3 | 1 | 5 | 1 | 5 | 1 | 3 | 3 | 9 | 1 | 8 | 1 | 1 | 42 |
| Terminated/Resigned/Retired/Other | 2 | 4 | 6 | 4 | 7 | 3 | 4 | 3 | 3 | 6 | 6 | 6 | 3 | 57 |
| Transferred/Promoted | 0 | 2 | 2 | 0 | 1 | 1 | 1 | 0 | 3 | 1 | 1 | 3 | 1 | 16 |
| Jobs Posted | 1 | 7 | 2 | 6 | 7 | 5 | 2 | 1 | 7 | 1 | 2 | 4 | 3 | 48 |
| Workers Comp. Injuries | 3 | 0 | 2 | 2 | 2 | 2 | 4 | 3 | 1 | 0 | 6 | 3 | 2 | 30 |
| Workers Comp. Hours | 319 | 342 | 259 | 252 | 397 | 275 | 648 | 475 | 417 | 396 | 173 | 202 | 227 | 4382 |

*330 Full-time Employees: Part-time Employees: 30 (3 Pitts Center, 1 Recreation, 17 Library, 0 Customer Service, 1 Central Services, 8 Police Department) -Numbers do not reflect, temporary, seasonal, relief fire dispatchers, committee or council members. * Updated

Position Hired: Laborer II

Position Transferred/Promoted: Customer Service Clerk, (part-time) to Customer Service Clerk, I (full-time)

Position Terminated/Resigned/Retired: Librarian I, Library Page (part-time); First Class Lineman

Positions Posted: Library Page (part-time); Substation Technician (out of house); Crew Leader, Streets

Recruitment Information (Positions closed in November)

| Position | Total | Female | Male | Unknown | Black | White | Hispanic | Asian/Pacific Islander | American Indian/Alaskan Native | Two Or More | Unknown | In Dover | Out Dover |
|---------------------------------------|-------|--------|------|---------|-------|-------|----------|------------------------|--------------------------------|-------------|---------|----------|-----------|
| Library Page (part-time) | 26 | 20 | 4 | 2 | 7 | 15 | - | 1 | - | 1 | 2 | 14 | 12 |
| Substation Technician | 16 | 1 | 14 | 1 | 4 | 9 | - | - | - | - | 3 | 7 | 9 |
| Motor Equipment Operator I/II Grounds | 18 | 1 | 17 | - | 4 | 10 | - | - | 1 | 2 | 1 | 8 | 10 |

Open or Currently Recruiting*

| Open or Currently Recruiting by Dept. | Nov 16 | Dec 16 | Jan 17 | Feb 17 | March 17 | April 17 | May 17 | June 17 | July 17 | Aug 17 | Sept 17 | Oct 17 | Nov 17 |
|---------------------------------------|--------|--------|--------|--------|----------|----------|--------|---------|---------|--------|---------|--------|--------|
| Electric | 4 | 4 | 4 | 4 | 4 | 4 | 4 | 5 | 7 | 7 | 8 | 8 | 9 |
| Public Works | 6 | 6 | 5 | 5 | 6 | 6 | 6 | 7 | 8 | 11 | 13 | 13 | 12 |
| Police | 1.5 | 3 | 5.5 | 6 | 7.5 | 9.5 | 9 | 8 | 6.5 | 6.5 | .5 | 3.5 | 3.5 |
| All Other Departments | 14 | 13.5 | 11.5 | 11.5 | 12 | 10 | 9.5 | 9 | 7.5 | 7.5 | 8 | 10.5 | 11.5 |
| Totals | 25.5 | 26.5 | 26 | 26.5 | 29.5 | 29.5 | 28.5 | 29 | 29 | 32 | 29.5 | 35 | 36 |

*Not used for Budgeting Purposes

♦The following has been updated to reflected the Fiscal 2017-18 Budget

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

Public Works: (2) Utility Maintenance Mechanic I, Gardener I, Motor Equipment Operator III (Water/wastewater); Field Supervisor II (Grounds), Civil Engineer, Motor Equipment Operator I (Sanitation), Motor Equipment Operator II (Sanitation), (2) Motor Equipment Operator I (Grounds); Crew leader (Streets); Crew Leader (Sanitation)

Police: Cadet; (3) Police Officers

All Other Departments: City Manager, Director Planning & Inspections, Billing Supervisor (Customer Service); Customer Service Clerk II (Collections); (2) Customer Service Clerk I (part-time); Budget Analyst; Office Assistant; Payroll Specialist, Inspector I (Code Enforcement), Administrative Assistant (City Clerk's Office); Librarian I; Library Page (part-time),

HUMAN RESOURCES ***(Continued)***

Turnover Statistics

| | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 | 2016 | 2017 |
|-------------------------------|------|------|-------|-------|------|-------|------|-------|
| Total Turnover % | 5.57 | 6.75 | 11.00 | 10.91 | 6.02 | 12.05 | 8.68 | 14.52 |
| Termination Turnover % | 0.27 | 1.08 | 0.29 | 1.47 | .57 | .28 | .54 | 1.64 |
| Resignation Turnover % | 2.12 | 4.05 | 5.21 | 5.01 | 2.29 | 7.56 | 6.24 | 7.13 |
| Retirement Turnover % | 3.18 | 1.62 | 5.50 | 4.42 | 3.15 | 4.20 | 1.90 | 4.11 |
| Other | - | - | - | - | - | - | - | 1.64 |

2012 Healthcare cost sharing implemented

2013 Healthcare cost sharing implemented for DOE

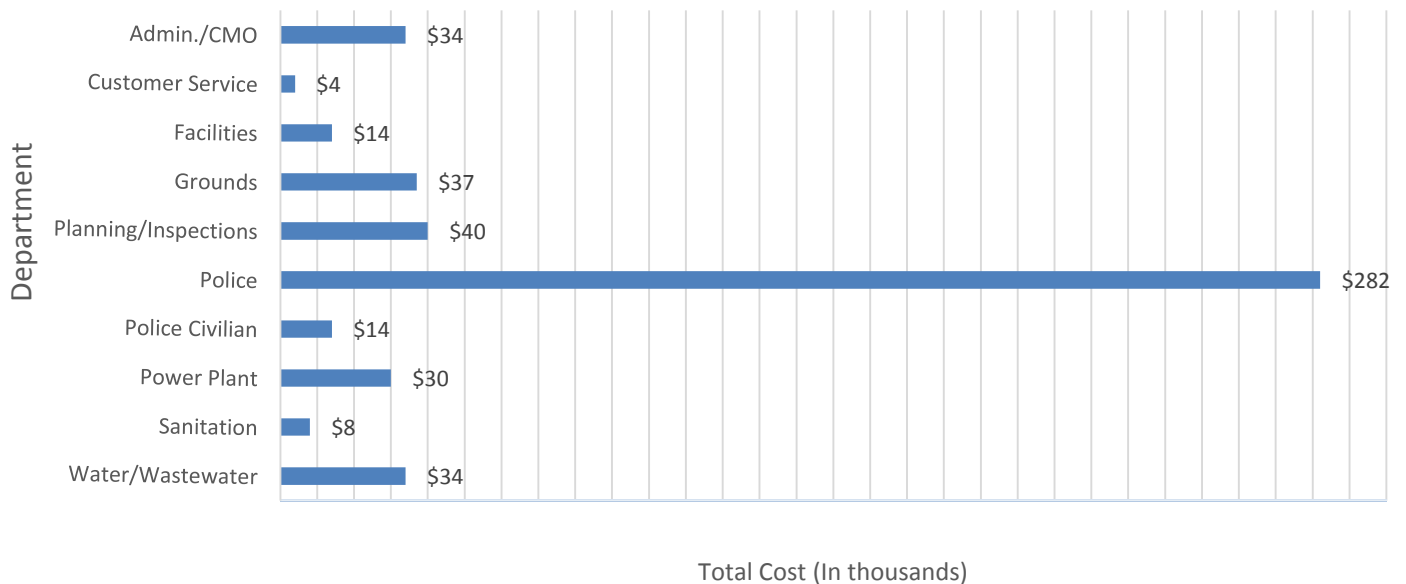
2016 RIF in Economic Development

Average Employees

| | 2010 | 2011 | 2012* | 2013* | 2014 | 2015 | 2016 | 2017 |
|--|------|------|-------|-------|------|------|------|------|
| Total Number of Employees | 21 | 25 | 38 | 37 | 21 | 42 | 32 | 53 |
| Separating from Service | | | | | | | | |
| Average Number of Full-time Employees | 362 | 356 | 333 | 325 | 331 | 333 | 340 | 337 |
| Average Number of Part-time Employees | 16 | 15 | 12 | 14 | 18 | 24 | 28 | 28 |

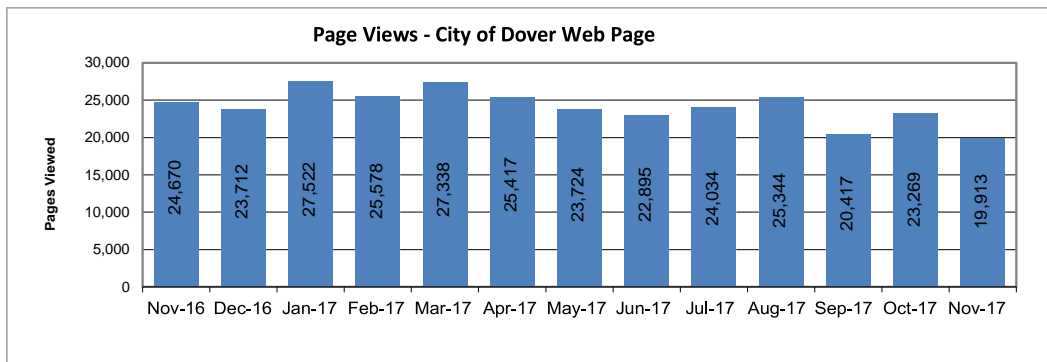
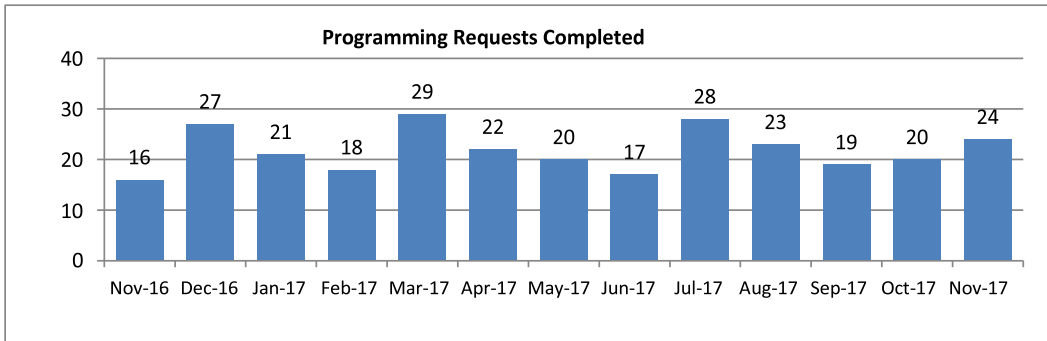
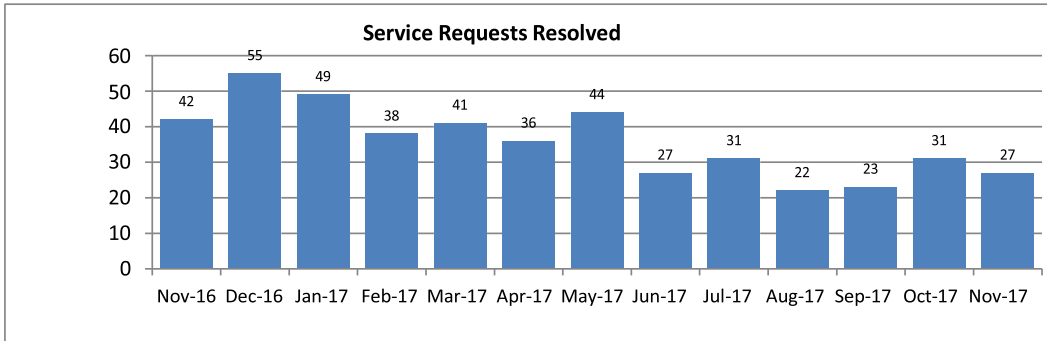
* Healthcare cost sharing implemented

Workers Compensation Cost CY 2017



Total \$497,000

INFORMATION TECHNOLOGIES



Noteworthy:

Scheduled date for Tyler to come on-site to install ERP software.

Upgraded Core servers to Server 2012 R2 in preparation for adding new ERP Servers. Waiting on storage.

Final planning for telephone system upgrade.

Started planning for HTE software upgrade.

November 2017
Monthly Report



Highlighted Special Events & Attendance:

| | |
|-----------------------------------|-----|
| Art Reception | 50 |
| "In Harmony..." Concert Series | 102 |
| Capital Holiday Celebration | 150 |
| COPE Van: Brandywine Counseling & | 55 |

| | | | | | Programs: | Offered | Attended |
|---|--------|--|--|--|-------------------|----------------|-----------------|
| Total Items Checed Out: | 28,760 | | | | | | |
| <i>E-books:</i> | 2,497 | | | | | | |
| | | | | | Adult | 45 | 580 |
| New Library Cards: | 263 | | | | Teens | 29 | 115 |
| | | | | | Children | 43 | 821 |
| Library Card Holders: | 36,810 | | | | Job Center | 41 | 330 |
| <i>Service Area Population:</i> | 62,527 | | | | | | |
| | | | | | | | |
| Library Visitors: | 30,041 | | | | | | |
| | | | | | | | |
| Meeting Rooms Usage: | 1,239 | | | | | | |
| | | | | | | | |
| Computer Users: | 3,983 | | | | | | |
| | | | | | | | |
| Wireless Users: | 1,715 | | | | | | |
| | | | | | | | |
| Items Loaned to/Received from Other Libraries: | 5,591 | | | | | | |



Parks & Recreation November Monthly Report



Parks & Recreation Highlights

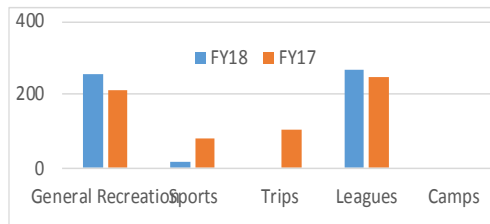
- ◆ **Annual Food Drive** was quite successful! Three (3) local food banks received plenty of food donations. Donations were collected at City offices and during the Capital Holiday Festival. In partnership with the Central Delaware Chamber of Commerce, First State Manufactured Housing and local volunteers food was sorted and prepared for the food banks. Something that was special this year, pet food was a welcomed addition to the donated items. Representatives from the food banks appreciated this, as many of their clients also had pets.
- ◆ **Capital Holiday** offered our citizens a festive evening of fellowship and cheer. Lockerman was full of families out to enjoy the splendor of the tree lighting, Christmas carols, Candy Cane dancers and so much more...well of course, Santa made the show all that much better as we welcomed in the holiday season.
- ◆ **Fall Co-Ed Volleyball League** completed their season play with “Mike Sells Delaware” winning the league title.
- ◆ **Youth Winter Indoor Basketball League** kicked off on November 18 with the Skill Evaluations day. The League is anticipated to begin practices mid-December. Once again, this league was a sell out with more that 268 local youth participating.

Bicycle/Pedestrian Subcommittee - Topics of discussion included grants, promotion of walking activities, Bike Friendly Community Application, Senator Bikeway and other project updates. The group will skip their December meeting. The announcement of the Bike Friendly designation is anticipated for December 2017.

Silver Lake Commission - They will meet again in January 2018.

Personnel and Training Updates - No training to report for November.

November Enrollment Summary

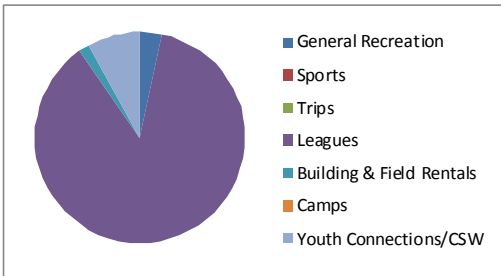


| Category | FY18 | FY17 |
|--------------------|------|------|
| General Recreation | 255 | 211 |
| Sports | 14 | 79 |
| Trips | 0 | 105 |
| Leagues | 267 | 248 |
| Camps | N/a | N/a |

Recreation Revenue Breakdown

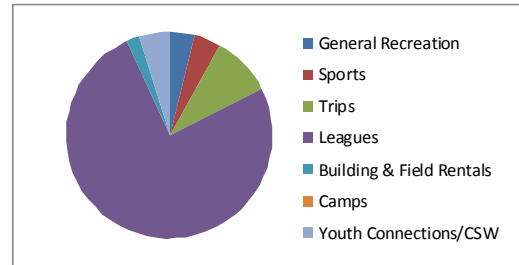
Revenue Breakdown

November 2017

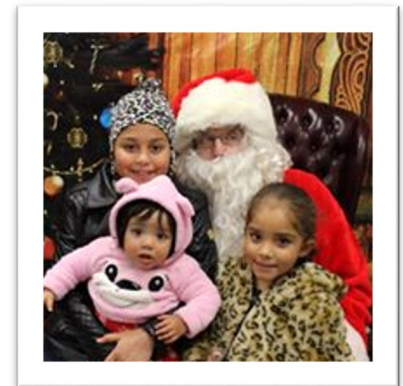


| | |
|--------------------------|-----------|
| General Recreation | 711.50 |
| Sports | 0 |
| Trips | 0 |
| Leagues | 19,190.00 |
| Building & Field Rentals | 365.00 |
| Camps | 0 |
| Youth Connections/CSW | 1,778.00 |

November 2016

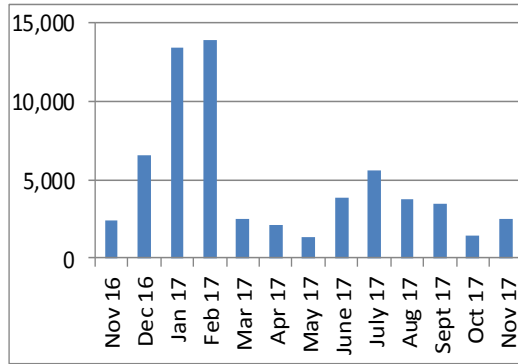


| | |
|--------------------------|-----------|
| General Recreation | 1,151.00 |
| Sports | 1,235.00 |
| Trips | 2,775.00 |
| Leagues | 22,230.00 |
| Building & Field Rentals | 570.00 |
| Camps | 0 |
| Youth Connections/CSW | 1,411.91 |

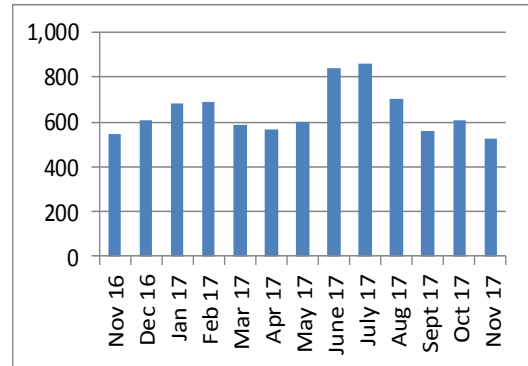


John W. Pitts Recreation Center – November 2017

Total Program Attendance



Facility Usage By The Hour



| Facility Usage By The Hour | November 17 | FYTD 18 | November 16 | FYTD 17 |
|-----------------------------------|-------------|--------------|--------------|--------------|
| Open Gym | 456 | 1,682.5 | 456.5 | 1,610.5 |
| Fitness Classes | 16 | 122 | 30 | 138 |
| Leagues | 34 | 366 | 34 | 357.5 |
| Camps | 0 | 925 | 0 | 988.5 |
| Sports Classes | 6 | 13 | 16.5 | 30 |
| Meetings & Rentals | 12 | 141.5 | 7 | 56 |
| Enrichment Classes | 0 | 2 | 1.5 | 5.5 |
| Total Facility Usage Hours | 524 | 3,252 | 545.5 | 3,186 |

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

| Program Attendance** | November 17 | FYTD 18 | November 16 | FYTD 17 |
|----------------------|--------------|---------------|--------------|---------------|
| Total | 2,470 | 16,646 | 2,373 | 15,025 |
| Open Gym | 369 | 1,325 | 398 | 1,329 |
| Fitness Classes | 67 | 466 | 102 | 595 |
| Leagues | 1,685 | 11,277 | 1,516 | 10,944 |
| Camps | 0 | 1,022 | 0 | 1,284 |
| Sports Classes | 140 | 215 | 81 | 263 |
| Meetings & Rentals | 209 | 2,333 | 270 | 582 |
| Enrichment Classes | 0 | 8 | 6 | 28 |

Since our opening in late April 2008, we have had 522,228 guests at the John W. Pitts Recreation Center.

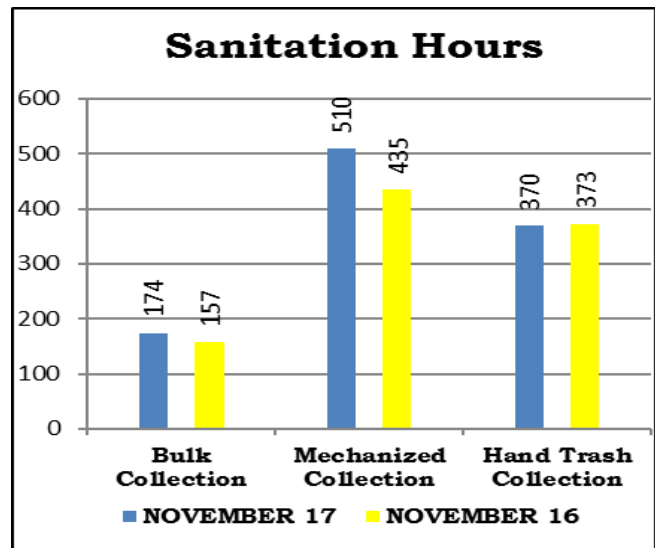
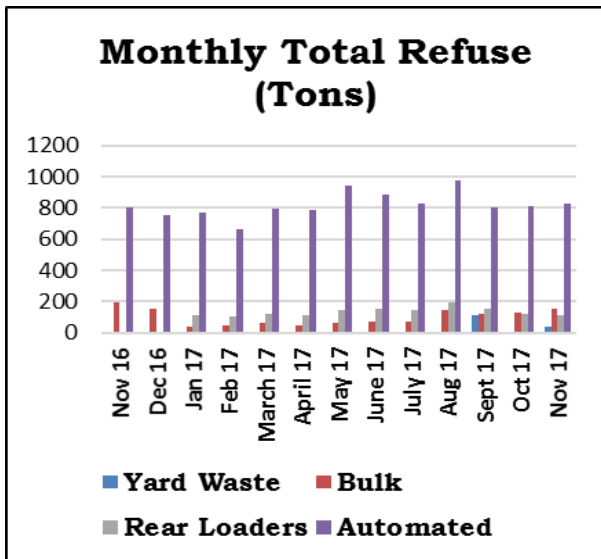


PUBLIC WORKS

Construction Inspection

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

Sanitation



| | NOVEMBER 17 | FYTD 18 | NOVEMBER 16 | FYTD 17 |
|--------------------------------------|-------------|----------|-------------|----------|
| Trips to DSWA Sandtown Landfill | 212 | 1,074 | 176 | 859 |
| Total Tonnage to DSWA | 1,129.61 | 5,856.01 | 993.82 | 5,054.31 |
| 90-Gallon Containers Delivered | 52 | 359 | 67 | 276 |
| 300-Gallon Containers Delivered | 0 | 0.00 | 0 | 0.00 |
| Total Man Hours-containers Delivered | 21 | 117 | 27 | 98 |

| CURBSIDE RECYCLING STATS | TOTAL # OF HOUSEHOLDS COLLECTED | TOTAL # OF ACCOUNTS | WEIGHT/LBS. | AVE. LBS. |
|---------------------------------|--|----------------------------|--------------------|------------------|
| November 2017 | 20,932 | 9,528 | 286,020 | 13.66 |

| Streets | NOVEMBER 17 | FYTD 18 | NOVEMBER 16 | FYTD 17 |
|------------------------------------|--------------------|----------------|--------------------|----------------|
| Signed Installed | 12 | 63.00 | 4 | 46.00 |
| Signs Repaired | 2 | 32.00 | 5 | 35.00 |
| Curbs Painted Yellow (feet) | 141 | 1,018.00 | 363 | 3,176.00 |
| New Post Installed | 3 | 24.00 | 1 | 33.00 |
| Storm Catch Basins Repaired | 0 | 5.00 | 0 | 9.00 |
| Storm Catch Basin Repairing (Hrs.) | 0 | 37.00 | 0 | 13.50 |
| Storm Catch Basins Cleaned | 0 | 44.00 | 1 | 21.00 |
| Storm Catch Basins Cleaning (Hrs.) | 0.00 | 37.50 | 1 | 2,228.00 |
| Hot Mix Patching (Tons) | 0.00 | 13.60 | 0 | 0.00 |
| Hot Mix Patching (Hrs.) | 0 | 20.00 | 0 | 0.00 |
| Cold Mix Patching Hrs.) | 1.5 | 39.58 | 0 | 56.25 |
| Concrete Work (Hrs) | 6.0 | 156.00 | 8 | 22.00 |
| Concrete Patching (Cubic Yards) | 0.30 | 24.89 | 0.20 | 4.23 |
| Ditch Work (Hrs). | 0 | 2.00 | 0 | 2.00 |
| Street and Alley Maintenance (Hrs) | 0.0 | 54.00 | 0 | 0.00 |
| Street Sweeping (Miles) | 188 | 6,443.24 | 60 | 7,620.00 |
| Street Sweeping (Cubic Yards) | 22.00 | 551.25 | 10.0 | 654.08 |
| Leaves Collected (Cubic Yards) | 5,477.0 | 6,642.00 | 5,907.0 | 6,861.00 |
| Leaf Collection (Miles) | 2,354 | 3,176.00 | 3,777 | 4,432.00 |

GROUNDS

Work Orders

| | | |
|------------------------|-------------|--------------|
| Total Work Orders = 10 | General = 2 | Arborist = 8 |
|------------------------|-------------|--------------|

| Arborist Crew | November 2017 | November 2016 |
|----------------------|----------------------|----------------------|
| Trees Trimmed | 5 | 32 |
| Trees Removed | 1 | 8 |
| Stumps Removed | 1 | 2 |
| Trees Planted | 2 | 0 |
| Root Pruning | 2 | 0 |

Beautification Crew

Planting of flower beds with tulips

Mowing Crew

Assisted with planting of flower beds
 Assisted Arbor crews for repairing of holiday lights in trees
 Installed wreaths on City Hall and Weyandt Hall
 Planted two (2) trees

Litter Removal

The new laborer II for the purpose of litter removal started
Litter is being picked up on City properties as per the weekly schedule
Litter person has been diligent in the reporting of destruction in City parks

Miscellaneous

Put the stage out for 3 events
Worked the tree lighting event
Put plows and cabs on equipment for winter maintenance
Opened and closed the Silver Lake Dam two (2) times for contractor
Removed goals and benches from soccer fields for Parks and Recreation

GEOGRAPHIC INFORMATION SYSTEMS (GIS)

| | |
|------------------------|---|
| Planning & Inspections | Created a map of the Owner Occupied Parcels in the RCD boundary. Provided a list of those addresses, as well as lists of addresses of rentals and vacant buildings along Loockerman Street. |
| Public Works | Created Water, Storm Water, and Sanitary Sewer plan maps for MISS Utility Tickets. |
| Public Works | Updated the water system layers along the New Street WMR area. |
| Public Works | Create GIS Day PowerPoint Presentation |
| Public Works | Updated the Parcels, Rentals, and Active AHIs layers for the month. |
| Public Works | using KCI stormwater data merged related tables to create separate feature classes. |
| Public Works | Created two 8.5"x11" maps of the new road structures on Independence Blvd. for the Snow Plan. |
| Public Works | Created Water, Storm Water, and Sanitary Sewer plan maps for MISS Utility Tickets. |
| Public Works | Created a layer of drainage sub-basins around Bucks/Boggs Drive. Added to existing map along with labeling of streets and storm water infrastructure. |
| Public Works | Recreated the district maps for Senate-17 and Representative-31. Shared to PW folder. |

FLEET AND FACILITIES MANAGEMENT

Fleet Maintenance

| | | | | | |
|---------------------------|-----------|-------------------------|--------------|-------------------------|------------|
| PM Work Orders Completed: | 16 | Number of Tire Repairs: | 1 | Number of Road Repairs: | 6 |
| 6Other Work Orders: | 43 | Repair Hours: | 136.5 | Road Repair Hours: | 15 |
| Total Work Orders: | 59 | Fabrication Hours: | 0 | Misc. Hours: | 235 |
| PM Hours: | 80 | | | | |

Of Scheduled PM's: 19
Of Scheduled PM's: Completed: 6

Major Program Updates

| MEASURE | November 2017 | November 2016 | DIFFERENCE |
|--|------------------------|-------------------------|-----------------|
| Fleet Maintenance - Scheduled Preventative Maintenance appointments being kept (<i>Quantity and Percentage</i>) | 6 out of 19 31.58 % | 3 out of 19 15.79 % | +15.79 % |
| <u>Facilities Maintenance</u> | | | |
| Facilities - Routine work orders completed within 5 days (<i>Quantity and Percentage</i>) | 24 out of 25 96.0 % | 37 out of 38 97.37 % | - 1.37 % |
| Facilities - Emergency work orders completed within 2 days (<i>Quantity and</i> | 1 out of 1 100 % | 2 out of 2 100 % | 0 % |

Water/Wastewater Divisions

| | Oct 16 | Nov 16 | Dec 16 | Jan 17 | March 17 | Feb 17 | April 17 |
|----------------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|
| Total Water Prod. | 173,574,000 | 122,328,000 | 132,009,000 | 139,873,000 | 153,874,000 | 126,731,000 | 142,087,000 |
| Billed Consumpt. | 159,687,000 | 133,279,000 | 114,760,000 | 114,760,000 | 120,373,000 | 150,473,000 | 127,958,000 |
| Total Flow to County | 169,995,000 | 114,255,000 | 114,682,000 | 141,147,600 | 120,431,000 | 115,346,000 | 123,927,000 |
| City Readings | 147,838,447 | 150,270,118 | 136,196,345 | 142,470,400 | 134,835,733 | 148,506,989 | 135,076,400 |
| | May 17 | June 17 | July 17 | Aug 17 | Sep 17 | Oct 17 | Nov 17 |
| Total Water Prod. | 171,797,000 | 183,692,000 | 195,693,000 | 183,352,000 | 172,501,000 | 172,453,000 | 134,533,000 |
| Billed Consumpt. | 127,958,009 | 161,418,000 | 179,460,000 | 169,521,000 | 169,521,000 | 159,271,000 | 136,701,000 |
| Total Flow to County | 170,213,000 | 136,745,000 | 125,926,000 | 178,219,000 | 139,090,000 | 153,736,000 | 120,538,000 |
| City Readings | 168,499,897 | 141,349,551 | 138,366,768 | 167,858,838 | 144,462,028 | 168,885,523 | 123,758,466 |

ENGINEERING SUMMARY

| Major Program Updates | NOVEMBER 17 | NOVEMBER 16 | DIFF | FY18 YTD | FY17 YTD |
|---|-------------|-------------|------|----------|----------|
| State and Federal Violations | 0 | 0 | 0 | 0 | 0 |
| Water Quality Complaints | 3 | 1 | + 2 | 45 | 59 |
| Plan Review Completed Within 30 days of Submission | 12 | 2 | + 10 | 44 | 26 |

OPERATIONAL SUMMARY

| Task | NOVEMBER 17 | NOVEMBER 16 | CURRENT FY |
|---|--------------------|--------------------|-------------------|
| Water Production - Daily Average | 4,484,433 | 4,077,600 | 1,042,228,000 |
| Average Field Response Time (goal is <30 minutes) | 19.00 | 16.9 | 18.00 |
| Water Mains Repaired | 1 | 3 | 3 |
| Water Service Lines Repaired | 6 | 1 | 11 |
| Wastewater Mains Repaired | 1 | 1 | 2 |
| Wastewater Service Lines Repaired | 1 | 0 | 4 |
| Sewer Lines Flushed - linear feet | 23,374 | 56,710 | 203,310 |
| Sewer Mains Videoed -linear feet | 0 | 2,222 | 4,287 |
| Sewer Manholes Cleaned | 119 | 289 | 595 |
| Total Fire Hydrants in Service | 1,839 | 1,820 | 1,839 |
| Total Water Meters in City Distribution System | 14,731 | 14,515 | 14,731 |



City Planner's Monthly Report

Department of Planning & Inspections

NOVEMBER 2017

Planning & Inspections

Highlights

Some Items to Call to Your Attention:

The City's economy continues to show positive improvement as reflected in building and licensing reports. Construction is also strong for multi-family dwelling projects such as Tall Pines, Leander Lakes and Blue Hen Apartments.

Commercial projects continue as well with the opening of Panera Bread, start of construction on Longhorn Steakhouse, approval of the sign package for Capital Station, active demolition of the former Playtex facility, and a number of new businesses Downtown that are recently opened.

Code Enforcement and Inspections functions are also noteworthy. During November, 94 new enforcement cases were opened. Code officers conducted 337 inspections during the month; again tall grass and property maintenance violations predominate. 330 Building Permit Inspections took place and 186 Building Permits were issued.

City Planner's Monthly Report

Planning, Inspections & Recreation

More Highlights!

- Members of the Planning Staff (Dave Hugg, Dawn Melson-Williams, Eddie Diaz, Tracey Harvey, and Julian Swierczek) attended the Delaware APA Chapter's 2017 Annual Meeting event in November 1st. The day included a series of workshop sessions on land use planning and law review. During the presentation of the 2017 Planning Awards, David Hugg received the Peter Lawson Award for his years of dedication to planning efforts statewide.
- A variety of City Staff participated in the *Dover Roundtable: Creating the Buzz* on November 6, 2107 hosted by the Planning Department at the Library. The facilitated session focused on a discussion and the development strategic marketing efforts to promote the City of Dover in order to "share our story" with the media and the community.



THE CENTER AT EDEN HILL

Skilled Nursing Facility at 300 Banning Street

PROGRESS IN PICTURES



**The Preserve at 930 Whatcoat Drive
(Renovations to Whatcoat Apartments)**



**Chestnut Grove Farms: Townhouses
12, 14, and 16 Barrington Way**



**A & G Kramedas Association – Building 202
222 South DuPont Highway**



Cannon Mills: 441 Northdown Drive

| Planning & Inspection Revenues | | | |
|---|----------------------|---|--------------------|
| | | | |
| | FY '18 Budget | FY '18 Actual (YTD) November | % of Budget |
| Revenue Stream | | | |
| Business License | \$1,467,000 | \$ 1,440,566 | 98% |
| Trailer License | \$19,000 | \$ 17,358 | 91% |
| Building Permits | \$800,000 | \$ 305,999 | 38% |
| Cert. of Occupancy | \$13,000 | \$ 10,500 | 81% |
| Public Occupancy | \$23,000 | \$ 1,050 | 5% |
| Lodging House | \$14,000 | \$ 28 | 0% |
| Plumbing/Heating/Air | \$115,000 | \$ 88,508 | 77% |
| Rental Inspection | \$437,000 | \$ 2,662 | 1% |
| Miscellaneous | \$27,000 | \$ 6,032 | 22% |
| Fire Protection Fees | \$65,000 | \$ 44,730 | 69% |
| Code Enforcement | \$35,000 | \$ 16,105 | 46% |
| Vacant Building Reg. | \$250,000 | \$ 104,450 | 42% |
| | | | |
| Total P&I Revenue | \$3,265,000 | \$ 2,037,988 | 62% |
| | | | |
| <i>November 30 2017</i> | | | |

PERSONNEL AND TRAINING

- On November 18, 2017 Eddie Diaz (Planner I) passed the AICP (American Institute of Certified Planners) Certification Exam.



PLANNING OFFICE

The Planning Office is part of the review process for certain types of construction activity permits (Building Permits, Sign Permits, etc.) and Certificate of Occupancy permits. For November 2017, Planning Staff was involved with review of 58 Permits and 24 Certificates of Occupancy permits. This results in a 2017 calendar year to date total of 1045 Permits and Certificates of Occupancy (2016 calendar year to date total of 1019 Permits and COs compared to 895 for 2015). Planning Staff also reviews new applications for Business Licenses and Rental Dwelling Permits.

COMPREHENSIVE PLAN IMPLEMENTATION

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

- The Planning Office continues to be involved in the following studies and projects: Restoring Central Dover Community Plan implementation, the Dover/Kent County MPO Regional Bicycle Plan Update project, and Downton Dover Parking Study.
- Planning Staff continues work on reviewing Dover's Downtown Development District program management seeking to better understand the administrative activities and to focus on updates to program outreach materials.
- The Planning Office is concluding the Study of "Non-conforming Uses" which identified non-compliant uses in specific residential zones. Two Rounds of Notifications to non-conforming property owners occurred in 2016 and early 2017 with a number of the identified properties taking action to resolve the non-conformity issues. The last Rezoning application was approved in late September. Staff will be working on the close-out of the project files and a final report.

Construction Activity

- Construction activities continue at several multi-family residential projects including the Tall Pines project at 1655 and 1665 Kenton Road (S-14-18), Leander Lakes Apartments (S-12-18), Phase 2 of the Blue Hen Apartment Complex (S-15-12), the reconstruction of Liberty Court Apartments (S-16-22) and the renovations of Whatcoat Village Apartments (S-16-05). A Building Permit was issued for construction the Lake Club Apartments Rental Center building (S-17-09) which will include a new rental office, meeting area, and fitness center for the apartment complex.
- There is residential construction activity in Clearview Meadows PND, Nottingham Meadows, Seskinore, and Village of Cannon Mill.
- Certificates of Occupancy were issued to five (5) one family detached dwellings, one (1) manufactured home placement, two (2) duplex units, three (3) townhouse dwellings, and one apartment building at The Grande. Temporary Certificates of Occupancy were issued for one (1) apartment building at Liberty Court and for a series of apartment buildings in the renovation project at Whatcoat Apartments.
- A Certificate of Occupancy was issued for the new building known as the Center at Eden Hill (a skilled nursing facility) located at 300 Banning Street (S-16-16).
- The following Building Permits were issued to start construction of commercial buildings including: Longhorn Steakhouse Restaurant at 505 North DuPont Highway (S-17-13) and the Truck Store at 423 South DuPont Highway (S-17-11).

| | NOVEMBER (2017) FY18 | TOTAL FOR FY18 |
|-----------------------------------|-----------------------------|-----------------------|
| New Home Permits Issued | 8 | 60 |
| Value of Commercial Projects | \$3,006,074.00 | \$15,381,829.00 |
| Downtown Incentives (Fees Waived) | \$272.50 | \$3,495.50 |

BOARD AND COMMISSION ACTIVITY

Planning Commission

The Planning Commission met on November 20, 2017. The next Planning Commission meeting is scheduled for December 18, 2017.

- **C-17-05 Loockerman Coffee Shop at 14 Loockerman Plaza** —Planning Commission granted conditional approval of a Conditional Use application to permit conversion of an existing 820 SF 1 1/2-story structure into a restaurant (coffee shop).
- **S-17-28 Multiplex at 299 College Road** —Planning Commission granted conditional approval of a Site Development Plan application to permit construction of a three (3) unit multiplex residential building (multi-family dwelling) with adjoining parking spaces. Also included was approval of a waiver for the elimination of the bicycle parking requirement and the relaxation of pathway relocation requirements specifically along Conwell Street. The applicant stated that they intend to improve the sidewalk along College Road to City standards; this was made part of their requirements.
- **S-17-29 Delaware State University Residence Hall at 1200 N. DuPont Highway: Master Plan** — Planning Commission granted conditional approval of the Master Plan as presented, to include the waiver request for the partial elimination of sidewalk along the segment of College Road. The Master Plan outlines the phased construction of a new 190,000 S.F. five-story Student Residence Hall. The project phases consist of the following: Phase 1- Relocation of Utilities, Phase 2 - Construction of Residence Hall (600 Beds) and Demolition of Laws Hall, and Phase 3 - Demolition of Tubman Hall. The subject project area consists of 209,088 +/- S.F. (4.80 +/- acres) internal to the Delaware State University Campus of 287.32 +/- acres.
- **MI-17-03 Text Amendments: Adult Day Care Facilities** — Planning Commission moved to recommend approval to City Council for a series of Text Amendments to establish provisions for Adult Day Care Facilities and clarify the provisions for Child Day Care Facilities.

Board of Adjustment

The Board of Adjustment met on November 15, 2017. The next regular scheduled meeting of the Board of Adjustment is scheduled for December 20, 2017. The following application was considered:

- **Applicant # V-17-16**—Property at 545 North DuPont Highway (Panera Bread Restaurant) —The Board moved to consider the variance for the two requested signs separately. For the first variance, the Board granted the variance with a sign to be placed on the wall having an area of 35.67 square feet. For the second variance, the Board voted to deny the larger wall sign of 94.74 square feet to be located on the north façade of the building.

Historic District Commission

The Historic District Commission did not meet on November 16, 2017; the meeting was cancelled due to potential for lack of quorum. The next Historic District Commission meeting is scheduled for December 21, 2017.

COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

CDBG FY17 Projects

The Sub-recipients have signed their contracts and projects are underway.

Homeownership Assistance Program

CDBG funds will be used to provide homeownership assistance to first-time homebuyers who purchase affordable housing in the City of Dover. One (1) family is currently under contract to purchase a home the first week of January 2018, and two (2) families have purchased affordable housing.

Dover Interfaith Mission for Housing

CDBG funds will be used to provide operation costs for the shelter. This project is underway.

Connections Community Support Program

CDBG funds will be used to provide rapid re-housing/rental assistance services for homeless households within the City. This project is underway.

Milford Housing Homeowner Rehabilitation/Emergency Home Repair Programs

CDBG funds will be used to rehabilitate existing owner occupied housing in the City that is in violation of the City's Housing Code and complete emergency home repairs to eliminate housing conditions that threaten the health and safety of low income homeowners. Three (3) families have received emergency home repairs, and bids have been advertised for one (1) single family home to be fully renovated.

Habitat for Humanity

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

NSP Program

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

Code Enforcement Activity—NOVEMBER

| Case Type | # cases current month | # cases YTD (July to September) | % staff initiated current month | % staff initiated YTD |
|---|-----------------------|---------------------------------|---------------------------------|-----------------------|
| No valid Rental Permit | 0 | 7 | 0% | 75% |
| No valid Building Permit | 3 | 34 | 33% | 76% |
| Tall grass and weeds | 3 | 190 | 33% | 75% |
| Unregistered vehicle | 6 | 44 | 83% | 82% |
| Abandoned vehicle | 2 | 13 | 0% | 68% |
| Annual Housing Inspection | 27 | 123 | 78% | 78% |
| Property Maintenance – Exterior | 9 | 143 | 50% | 55% |
| Electric Termination | 9 | 48 | 100% | 95% |
| Dover Code of Ordinances | 28 | 132 | 71% | 60% |
| Zoning | 7 | 13 | 71% | 74% |
| Total Cases Opened | 94 | 747 | | |
| Total # of Inspections For Month | 337 | | | |

Dangerous Buildings, Vacant Buildings & Demolitions

- ◆ *954 Lincoln Street*—The property was condemned and taken forward to City Council as a dangerous building on November 7, 2016. Council ordered the owner to demolish the structure by December 7, 2016. The asbestos survey and abatement have been completed. The mortgage company has requested time to make renovations. The demolition has been put on hold.
- ◆ *1175 Horsepond Road*—The property was condemned on November 14, 2016 due to the dilapidated condition of the home. Notice was sent to the owner to repair or demolish the structure by February 23, 2017, or City Staff would take the property forward to City Council as a dangerous building. Property was presented to City Council on March 6, 2017; Council declared the property dangerous and ordered the owner to demolish by April 7, 2017. The owner is working to have the building demolished.
- ◆ *803 Westview Terrace*—The in-ground swimming pool has been condemned. Notice has been sent to all lien holders regarding the code violations to the in-ground swimming pool. Staff took this property to City Council on August 7, 2017 as a dangerous building and Council ordered the Owner to demolish the pool by September 7, 2017, or City Staff would have the pool demolished. Notice has been sent to the lien holders to remove all items related to the pool removed and demolition specifications are being worked on.
- ◆ *2292 White Oak Road*—The dwelling was condemned as unfit for human occupancy and notice was sent to the owner to repair or demolish the structure. City Staff took this property to City Council on August 7, 2017 as a dangerous building and Council ordered the Owner to demolish the house by September 7, 2017, or City Staff would have the structure demolished. Notice has been sent to the lien holders to remove all items from the property that they wish to keep. The demolition specifications are being worked on.
- ◆ *526 Fulton Street*—The dwelling is condemned and a lien search has been requested..
- ◆ *113 Davis Circle*— The dwelling is condemned and a lien search has been requested.

- ◆ *Vacant Buildings*—During the month of November, fourteen (14) additional buildings were registered as vacant, and \$12,375.00 in vacant building registration fees were collected.

Building Inspections & Licensing Summary

| | Current | NOV 17-June18 | NOV 2016 | NOV 16 -June17 |
|--------------------------------------|-----------------------------|----------------|----------------------------|----------------|
| | NOV 18 | FYTD 18 | NOV 17 | FYTD 17 |
| PERMITTING AND LICENSING | | | | |
| Permits Issued | NOV (2017) FY 18 | FYTD 18 | NOV (2016) FY17 | FYTD 17 |
| Administrative Permit | 3 | 16 | 2 | 39 |
| Building Addition/Renovation Permits | 34 | 159 | 38 | 165 |
| Building Permits | 25 | 139 | 35 | 163 |
| Demolition Permits | 2 | 17 | 2 | 15 |
| Fence Permits | 6 | 61 | 5 | 38 |
| Fire Prevention Permits | 8 | 66 | 22 | 57 |
| Mechanical Permits | 45 | 286 | 59 | 230 |
| Plumbing Permits | 44 | 331 | 28 | 173 |
| Sign Permits | 19 | 75 | 6 | 81 |
| Swimming Pool Permits | 0 | 2 | 0 | 5 |
| Subtotal | | 1152 | | 966 |
| Business Licenses | | | | |
| Business Licenses | 53 | 2015 | 55 | 2063 |
| Merchant Licenses | 8 | 361 | 20 | 350 |
| Contractor Licenses | 22 | 1094 | 35 | 855 |
| Subtotal | | 3470 | | 3268 |
| Lodging House Licenses | | | | |
| Lodging House Licenses | 0 | 0 | 0 | 14 |
| Public Occupancy | 7 | 48 | 7 | 55 |
| Rental Dwelling | 20 | 83 | 11 | 101 |
| Subtotal | | 131 | | 170 |
| Manufactured Homes | | | | |
| Manufactured Homes | 14 | 360 | 25 | 372 |
| BUILDING INSPECTIONS | | | | |
| Inspections | NOV (2017) FY 18 | FYTD 18 | NOV (2016) FY17 | FYTD 17 |
| Building (Inspections/Site Meetings) | 330 | 2198 | 357 | 1953 |
| Plumbing/Mechanical | 543 | 2941 | 783 | 2159 |
| Certificate of Occupancy | 24 | 123 | 16 | 82 |

Fire Marshal's Office—At a Glance

The Fire Marshal's Office investigated a total of four (4) incidents during the month of November to include a major fire loss at 1200 N DuPont Hwy valued at \$2,500,000.

The Deputy Fire Marshal's attended residential sprinkler training.

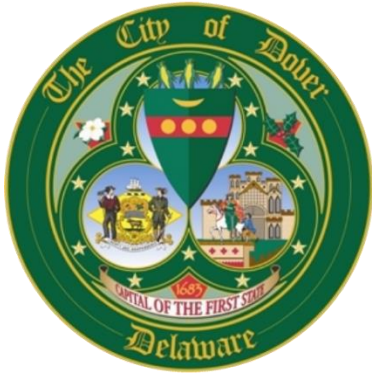
We are continuing mercantile inspections and monthly daycares. We will be starting inspections of public office buildings next.



| | Month | Year to Date | Previous Year to Date |
|--|-------|--------------|-----------------------|
| Annual Fire & Life Safety Inspections | 13 | 66 | 101 |
| Deficiencies From the Above Inspections | 162 | 451 | 387 |
| Fire Code Violations/Deficiencies/Complaints | 104 | 175 | 192 |
| C/O & Fire Equipment Acceptance Tests | 4 | 55 | 77 |
| Meetings & Walk Through | 11 | 96 | 94 |
| Fire Plan Review & DAC | 15 | 87 | 64 |

| | Month | Year to Date | Previous Year to Date |
|----------------------|------------------------|------------------------|-----------------------|
| Accidental | 2 totaling \$4000 | 16 totaling \$168,500 | \$324,500 |
| Undetermined | 1 totaling \$2,500,000 | 4 totaling \$2,515,000 | \$25,501 |
| Incendiary | 1 totaling \$1,500 | 17 totaling \$28,002 | \$120,000 |
| Arrest Made with DPD | 0 | 0 | - |
| Investigation Time | 28 hours | 84 hours | - |
| Injuries | 0 | 0 | - |
| Deaths | 0 | 0 | - |

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

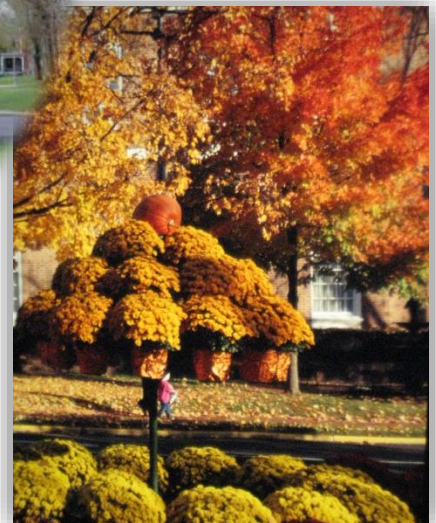


City of Dover

FINANCE AND PROCUREMENT
& INVENTORY DEPARTMENTS —
MONTHLY BUDGET REPORTS



NOVEMBER 2017

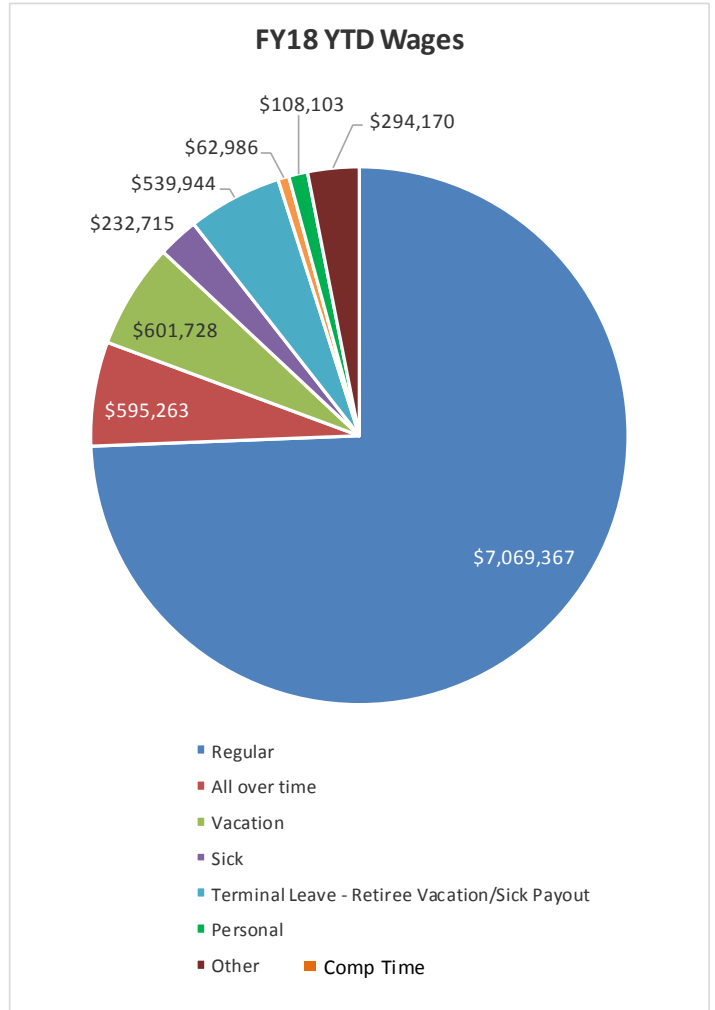
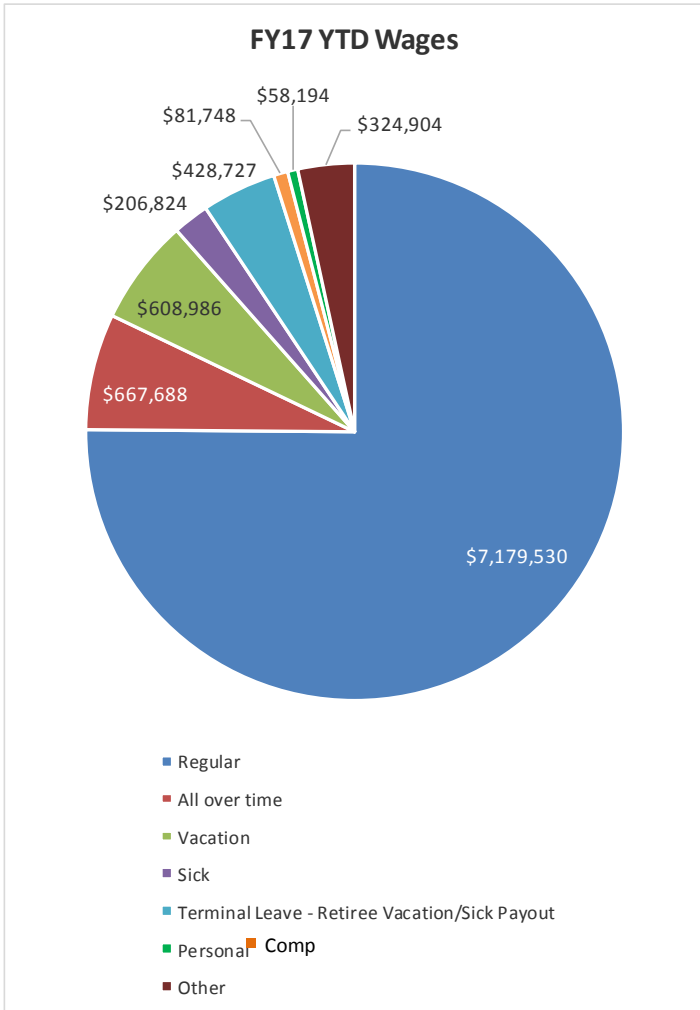


PLEASE NOTE – THIS REPORT PROVIDES TOP LINE INFORMATION ON THE OPERATING FUNDS. IF YOU WOULD LIKE ADDITIONAL INFORMATION, PLEASE FEEL FREE TO CONTACT THE FINANCE DEPARTMENT.

CITY OF DOVER ACTIVITY REPORTS NOVEMBER 2017

FINANCE DEPARTMENT ACTIVITY LEVELS

| | FY17 YTD | FY18 YTD |
|---|---------------|---------------|
| BANK TRENDS | | |
| Number of Deposits Made (Hand, ACH & Wire, Lockbox) | 3,013 | 2,829 |
| Total Amount of All Deposits | \$ 63,328,972 | \$ 63,500,078 |
| Other Activity | | |
| Number of Pay Periods | 11 | 11 |
| Number of Payroll Checks & Direct Deposits Issued | 4,419 | 4,302 |
| Number of Pension Checks Issued | 1,263 | 1,273 |
| Total Pension Benefits Paid - Defined Benefit Plan | \$ 2,175,570 | \$ 2,267,948 |
| ACCOUNTS PAYABLE | | |
| Number of Check Vouchers | 2,527 | 2,697 |
| Number of EFT Vouchers | 1,100 | 1,087 |
| Vouchers Dollar Amount Disbursed | \$ 27,811,606 | \$ 31,220,479 |



City of Dover
General Fund Summary
Fiscal Year to Date (November 2017)

Revenues

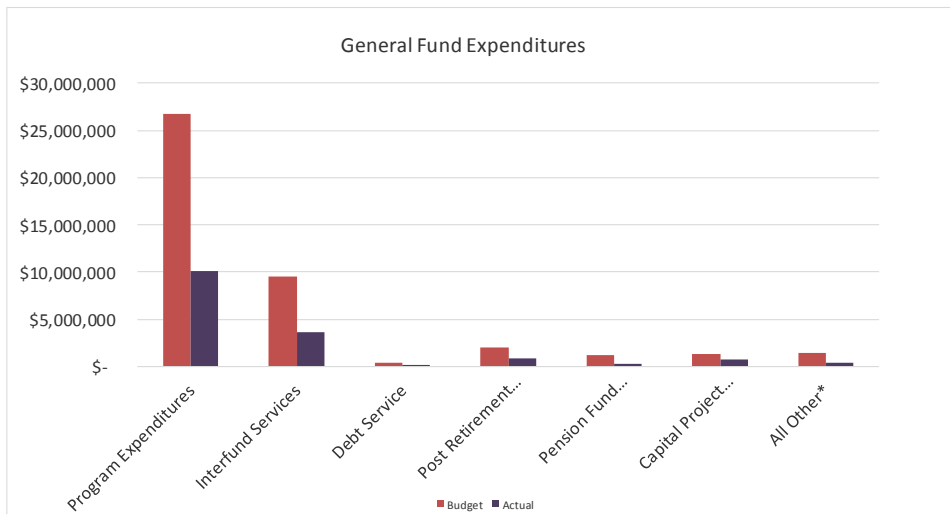
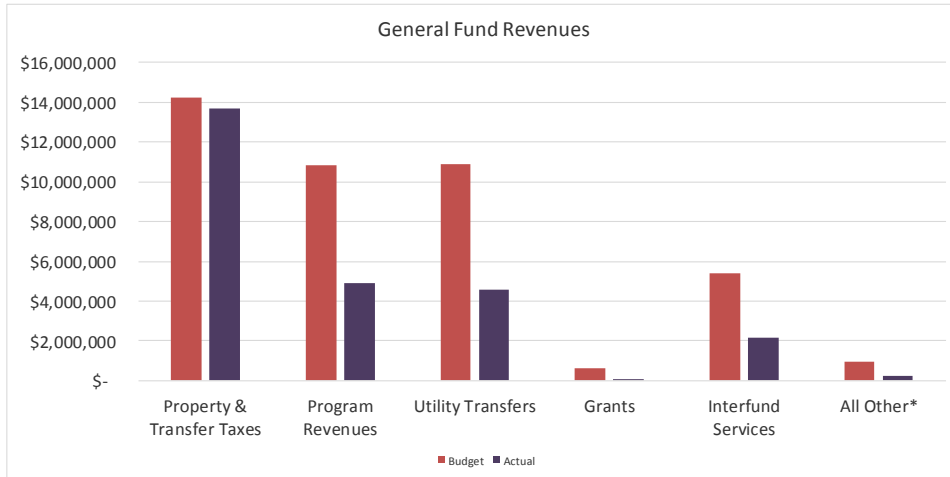
| | <u>Budget</u> | <u>Actual</u> | <u>%</u> |
|---------------------------|----------------------|----------------------|------------|
| Property & Transfer Taxes | \$ 14,234,900 | \$ 13,703,236 | 96% |
| Program Revenues | 10,834,900 | 4,881,831 | 45% |
| Utility Transfers | 10,900,000 | 4,550,000 | 42% |
| Grants | 605,000 | 46,861 | 8% |
| Interfund Services | 5,376,200 | 2,184,400 | 41% |
| All Other* | 980,000 | 264,415 | 27% |
| | <u>\$ 42,931,000</u> | <u>\$ 25,630,743</u> | <u>60%</u> |

*Includes: Franchise Fees, Miscellaneous Revenues, Garrison Farm Rent, Verizon Grant and Other Reserves

Expenditures

| | <u>Budget</u> | <u>Actual</u> | <u>%</u> |
|----------------------------|----------------------|----------------------|------------|
| Program Expenditures | \$ 26,724,500 | \$ 10,144,064 | 38% |
| Interfund Services | 9,553,300 | 3,602,578 | 38% |
| Debt Service | 443,100 | 190,106 | 43% |
| Post Retirement Benefits | 2,063,000 | 860,000 | 42% |
| Pension Fund Contributions | 1,224,900 | 320,000 | 26% |
| Capital Project Transfers | 1,368,700 | 684,175 | 50% |
| All Other* | 1,483,500 | 391,380 | 26% |
| | <u>\$ 42,861,000</u> | <u>\$ 16,192,303</u> | <u>38%</u> |

*Includes: DDP Contribution, Misc. Grant Exp., Bank and CC Fees, New Street Property Acquisitions, Street Lights Expense, Transfer to Capital Asset Reserve, Inventory write-offs, Transfer to Verizon Reserve, & Uncollectibles: Trash and Other, Other Employment Exp.



City of Dover
Water/Wastewater Fund Summary
Fiscal Year to Date (November 2017)

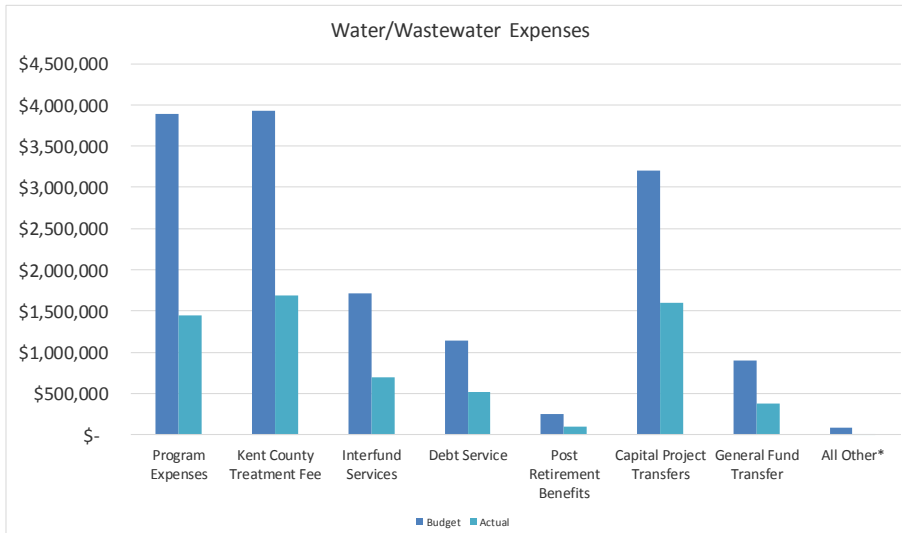
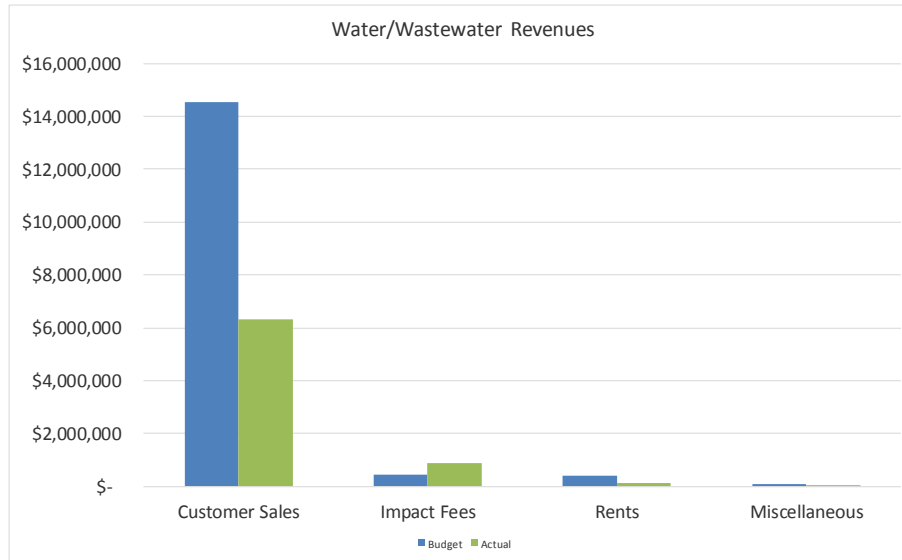
Revenues

| | <u>Budget</u> | <u>Actual</u> | <u>%</u> |
|----------------|----------------------|---------------------|------------|
| Customer Sales | \$ 14,535,200 | \$ 6,336,534 | 44% |
| Impact Fees | 440,000 | 898,173 | 204% |
| Rents | 391,400 | 120,511 | 31% |
| Miscellaneous | 72,400 | 31,366 | 43% |
| | <u>\$ 15,439,000</u> | <u>\$ 7,386,584</u> | <u>48%</u> |

Expenditures

| | <u>Budget</u> | <u>Actual</u> | <u>%</u> |
|---------------------------|----------------------|---------------------|------------|
| Program Expenses | \$ 3,896,800 | \$ 1,443,048 | 37% |
| Kent County Treatment Fee | 3,926,500 | 1,692,524 | 43% |
| Interfund Services | 1,716,100 | 697,138 | 41% |
| Debt Service | 1,137,400 | 521,696 | 46% |
| Post Retirement Benefits | 249,700 | 100,925 | 40% |
| Capital Project Transfers | 3,200,000 | 1,600,000 | 50% |
| General Fund Transfer | 900,000 | 380,000 | 42% |
| All Other* | 91,900 | 11,422 | 12% |
| | <u>\$ 15,118,400</u> | <u>\$ 6,446,753</u> | <u>43%</u> |

*Includes: Bank & CC Fees, Bond Issuance Cost, Other Employment Expenses



City of Dover
Electric Fund Summary
Fiscal Year to Date (November 2017)

Revenues

| | <u>Budget</u> | <u>Actual</u> | <u>%</u> |
|--------------------------|----------------------|----------------------|----------|
| Customer Sales | \$ 80,892,200 | \$ 36,764,158 | 45% |
| Distribution of Earnings | (6,176,700) | (2,844,685) | 46% |
| All Other* | 982,000 | 365,752 | 37% |
| | <u>\$ 75,697,500</u> | <u>\$ 34,285,225</u> | 45% |

*Includes: Weyandt Hall Rents, Miscellaneous Revenue, Interest Earnings

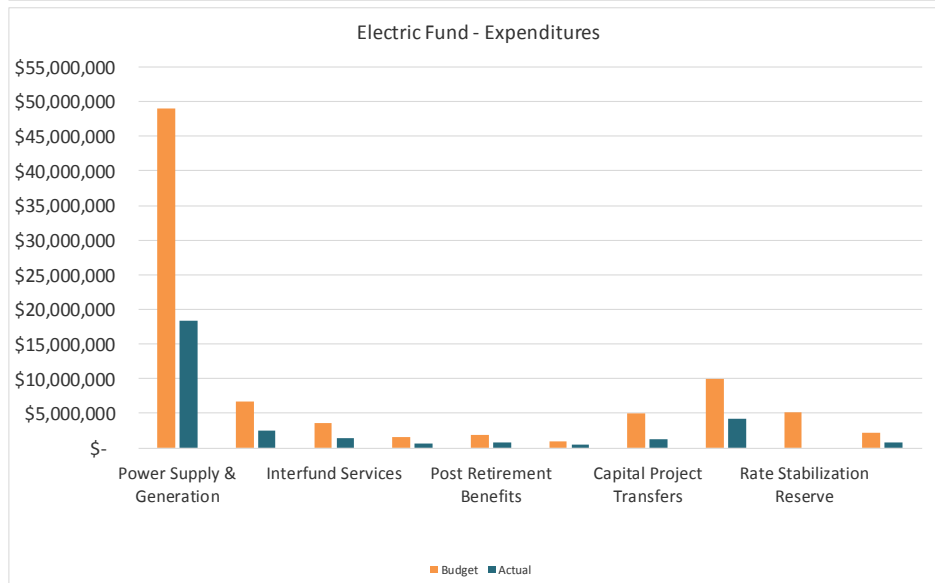
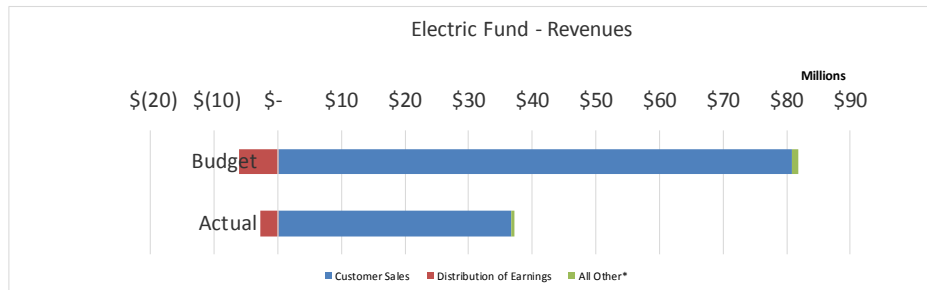
Expenditures

| | <u>Budget</u> | <u>Actual</u> | <u>%</u> |
|----------------------------------|----------------------|----------------------|----------|
| Power Supply & Generation | \$ 49,075,100 | \$ 18,364,058 | 37% |
| Electric Operating Division Exp. | 6,660,200 | 2,431,768 | 37% |
| Interfund Services | 3,660,100 | 1,487,262 | 41% |
| Debt Service | 1,605,500 | 673,230 | 42% |
| Post Retirement Benefits | 1,820,300 | 757,500 | 42% |
| Pension Unfunded Liability | 1,000,000 | 420,000 | 42% |
| Capital Project Transfers | 5,000,000 | 1,250,000 | 25% |
| General Fund Transfer | 10,000,000 | 4,170,000 | 42% |
| Rate Stabilization Reserve | 5,200,000 | - | 0% |
| All Other* | 2,162,400 | 787,228 | 36% |
| | <u>\$ 86,183,600</u> | <u>\$ 30,341,046</u> | 35% |

*Includes: Bank & CC Fees, Utility Tax, Interest on Deposit, Legal Exp., Green Energy, A/R Write-offs, Contractual Services, Other Employment Expenses

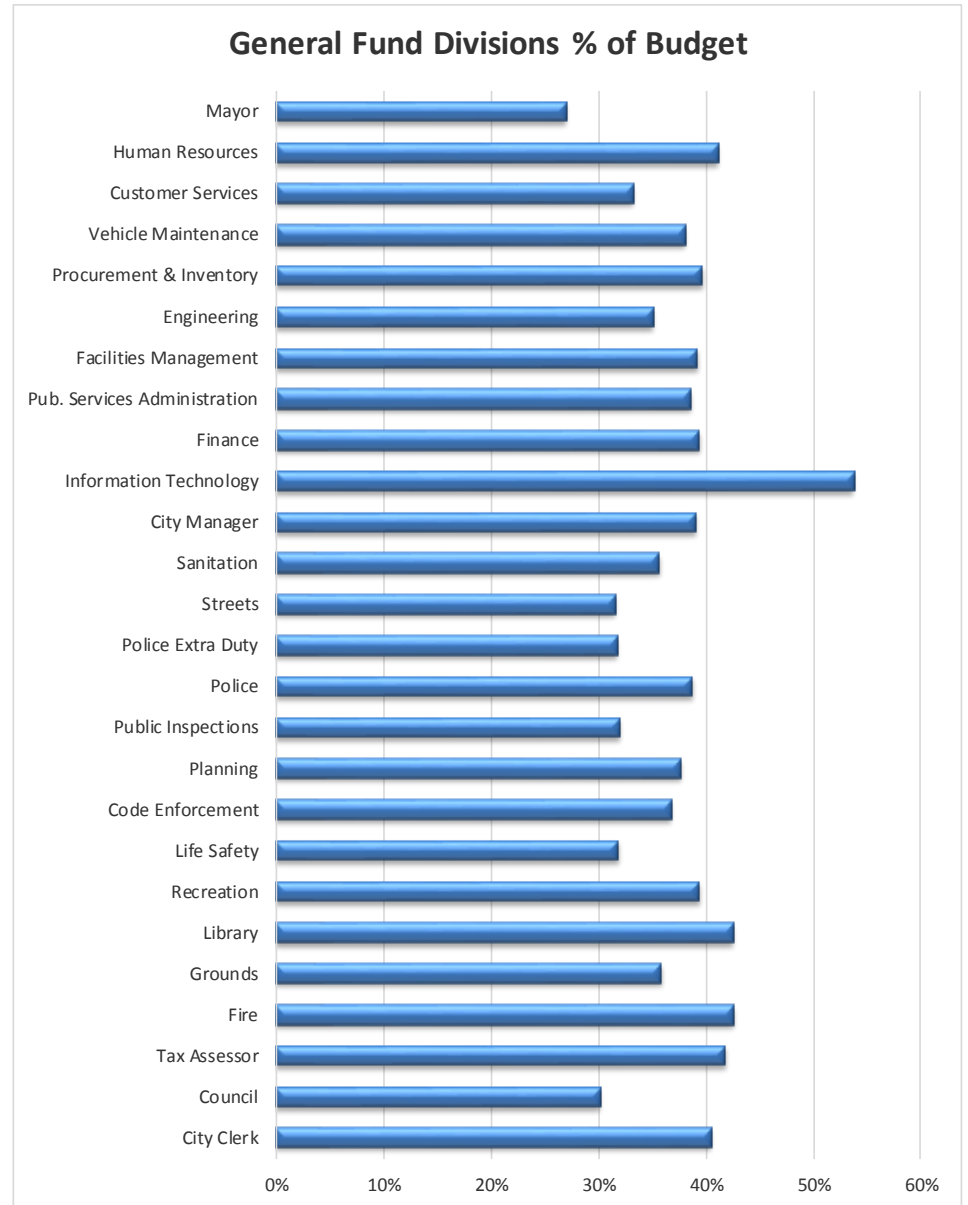
Megawatt Hours Sold & Purchased

| | <u>Budget</u> | <u>Actual</u> |
|---|---------------|---------------|
| Sales to Customers MWh (excl. Street Light MWh) | 713,501 | 333,154 |
| Sales per MWh | \$102.98 | \$100.14 |
| Purchased/Generated MWh | 763,129 | 338,708 |
| All In MWh Supply & Generation | \$64.31 | \$54.22 |



City of Dover
Division Expense Summary (General Fund)
Fiscal Year to Date (November 2017)

| | <u>Budget</u> | <u>Actual</u> | <u>%</u> |
|------------------------------|----------------------|----------------------|----------|
| City Clerk | \$ 436,700 | \$ 176,658 | 40% |
| Council | 155,100 | 46,749 | 30% |
| Tax Assessor | 238,500 | 99,703 | 42% |
| Fire | 774,900 | 329,777 | 43% |
| Grounds | 1,142,000 | 408,460 | 36% |
| Library | 1,708,300 | 725,650 | 42% |
| Recreation | 764,200 | 300,687 | 39% |
| Life Safety | 499,600 | 158,652 | 32% |
| Code Enforcement | 449,700 | 165,309 | 37% |
| Planning | 563,400 | 212,130 | 38% |
| Public Inspections | 721,000 | 230,206 | 32% |
| Police | 16,483,900 | 6,379,207 | 39% |
| Police Extra Duty | 560,000 | 177,763 | 32% |
| Streets | 1,119,400 | 353,378 | 32% |
| Sanitation | 2,563,900 | 914,066 | 36% |
| City Manager | 751,500 | 292,993 | 39% |
| Information Technology | 777,400 | 417,638 | 54% |
| Finance | 1,038,900 | 408,721 | 39% |
| Pub. Services Administration | 718,300 | 277,165 | 39% |
| Facilities Management | 629,700 | 246,888 | 39% |
| Engineering | 277,700 | 97,536 | 35% |
| Procurement & Inventory | 605,100 | 240,013 | 40% |
| Vehicle Maintenance | 838,200 | 318,390 | 38% |
| Customer Services | 1,169,500 | 389,179 | 33% |
| Human Resources | 436,600 | 179,611 | 41% |
| Mayor | 119,300 | 32,124 | 27% |
| | <u>\$ 35,542,800</u> | <u>\$ 13,578,653</u> | |



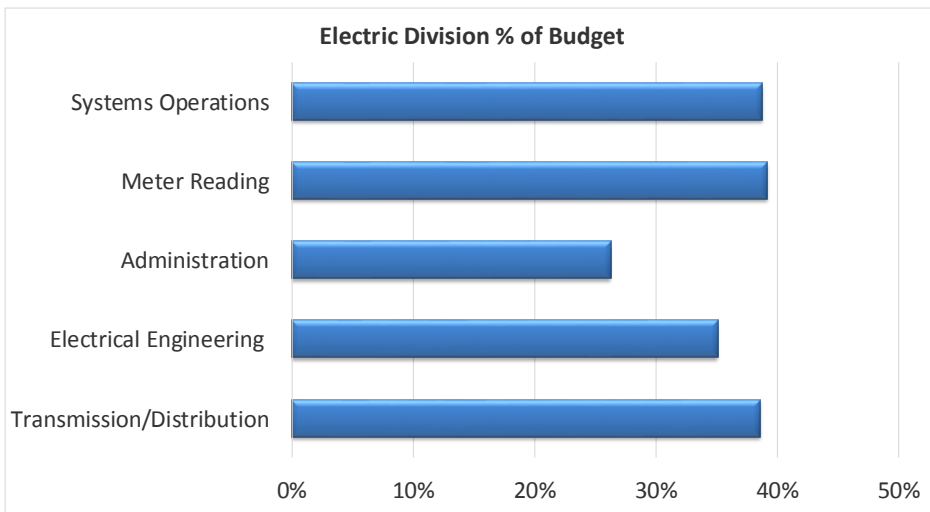
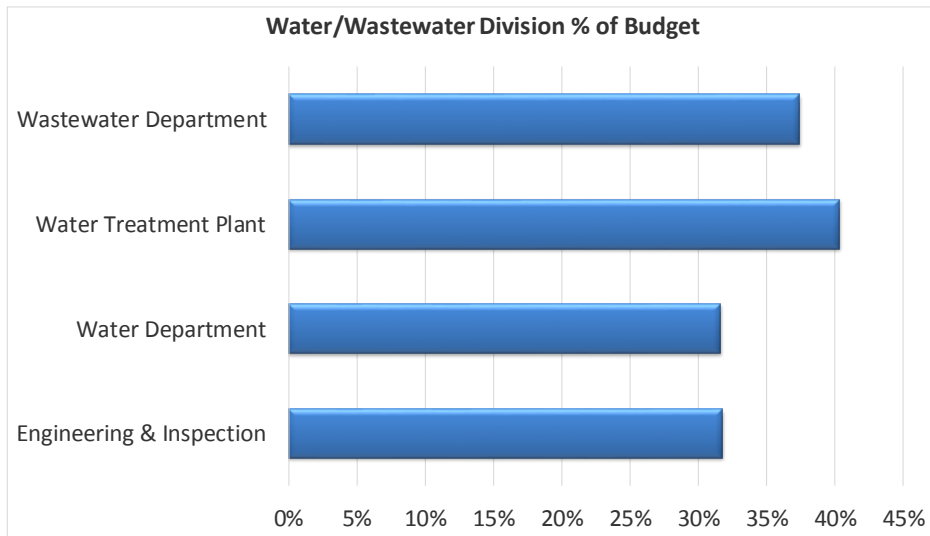
**City of Dover
Utilities Summary
Fiscal Year to Date (November 2017)**

Water/Wastewater Division Expenses

| | <u>Budget</u> | <u>Actual</u> | <u>%</u> |
|--------------------------|---------------------|---------------------|----------|
| Engineering & Inspection | \$ 517,800 | \$ 164,473 | 32% |
| Water Department | 635,700 | 200,941 | 32% |
| Water Treatment Plant | 1,780,500 | 717,727 | 40% |
| Wastewater Department | 962,800 | 359,907 | 37% |
| | <u>\$ 3,896,800</u> | <u>\$ 1,443,048</u> | |

Electric Division Expenses

| | <u>Budget</u> | <u>Actual</u> | <u>%</u> |
|---------------------------|---------------------|---------------------|----------|
| Transmission/Distribution | \$ 3,599,600 | \$ 1,388,389 | 39% |
| Electrical Engineering | 1,226,400 | 430,557 | 35% |
| Administration | 797,000 | 209,350 | 26% |
| Meter Reading | 392,500 | 153,667 | 39% |
| Systems Operations | 644,700 | 249,805 | 39% |
| | <u>\$ 6,660,200</u> | <u>\$ 2,431,768</u> | |

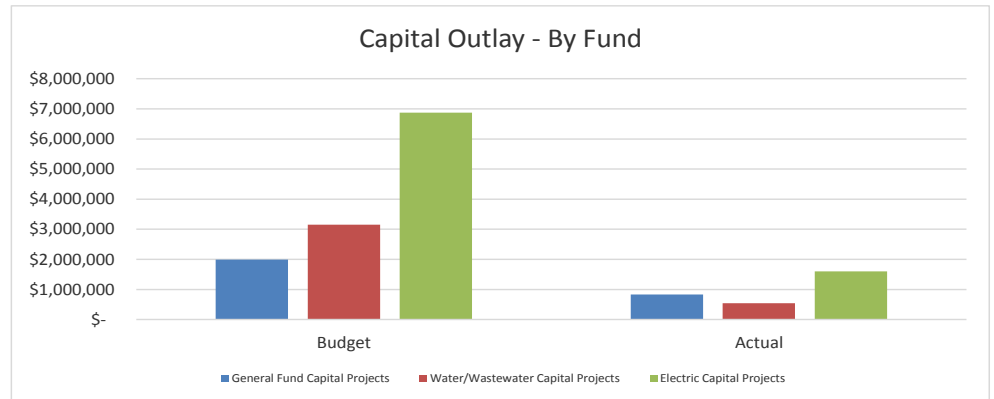
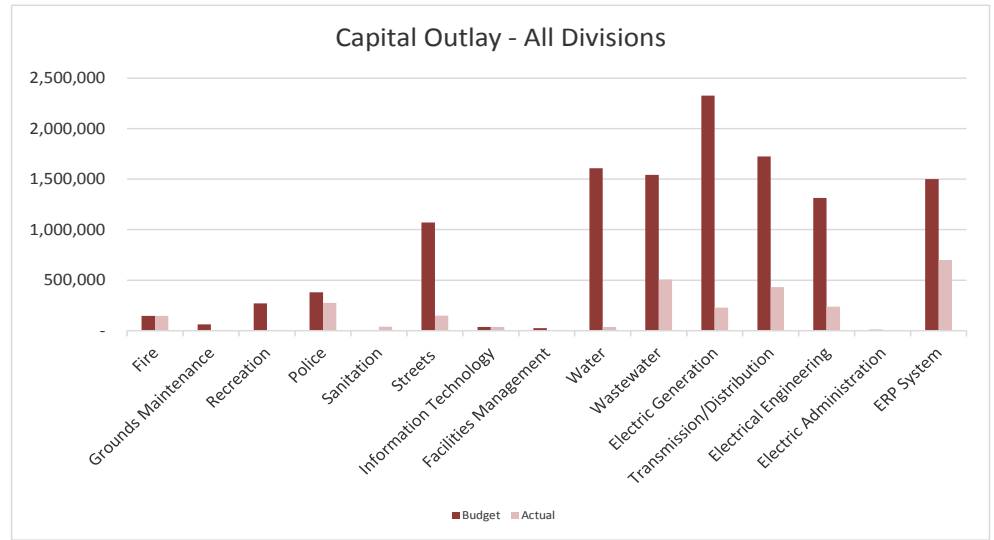


City of Dover
Capital Outlay Summary (All Funds)
Fiscal Year to Date (November 2017)

| <u>General Fund</u> | <u>Budget</u> | <u>Actual</u> | <u>%</u> |
|--------------------------------------|---------------------|-------------------|------------|
| City Clerk | \$ - | \$ 156,188 | 0% |
| Fire | 145,700 | 145,614 | 100% |
| Grounds Maintenance | 62,500 | - | 0% |
| Recreation | 271,000 | 2,259 | 1% |
| Police | 379,900 | 275,698 | 73% |
| Sanitation | - | 39,994 | 0% |
| Streets | 1,070,000 | 148,502 | 14% |
| Information Technology | 36,600 | 37,626 | 103% |
| Facilities Management | 25,100 | - | 0% |
| Transfer to Parkland Reserve | - | 25,723 | 0% |
| General Fund Capital Projects | \$ 1,990,800 | \$ 831,604 | 42% |

| <u>Water/Wastewater Fund</u> | <u>Budget</u> | <u>Actual</u> | <u>%</u> |
|--|---------------------|-------------------|------------|
| Water | \$ 1,608,400 | \$ 37,117 | 2% |
| Wastewater | 1,543,000 | 506,649 | 33% |
| Water/Wastewater Capital Projects | \$ 3,151,400 | \$ 543,766 | 17% |

| <u>Electric Fund</u> | <u>Budget</u> | <u>Actual</u> | <u>%</u> |
|----------------------------------|----------------------|---------------------|------------|
| Electric Generation | \$ 2,328,000 | \$ 229,344 | 10% |
| Transmission/Distribution | 1,725,500 | 431,161 | 25% |
| Electrical Engineering | 1,315,000 | 237,847 | 18% |
| Electric Administration | 8,500 | - | 0% |
| ERP System | 1,500,000 | 700,828 | 47% |
| Electric Capital Projects | \$ 6,877,000 | \$ 1,599,180 | 23% |
| Total Capital Projects | \$ 12,019,200 | \$ 2,974,550 | 25% |



November 2017 Procurement & Inventory Report

| Measure | FY 2018 | FY 2017 | DIFFERENCE |
|--|---|---|--------------------------|
| <i>Issue Effectiveness – How often the warehouse has what the departments need when it's needed. [issues / (issues + back orders)] * 100</i> | FY 2018 (To date) [1,545/(1,545+49)]*100 96.93% | FY 2017 (Total) [4,581/(4,581+119)]*100 97.47 % | - 0.8 % |
| Turn Over Rate – Indicates that the material stocked is the material being used. (2016-2017 Goal 1 per year) | October 2017 0.71 Turnovers per year | October 2016 0.62 Turnovers per year | +0.09 Turnovers per year |

| COMMODITY | BID NUMBER | TERM | REQUESTING DEPARTMENT | STATUS as of November 29, 2017 |
|--|------------|-------------|-----------------------|--|
| Hazard Response Services Contract | 18-0003EL | Three Years | Electric | Forwarded to Electric and Compliance Environmental on 8/31/2017. |
| Consulting Services for Data Conversion from Superior H.T.E to Tyler Munis | 18-0005IT | One time | Info Tech | Forwarded to IT on 10/30/2017 |
| Electric Utility Cost of Service & Rate Design Study | 18-0009CM | One time | City Manager's Office | Scheduled for City Council on 11/27-2017 |
| Ambulance Services for the City of Dover | 18-0010CM | Three Years | City Manager's Office | RFP opening scheduled for December 19, 2017 @ 2:00 pm |
| Diversity and Inclusion | 18-0012HR | One time | Human Resources | RFP opening scheduled for November 29, 2017 @ 2:00 pm. |
| Water Treatment Plant Process Improvements | 18-0014PW | One time | Public Works | Bid opening scheduled for December 20, 2017 @ 2:00 pm |
| Professional Support for HVAC Repair Design Weyandt Hall | 18-0015PW | One time | Public Works | RFP opening scheduled for December 13, 2017 @ 2:00 pm |
| Joint Hardware Bid | 8-2017 | Annual | Purchasing | Bid opening scheduled for December 14, 2017 @ 7:00 |
| Joint PVC Bid | 9-2017 | Annual | Purchasing | Bid opening scheduled for December 18, 2017 @ 7:00 |
| Joint Tool Bid | 16-2017 | Annual | Purchasing | Bid opening scheduled for December 11, 2017 @ 2:00 pm. |
| Joint Lighting Bid | Oct-17 | Annual | Purchasing | Forwarded to Electric Department for review on 11/27/2017. |

FUEL USE FY 2017 TO DATE FY 2018 TO DATE

| | | |
|----------------|------------------|------------------|
| Unleaded: | 46,260.3 gallons | 45,181.4 gallons |
| Diesel: | 27,185.2 gallons | 24,377.2 gallons |
| Dollars Spent: | \$115,002.51 | \$116,831.69 |

STOCK WITH OVER 60 MONTH SUPPLY (5 YEARS)

| | | |
|-----------|---------------|----------------|
| Electric: | \$ 442,230.46 | 307 Line Items |
| Water: | \$ 19,300.96 | 51 Line Items |
| General: | \$ 36,661.81 | 143 Line Items |
| Total: | \$ 498,193.23 | 501 Line Items |

Purchase Orders for Stock by Fund

| | <u>FY 2017 TO DATE</u> | <u>FY 2018 TO DATE</u> |
|-----------|------------------------|------------------------|
| Electric: | \$ 393,002.71 | \$619,254.76 |
| Water: | \$ 76,890.76 | \$ 47,271.11 |
| General: | \$ 28,665.68 | \$ 46,178.02 |
| Total: | \$ 498,559.15 | \$712,703.89 |

Issues from Stock by Fund

| | <u>FY 2017 TO DATE</u> | <u>FY 2018 TO DATE</u> |
|-----------|------------------------|------------------------|
| Electric: | \$406,765.21 | \$381,981.32 |
| Water: | \$ 73,305.99 | \$ 48,711.07 |
| General: | \$ 40,129.21 | \$ 47,321.78 |
| *Total: | \$520,266.61 | \$478,067.43 |

Warehouse Stock

| | <u>FY 2017</u> | <u>FY 2018</u> |
|---------------------|-----------------|-----------------|
| Total Dollar Value: | \$ 2,328,989.13 | \$ 1,952,197.94 |
| Total Line Items: | 1,317 | 1,304 |

Money Spent for Postage/Postal Services

| | <u>FY 2017 TO DATE</u> | <u>FY 2018 TO DATE</u> |
|--|------------------------|------------------------|
| | \$49,852.55 | \$46,526.19 |

MONTHLY REPORT



NOVEMBER 2017

Incident Run Log

Dover Fire Department

Date Range: From 11/01/2017 to 11/30/2017

Company: All Companies

Sorted by: Not selected

| Date | FDID | Incident# | Alarm | ### | Address | Suite | Type | Lgth |
|------------|-------|-------------|-------|------|-------------------|-------|--|------|
| 11/01/2017 | 30046 | 2017-001014 | 14:17 | 35 | LOOCKERMAN PLAZA | | Malicious, mischievous false call, other | 0.2 |
| 11/01/2017 | 30046 | 2017-001015 | 21:09 | 201 | TEA PARTY TRAIL | | Gas leak (natural gas or LPG) | 0.5 |
| 11/02/2017 | 30046 | 2017-001016 | 09:33 | 1481 | N DUPONT HWY | | Smoke detector activation due to malfunction | 0.2 |
| 11/02/2017 | 30046 | 2017-001017 | 13:23 | 300 | BANNING ST | | Unintentional transmission of alarm, other | 0.3 |
| 11/02/2017 | 30046 | 2017-001018 | 19:09 | 1200 | N DUPONT HWY | | Smoke detector activation, no fire - unintentional | 0.1 |
| 11/02/2017 | 30046 | 2017-001019 | 22:12 | 213 | N BRADFORD ST | | Detector activation, no fire - unintentional | 0.2 |
| 11/02/2017 | 30046 | 2017-001020 | 23:36 | 51 | WEBBS LN | B | False alarm or false call, other | 0.6 |
| 11/03/2017 | 30046 | 2017-001021 | 11:02 | 787 | BACON AVE | | Medical assist, assist EMS crew | 0.6 |
| 11/03/2017 | 30046 | 2017-001022 | 15:07 | 243 | KENTWOOD DR | | Smoke detector activation due to malfunction | 0.6 |
| 11/03/2017 | 30046 | 2017-001023 | 17:38 | 87 | OLD FORGE DR | | Smoke detector activation, no fire - unintentional | 0.3 |
| 11/03/2017 | 30046 | 2017-001024 | 19:26 | 527 | SCHOONER WAY | | Public service | 0.2 |
| 11/04/2017 | 30046 | 2017-001025 | 17:11 | 400 | N DUPONT HWY | G | Smoke detector activation, no fire - unintentional | 0.5 |
| 11/04/2017 | 30046 | 2017-001026 | 21:48 | 55 | MORIARTY ST | | Good intent call, other | 0.6 |
| 11/05/2017 | 30046 | 2017-001027 | 01:36 | 1289 | WALKER RD BUILD I | | Gas leak (natural gas or LPG) | 1.0 |
| 11/05/2017 | 30046 | 2017-001028 | 13:40 | 9 | MORIARTY ST | | Hazardous condition, other | 0.4 |
| 11/05/2017 | 30046 | 2017-001029 | 17:59 | 207 | N WEST ST | | Steam, vapor, fog or dust thought to be smoke | 0.4 |
| 11/06/2017 | 30046 | 2017-001030 | 08:33 | 1481 | N DUPONT HWY | | CO detector activation due to malfunction | 0.7 |
| 11/06/2017 | 30046 | 2017-001031 | 10:07 | | Forrest Ave | | Extrication of victim(s) from vehicle | 0.3 |
| 11/06/2017 | 30046 | 2017-001032 | 10:29 | 100 | LAKEVIEW DR | | Smoke or odor removal | 0.3 |
| 11/06/2017 | 30046 | 2017-001033 | 11:44 | 365 | NIMITZ RD | | Heat from short circuit (wiring), defective/worn | 0.5 |
| 11/06/2017 | 30046 | 2017-001034 | 22:54 | 58 | N HALSEY RD | | Authorized controlled burning | 0.3 |
| 11/07/2017 | 30046 | 2017-001035 | 05:09 | 59 | PRIMROSE DR | | Smoke detector activation due to malfunction | 0.4 |
| 11/07/2017 | 30046 | 2017-001036 | 10:18 | 1211 | N DUPONT HWY | D | Malicious, mischievous false call, other | 0.6 |
| 11/07/2017 | 30046 | 2017-001037 | 11:31 | 1570 | N DUPONT HWY | | Municipal alarm system, malicious false alarm | 0.1 |
| 11/07/2017 | 30046 | 2017-001038 | 13:25 | 1200 | N DUPONT HWY | | Smoke from barbecue, tar kettle | 0.1 |
| 11/07/2017 | 30046 | 2017-001039 | 16:47 | 600 | JEFFERIC BLVD | | Alarm system sounded due to malfunction | 0.4 |
| 11/07/2017 | 30046 | 2017-001040 | 19:33 | 1200 | N DUPONT HWY | | Smoke detector activation, no fire - unintentional | 0.2 |
| 11/07/2017 | 30046 | 2017-001041 | 20:11 | 51 | WEBBS LN | J | Steam, other gas mistaken for smoke, other | 0.4 |
| 11/08/2017 | 30046 | 2017-001042 | 08:25 | 569 | CRAWFORD AVE | | Vicinity alarm (incident in other location) | 0.4 |
| 11/08/2017 | 30046 | 2017-001043 | 09:51 | 51 | WEBBS LN | B | Smoke detector activation due to malfunction | 0.5 |
| 11/08/2017 | 30046 | 2017-001044 | 18:14 | 348 | UNITED WAY | | Public service | 0.4 |
| 11/08/2017 | 30046 | 2017-001045 | 23:10 | 1506 | N LITTLE CREEK RD | 5 | Smoke detector activation, no fire - unintentional | 0.3 |
| 11/09/2017 | 30046 | 2017-001046 | 11:23 | 105 | DOVEVIEW DR | | Dispatched & canceled en route | 0.1 |
| 11/10/2017 | 30046 | 2017-001047 | 02:00 | 340 | N . QUEEN | | Smoke detector activation due to malfunction | 0.4 |
| 11/10/2017 | 30046 | 2017-001048 | 08:10 | 1568 | N DUPONT HWY | | Sprinkler activation due to malfunction | 0.7 |
| 11/11/2017 | 30046 | 2017-001049 | 04:16 | 527 | SCHOONER WAY | | Good intent call, other | 0.4 |
| 11/11/2017 | 30046 | 2017-001050 | 08:36 | 416 | COUNTRY DR | | Smoke detector activation due to malfunction | 0.5 |
| 11/11/2017 | 30046 | 2017-001051 | 09:28 | 1000 | FORREST AVE | | Smoke detector activation due to malfunction | 0.2 |
| 11/11/2017 | 30046 | 2017-001052 | 09:35 | 212 | FALMOUTH WAY | | Building fire | 1.4 |
| 11/11/2017 | 30046 | 2017-001053 | 09:48 | 100 | SUNNYSIDE RD | | Dispatched & canceled en route | 0.1 |
| 11/11/2017 | 30046 | 2017-001054 | 10:41 | 117 | ST JONES AVE | | Smoke detector activation due to malfunction | 0.3 |
| 11/11/2017 | 30046 | 2017-001055 | 11:21 | 127 | QUAILS NEST DR | | Vicinity alarm (incident in other location) | 0.6 |
| 11/11/2017 | 30046 | 2017-001056 | 14:12 | 224 | N NEW ST | | Smoke detector activation due to malfunction | 0.4 |
| 11/11/2017 | 30046 | 2017-001057 | 21:28 | 1175 | MCKEE RD | | Smoke detector activation, no fire - unintentional | 0.3 |
| 11/12/2017 | 30046 | 2017-001058 | 00:28 | 1200 | N DUPONT HWY | | Smoke detector activation, no fire - unintentional | 0.1 |
| 11/12/2017 | 30046 | 2017-001059 | 10:55 | 1525 | MCKEE RD | | System malfunction, other | 0.6 |
| 11/12/2017 | 30046 | 2017-001060 | 12:13 | 140 | HAMAN DR | | Smoke detector activation due to malfunction | 0.3 |
| 11/12/2017 | 30046 | 2017-001061 | 14:59 | 319 | BILLY MITCHELL LN | | Cooking fire, confined to container | 0.5 |
| 11/12/2017 | 30046 | 2017-001062 | 17:27 | 101 | BABB DR | | Smoke detector activation, no fire - unintentional | 0.5 |
| 11/12/2017 | 30046 | 2017-001063 | 18:39 | 727 | N WEST ST. | | Good intent call, other | 0.4 |
| 11/12/2017 | 30046 | 2017-001064 | 20:00 | 127 | SPRUANCE RD | | Public service | 0.3 |
| 11/13/2017 | 30046 | 2017-001065 | 06:13 | 2 | N STATE ST | | Smoke detector activation, no fire - unintentional | 0.5 |
| 11/13/2017 | 30046 | 2017-001066 | 14:28 | 23 | N GOVERNORS AVE | | Alarm system sounded due to malfunction | 0.1 |
| 11/13/2017 | 30046 | 2017-001067 | 17:46 | 208 | N BRADFORD ST | | Smoke detector activation, no fire - unintentional | 0.1 |
| 11/13/2017 | 30046 | 2017-001068 | 19:42 | 515 | N DUPONT HWY | | Local alarm system, malicious false alarm | 0.3 |
| 11/13/2017 | 30046 | 2017-001069 | 21:54 | 1200 | N DUPONT HWY | | Detector activation, no fire - unintentional | 0.3 |
| 11/15/2017 | 30046 | 2017-001070 | 13:18 | 863 | S. governors ave. | | Heat from short circuit (wiring), defective/worn | 0.6 |
| 11/16/2017 | 30046 | 2017-001071 | 07:41 | 300 | S NEW S | | Unintentional transmission of alarm, other | 0.2 |
| 11/16/2017 | 30046 | 2017-001072 | 08:32 | 935 | CHESTNUT GROVE RD | | Smoke detector activation, no fire - unintentional | 0.5 |

| Date | FDID | Incident# | Alarm | ### | Address | Suite | Type | Lgth |
|------------|-------|-------------|-------|------|-----------------------|-------|--|------|
| 11/16/2017 | 30046 | 2017-001073 | 17:51 | 150 | CECIL ST | | Smoke detector activation, no fire - unintentional | 0.1 |
| 11/16/2017 | 30046 | 2017-001074 | 19:33 | 1200 | N DUPONT HWY | | Building fire | 3.4 |
| 11/16/2017 | 30046 | 2017-001075 | 20:31 | 20 | WILLIS RD | | Cooking fire, confined to container | 0.4 |
| 11/17/2017 | 30046 | 2017-001076 | 16:04 | 684 | FOREST ST | | Smoke detector activation, no fire - unintentional | 0.2 |
| 11/18/2017 | 30046 | 2017-001077 | 01:15 | | BAY ROAD EXIT 95 | | Extrication of victim(s) from vehicle | 0.7 |
| 11/18/2017 | 30046 | 2017-001078 | 10:49 | 323 | CECIL ST | | Gas leak (natural gas or LPG) | 0.3 |
| 11/18/2017 | 30046 | 2017-001079 | 15:35 | 413 | COURT ST | F | Cooking fire, confined to container | 0.7 |
| 11/18/2017 | 30046 | 2017-001080 | 16:48 | 301 | WALKER RD | | Extrication, rescue, other | 0.5 |
| 11/18/2017 | 30046 | 2017-001081 | 19:15 | 433 | COUNTRY DR | | Medical assist, assist EMS crew | 0.2 |
| 11/18/2017 | 30046 | 2017-001082 | 22:40 | 835 | BAY RD | | Detector activation, no fire - unintentional | 0.3 |
| 11/19/2017 | 30046 | 2017-001083 | 01:07 | 1200 | N DUPONT HWY | | Smoke detector activation, no fire - unintentional | 0.2 |
| 11/19/2017 | 30046 | 2017-001084 | 01:29 | 1700 | N DUPONT HWY BLDG D | | Hazardous condition, other | 0.7 |
| 11/19/2017 | 30046 | 2017-001085 | 01:47 | 120 | N STATE ST | | Good intent call, other | 0.1 |
| 11/19/2017 | 30046 | 2017-001086 | 03:39 | 125 | HAMAN DR | | Good intent call, other | 0.3 |
| 11/19/2017 | 30046 | 2017-001087 | 09:00 | 400 | N DUPONT HWY | | Good intent call, other | 0.2 |
| 11/19/2017 | 30046 | 2017-001088 | 21:15 | 41 | SCIOTO CT | | Public service | 0.3 |
| 11/20/2017 | 30046 | 2017-001089 | 05:12 | 18 | LAMPLIGHTER LA | | Fires in structure other than in a building | 0.8 |
| 11/20/2017 | 30046 | 2017-001090 | 12:20 | 430 | COLLEGE RD | 100 | Dispatched & canceled en route | 0.0 |
| 11/20/2017 | 30046 | 2017-001091 | 12:29 | 101 | BABB DR | | Detector activation, no fire - unintentional | 0.3 |
| 11/20/2017 | 30046 | 2017-001092 | 12:44 | 787 | BACON AVE | | Dumpster or other outside trash receptacle fire | 1.5 |
| 11/20/2017 | 30046 | 2017-001093 | 16:47 | 1704 | E LEBANON RD | | No incident found on arrival at dispatch address | 0.4 |
| 11/20/2017 | 30046 | 2017-001094 | 19:56 | 1119 | FORREST AVE | | Smoke detector activation, no fire - unintentional | 0.3 |
| 11/20/2017 | 30046 | 2017-001095 | 23:40 | 1200 | N DUPONT HWY | | Removal of victim(s) from stalled elevator | 0.5 |
| 11/20/2017 | 30046 | 2017-001096 | 23:51 | 425 | COUNTRY DR | | Gas leak (natural gas or LPG) | 0.6 |
| 11/21/2017 | 30046 | 2017-001097 | 10:41 | 340 | UNITED WAY | | Outside rubbish, trash or waste fire | 0.4 |
| 11/21/2017 | 30046 | 2017-001098 | 13:16 | 215 | WALKER RD | | Assist police or other governmental agency | 0.4 |
| 11/21/2017 | 30046 | 2017-001099 | 14:31 | 215 | WALKER RD | | Assist police or other governmental agency | 0.2 |
| 11/21/2017 | 30046 | 2017-001100 | 21:50 | 19 | BELLRIVE CT | | Smoke detector activation, no fire - unintentional | 0.3 |
| 11/22/2017 | 30046 | 2017-001101 | 10:27 | 1570 | N DUPONT HWY | | Removal of victim(s) from stalled elevator | 0.1 |
| 11/22/2017 | 30046 | 2017-001102 | 10:32 | 380 | PARADEE DR | | Cooking fire, confined to container | 0.5 |
| 11/22/2017 | 30046 | 2017-001103 | 12:05 | 211 | DELAWARE AVE | | Alarm system activation, no fire - unintentional | 0.5 |
| 11/22/2017 | 30046 | 2017-001104 | 16:20 | | ROSS ST | | Good intent call, other | 0.3 |
| 11/23/2017 | 30046 | 2017-001105 | 18:33 | 15 | OPAL PL | | Smoke detector activation due to malfunction | 0.7 |
| 11/23/2017 | 30046 | 2017-001106 | 20:24 | 231 | BEECHWOOD AVE | | Excessive heat, scorch burns with no ignition | 0.9 |
| 11/24/2017 | 30046 | 2017-001107 | 01:03 | 621 | WILLIAM ST | | Arcing, shorted electrical equipment | 0.6 |
| 11/24/2017 | 30046 | 2017-001108 | 05:48 | 1568 | N DUPONT HWY | | Detector activation, no fire - unintentional | 0.5 |
| 11/24/2017 | 30046 | 2017-001109 | 13:41 | 1200 | N DUPONT HWY | | False alarm or false call, other | 0.1 |
| 11/25/2017 | 30046 | 2017-001110 | 02:18 | 400 | N DUPONT HWY | I | False alarm or false call, other | 0.5 |
| 11/26/2017 | 30046 | 2017-001111 | 05:31 | 1572 | N DUPONT HWY | | Sprinkler activation, no fire - unintentional | 0.9 |
| 11/26/2017 | 30046 | 2017-001112 | 17:42 | 1389 | ROSE VALLEY SCHOOL RD | | Fire in mobile home used as fixed residence | 1.6 |
| 11/26/2017 | 30046 | 2017-001113 | 21:42 | 222 | S DUPONT HWY | | Municipal alarm system, malicious false alarm | 0.2 |
| 11/27/2017 | 30046 | 2017-001114 | 02:47 | 400 | N DUPONT HWY | H | Malicious, mischievous false call, other | 0.4 |
| 11/27/2017 | 30046 | 2017-001115 | 06:46 | 320 | KENTLAND AVE | | Smoke detector activation, no fire - unintentional | 0.6 |
| 11/27/2017 | 30046 | 2017-001116 | 09:25 | 149 | SPRUANCE RD | | Medical assist, assist EMS crew | 0.5 |
| 11/27/2017 | 30046 | 2017-001117 | 14:55 | 1200 | N DUPONT HWY | | Smoke detector activation due to malfunction | 0.1 |
| 11/27/2017 | 30046 | 2017-001118 | 16:16 | | COLLEGE RD | | Brush or brush-and-grass mixture fire | 0.6 |
| 11/28/2017 | 30046 | 2017-001119 | 11:09 | 39 | N TURNBURY DR | | Cooking fire, confined to container | 0.8 |
| 11/28/2017 | 30046 | 2017-001120 | 16:52 | 1340 | W NORTH ST | | Grass fire | 0.5 |
| 11/28/2017 | 30046 | 2017-001121 | 18:43 | | NIMITZ RD | | Good intent call, other | 0.4 |
| 11/28/2017 | 30046 | 2017-001122 | 20:10 | 312 | PERSIMMON CIR WEST | | Smoke detector activation, no fire - unintentional | 0.4 |
| 11/29/2017 | 30046 | 2017-001123 | 08:46 | 4 | ACACIA PL | | | 0.5 |
| 11/30/2017 | 30046 | 2017-001124 | 12:22 | 2800 | NORTH DUPONT HIGHWAY | | Smoke detector activation, no fire - unintentional | 0.5 |
| 11/30/2017 | 30046 | 2017-001125 | 12:27 | 418 | COWGILL ST | | Outside rubbish, trash or waste fire | 0.7 |
| 11/30/2017 | 30046 | 2017-001126 | 17:40 | 653 | JEFFERIC BLVD | | Public service | 0.2 |
| 11/30/2017 | 30046 | 2017-001127 | 18:48 | 222 | S DUPONT HWY | | Medical assist, assist EMS crew | 0.3 |

Total Number of Incidents: 114

Total Length of Incidents: 50.9 Hours

Robbins Hose Company # 1, Inc.

Profit & Loss

November 2017

Nov 17

Ordinary Income/Expense

Expense

| | |
|---------------------------------|-----------|
| Apparatus Repairs & Maintenance | 11,999.95 |
| Contract Employee | 3,013.08 |
| Electricity | 3,329.99 |
| Gasoline | 1,042.16 |
| Heating Expenses- Gas | 267.06 |
| Office Supplies | 56.52 |
| Other Equipment Repairs | 160.85 |
| Program Expenses | 4,192.00 |
| Telephone | 326.86 |
| Uniforms | 925.00 |
| Water/Sewer | 118.97 |

Total Expense 25,432.44

Net Ordinary Income -25,432.44

Net Income -25,432.44

FY 17-18 City Funded Account Balance Sheet

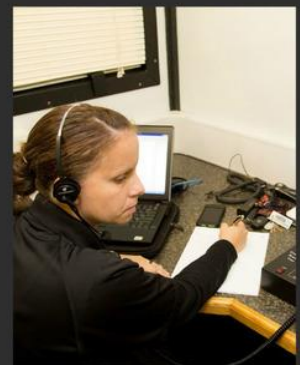
| ACCOUNT | BUDGET | SPENT | BALANCE |
|---------------------------------|---------------|--------------|--------------|
| Apparatus Repairs & Maintenance | \$ 101,300.00 | \$ 38,892.95 | \$ 62,407.05 |
| Building Maintenance Supplies | \$ 1,500.00 | \$ 7.59 | \$ 1,492.41 |
| Contract Services-Admin Assist | \$ 38,500.00 | \$ 15,581.66 | \$ 22,918.34 |
| Contractual Services | \$ 9,000.00 | | \$ 9,000.00 |
| Electricity | \$ 45,000.00 | \$ 16,005.20 | \$ 28,994.80 |
| Gasoline | \$ 15,000.00 | \$ 2,707.99 | \$ 12,292.01 |
| Heating Expenses- Gas | \$ 12,000.00 | \$ 918.50 | \$ 11,081.50 |
| Medical Supplies | \$ 1,000.00 | \$ 426.31 | \$ 573.69 |
| Office Supplies | \$ 1,500.00 | \$ 159.20 | \$ 1,340.80 |
| Other Equipment Repairs | \$ 1,500.00 | \$ 2,360.88 | \$ (860.88) |
| Program Expenses | \$ 45,000.00 | \$ 29,329.88 | \$ 15,670.12 |
| Radio Repairs | \$ 2,000.00 | | \$ 2,000.00 |
| Safety & Security | \$ 1,500.00 | | \$ 1,500.00 |
| Small Tools | \$ 3,500.00 | \$ 1,749.50 | \$ 1,750.50 |
| Telephone | \$ 9,000.00 | \$ 2,309.35 | \$ 6,690.65 |
| Training & Travel | \$ 10,000.00 | \$ 1,000.00 | \$ 9,000.00 |
| Uniforms & Firefighting Gear | \$ 30,000.00 | \$ 1,337.50 | \$ 28,662.50 |
| Water/ Sewer | \$ 2,500.00 | \$ 731.60 | \$ 1,768.40 |



DOVER POLICE DEPARTMENT MONTHLY REPORT



NOVEMBER 2017 CHIEF MARVIN C. MAILEY



DEPARTMENT OF POLICE

Marvin C. Mailey
Chief of Police



400 South Queen Street
Dover, Delaware 19904
302-736-7111
Fax: 302-672-1842

January 8, 2018

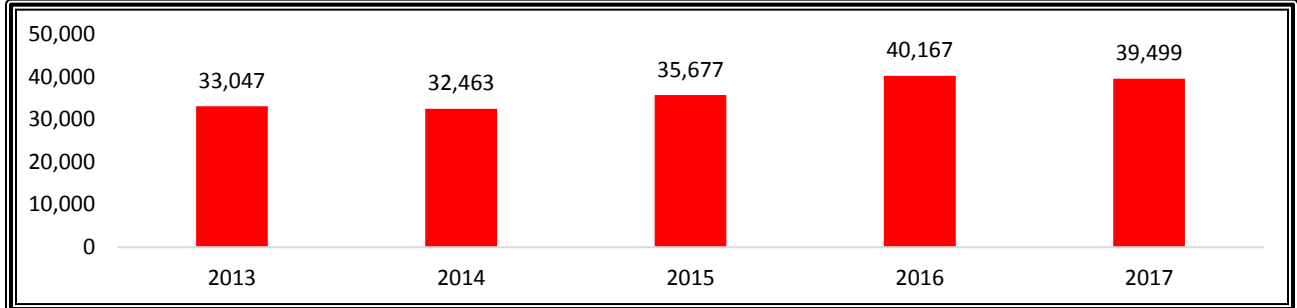
Honorable Robin Christiansen, Mayor
Member of Dover City Council
City Hall
Dover, DE 19901

Mayor Christiansen and Council Members:

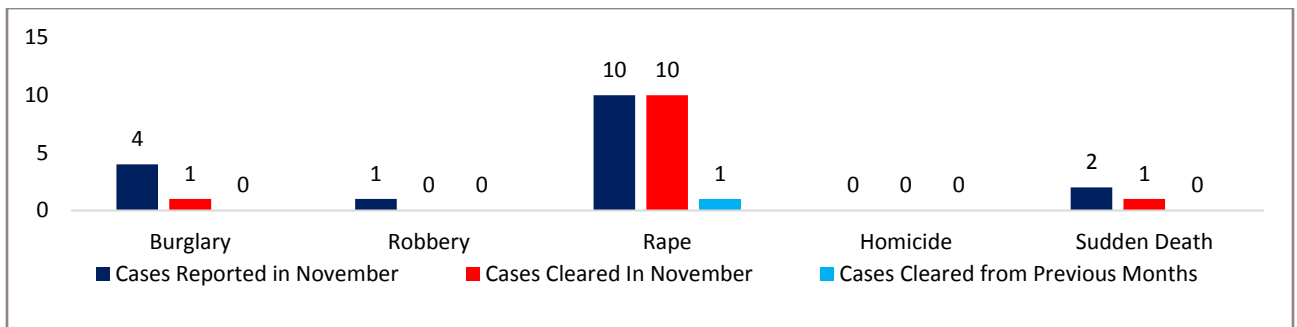
The following is the monthly report for Dover Police Department activities for the month of November 2017:

COMPLAINTS

Total complaints received through November 30, 2017, numbered 39,499 this is a decrease of 668 complaints over the same period last year.

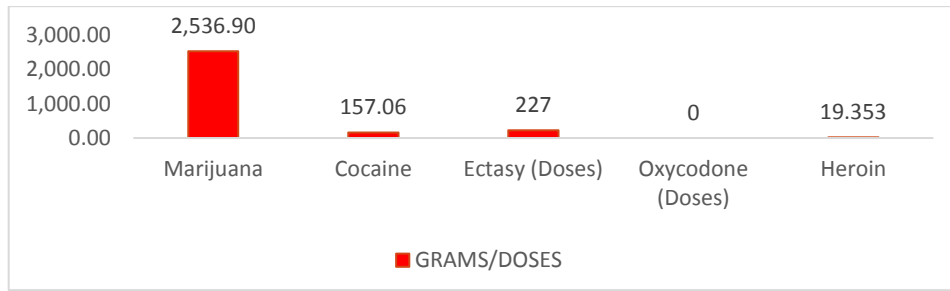


CRIMINAL INVESTIGATIONS

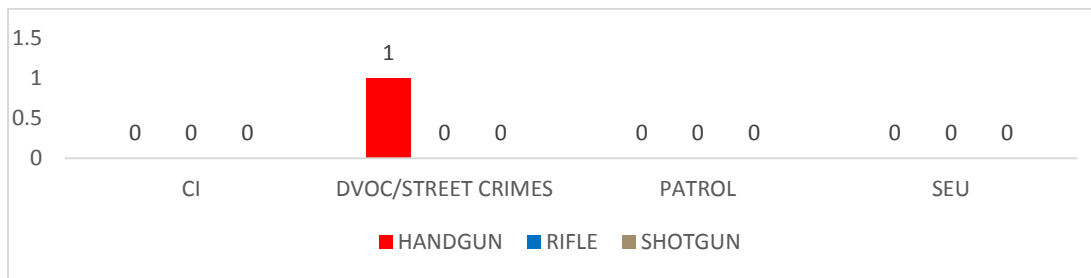


DRUGS, VICE, & ORGANIZED CRIME (DVOC) AND STREET CRIMES SECTION SEIZURES

Along with the drug seizures below, the units also recovered \$14,426.00 USD during the month of November.



FIREARM SEIZURES



COMMUNITY POLICING

| COMMUNITY POLICING | CONTACTS |
|--------------------------|------------|
| ABANDONED VEHICLES | 12 |
| ALCOHOL VIOLATIONS/DUI'S | 0 |
| ASSIST OTHER | 82 |
| WARRANTS ON FILE | 1 |
| BIKE ON SIDEWALK | 0 |
| CITY PARK VIOLATIONS | 0 |
| CRIMINAL ARRESTS | 0 |
| DRUG RELATED ARRESTS | 0 |
| LOUD MUSIC | 0 |
| MISCELLANEOUS VIOLATIONS | 0 |
| PARKING VIOLATIONS | 58 |
| PEDDLER | 0 |
| MEETINGS | 259 |
| CRIME PREVENTION CHECK | 0 |
| TRAFFIC ARRESTS | 5 |
| WARNINGS | 3 |
| FUGITIVE | 0 |
| DCO | 0 |
| PROSTITUTION | 0 |
| TOTAL CONTACTS | 420 |

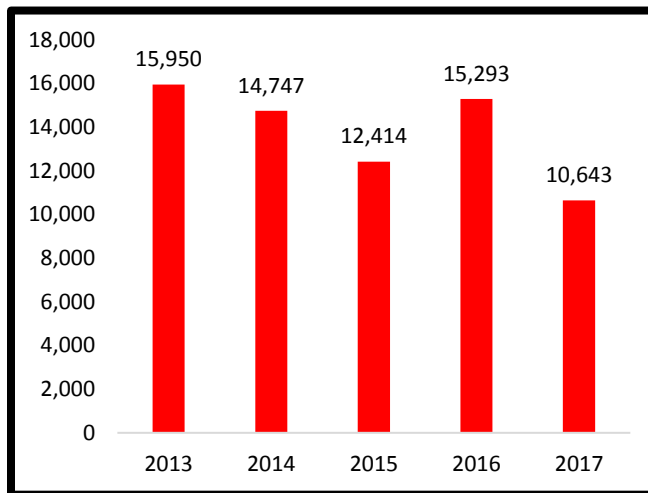
| CADETS | CONTACTS |
|-----------------------|------------|
| PARKING | 61 |
| DCO'S | 135 |
| OPEN CONTAINER | 30 |
| LOUD NOISE | 0 |
| LEWDNESS | 0 |
| OTHER | 43 |
| BUSINESS CONTACTS | 237 |
| LIBRARY CHECKS | 24 |
| COMPLAINTS ASSIGNED | 28 |
| SPECIAL EVENT | 4 |
| TOTAL CONTACTS | 562 |

STREET CRIMES

| STREET CRIMES ENFORCEMENT | CONTACTS |
|----------------------------------|-----------------|
| ABANDONED VEHICLES | 0 |
| ALCOHOL VIOLATIONS/DUI'S | 0 |
| ASSIST OTHER | 16 |
| WARRANTS ON FILE | 0 |
| CITY PARK VIOLATIONS | 0 |
| CRIMINAL ARRESTS | 26 |
| DRUG RELATED ARRESTS | 28 |
| LOUD MUSIC | 0 |
| MISCELLANEOUS VIOLATIONS | 0 |
| PARKING VIOLATIONS | 0 |
| PEDDLER | 0 |
| MEETINGS | 2 |
| CURFEW CHECKS | 80 |
| CRIME PREVENTION CHECKS | 0 |
| TRAFFIC ARRESTS | 5 |
| WARNINGS | 46 |
| FUGITIVES | 7 |
| DCO'S | 1 |
| PROSTITUTION | 5 |
| TOTAL CONTACTS | 216 |

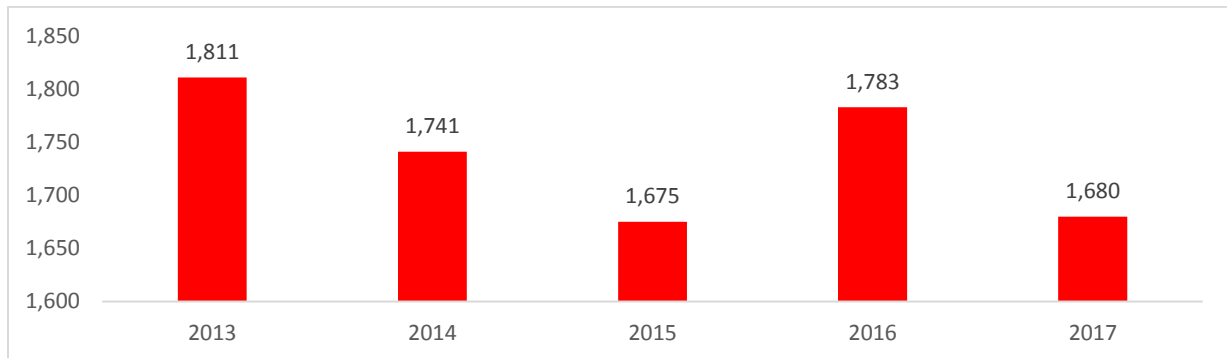
TRAFFIC ARRESTS

The department issued 10,643 traffic citations through this reporting period; this is a decrease of 4,650 citations over the number issued during the same period last year.



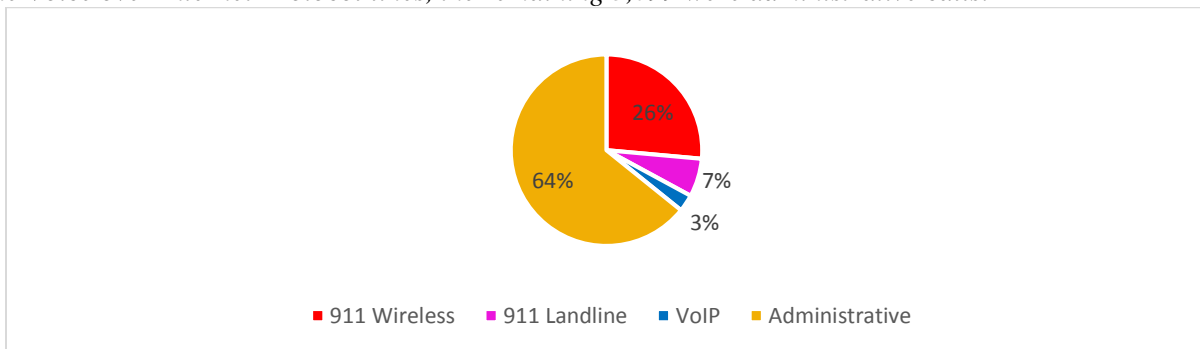
TRAFFIC CRASHES

Through November 30, 2017, the Dover Police investigated 1,680 traffic crashes, a decrease of 103 crashes investigated during the same period last year.



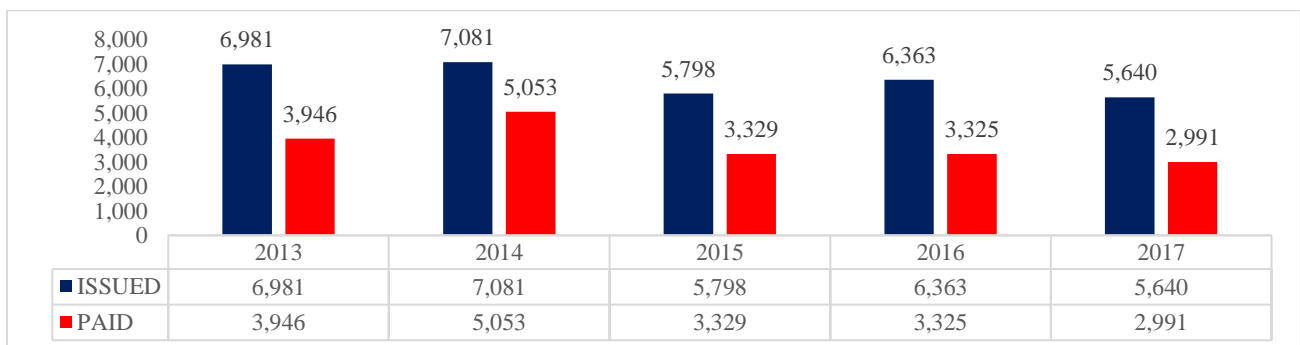
911 Center

During the month of November, the Dover Police Department handled a total of 7,941 calls averaging 265 calls per day. Dispatchers handled 2,099 on the 911 wireless lines, 514 on the 911 landlines, and 229 on the Voice over Internet Protocol lines, the remaining 5,099 were administrative calls.



CITY ORDINANCE SUMMONS

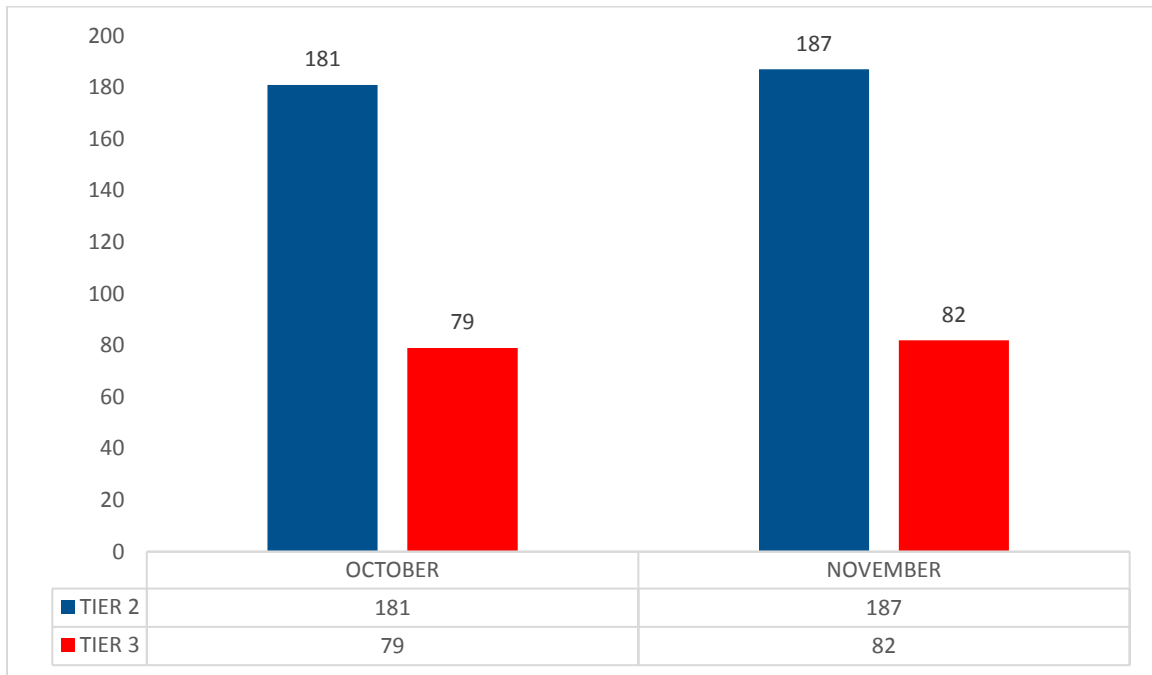
Through November 30th, 2017, we issued 5,640 city ordinance summons, a decrease of 723 summonses for the same period last year. Note Of those summonses issued in November, 9 DCO's were issued for handicapped parking violations and 9 for fire lane parking violations, 145 for false alarms (68 for 1-2 alarms, 34 for 3-5 alarms, 21 for 6-9 alarms, 5 for 10-15 alarms, and 17 for 16 or more alarms) and 8 for noise violations 1 for vehicle violations and 7 for residence violations).



SEX OFFENDER STATISTICS/NOVEMBER

| | VERIFICATIONS | NOTIFICATIONS | MONTHLY REVERIFICATIONS | NON COMPLIANT WARRANTS |
|--------|---------------|---------------|-------------------------|------------------------|
| TIER 1 | 0 | 0 | 0 | 0 |
| TIER 2 | 12 | 1116 | 35 | 1 |
| TIER 3 | 14 | 1302 | 36 | 2 |

ACTIVE SEX OFFENDERS THAT RESIDE IN THE CITY OF DOVER (please note, Tier 1 offenders are not contacted by Dover Police Sex Offender Agents).



(Please note, Tier 1 offenders are not contacted by Dover Police Sex Offender Agents).

Please visit our website at www.doverpolice.org for up to date information on crimes and activities in the City of Dover.

Respectfully Submitted,

Marvin C. Mailey
Chief of Police

ACTION FORM

| | |
|--|-----------------------------------|
| PROCEEDING: Council | |
| DEPARTMENT OF ORIGIN: Public Works | DATE SUBMITTED: 12/22/17 |
| PREPARED BY: Sharon Duca, P.E., Public Works Director/City Engineer | |
| SUBJECT: Evaluation of Proposal - US 13 East Pump Station #7 Upgrades – Exception to Purchasing Policy | |
| REVIEWED BY: City Manager, Controller | |
| EXHIBITS: Doer Products and Services, Inc. Proposal | |
| EXPENDITURE REQUIRED: \$32,350 | AMOUNT BUDGETED: \$300,000 |
| FUNDING SOURCE (Dept./Page in CIP & Budget): Department of Public Works – Wastewater Management, CIP Project WW1602, CIP Project Name: Misc. PS Repairs. Account No.: 417-6900-569.40-31 | |
| TIME TIMETABLE: Notice to proceed to be issued within thirty (30) days of Council approval. Project anticipation to be completed in eighteen (18) weeks. | |
| RECOMMENDED ACTION: Staff recommends City Council authorize purchasing the air scrubber unit, to be co-funded with Kent County. Materials and installations by Doer Products and Services, Inc. | |

BACKGROUND AND ANALYSIS

One of the forty-four (44) sanitary sewer pump stations that the City of Dover owns and operates is called US 13 East Pump Station #7 (PS #7). This station is located east of Route 13 northbound and northwest of Home Depot (see aerial map). In recent months, complaints from nearby businesses have increased regarding the extreme odor that is released from PS #7. City Management is requesting an exception to the purchasing policy for emergency and continuity of services to address the odor.

Since March of 2016, this pump station has been receiving a significant increase of sanitary sewer flow. The increased flow initially started due to a failure of Kent County's sanitary sewer infrastructure north of the station. To avoid further failures, flow from the County is being diverted to PS #7 until improvements to Kent County's infrastructure are completed. While the flow is a significant operational increase for the City, it is also the type of wastewater that is increasing the odor issue. A large amount of the flow that travels through the Kent County transmission line is from septic tank haulers that dump the septic sewage into a pump station north of the City. Much of the flow is also in the County's transmission system for an extended period of time, which causes it to turn septic. Since the septic sewage travels through a pressurized force main, oxygen is not introduced to the flow. Without oxygen, the septic sewage bacteria grows and odor is created. When the flow from Kent County enters PS #7, the sewage is released to the open air environment and the odor is released to the surrounding areas.

The completion date of the improvements that are scheduled by Kent County is unknown at this time. In an effort to decrease the odor concerns for the nearby businesses, the City and Kent County have agreed to partner and split the cost of installing an air scrubber system at PS #7, pending City Council and Kent County Levy Court approval. This system utilizes activated carbon as a filter to catch the odor before it is released to the surrounding areas. This system is currently in use at Kent County pump station #3 (Water Street) and successfully controlling that odor issue. It is anticipated that as this system addresses hydrogen sulfide concentrations, it will also address corrosion issues experienced at PS #7 that are effecting both electronic and electric components within the station. These corrosion issues have resulting in accelerated replacement of said components.

Staff recommends that City Council approves the installation of the air scrubber system, which shall be fabricated and installed by Doer Products and Services, Inc. , which is the same vendor utilized by Kent County for their recently installed air scrubber systems. This approval shall be contingent on Kent County Levy Court approving their financial obligation.



PROPOSAL

DATE: December 1, 2017

QUOTE#: Q120117A

CUSTOMER

Kate Mills, E.I.T.
City of Dover
Department of Public Works
P.O. Box 475
Dover, DE 19903

SCOPE OF WORK:

Provide and install a 2,500 CFM Activated Carbon Odor Control System for Pump Station # 7. The system will include the following installed at the pump station:

1. ACS Model P-96 Carbon Adsorber Vessel
 - a) Constructed of premium vinyl ester FRP.
 - b) Vinyl-ester FRP internal carbon bed support
 - c) 12" Inlet
 - d) 16" No-loss exhaust
 - e) 2" Drain
 - f) Three 3/4" sampling ports
 - g) Differential pressure gauge
 - h) Top manway for media exchange
2. Initial fill of carbon
 - a) 3300 lbs of high H2S capacity carbon
 - b) 1,100 lbs of coconut shell carbon for organic odors
3. Plastec P-35 centrifugal fan
 - a) 10 HP TEFC Motor
 - b) Glass reinforced polypropylene housing and wheel
 - c) 12" inlet/outlet
 - d) Flexible vibration isolating couplings on inlet and outlet
4. Model ME30 mist and grease prefilter
 - a) 16" Inlet




- b) 12" Outlet
- c) 2" Drain
- d) Stainless steel mesh filter element
- 5. Local Control Panel with VFD
 - a) Allows flow control by varying motor speed.
 - b) IP 65 ventilated enclosure
- 6. All the above mounted on an aluminum equipment skid
- 7. Up to 20' of 16" FRP Inlet ductwork to connect system inlet to wet well
- 8. Installation of all the above at the pump station.

The City will need to provide the following for the installation:

- 1. A flat level area roughly 10' x 16' for installation of the skid mounted system. This can be a simple gravel pad, pavement, or concrete pad. The distributed load will be less than 100 psf.
- 2. A 230 or 460 V three phase breaker to feed the control panel. If 230V a 50A breaker is required. If 460, a 30 amp breaker is required.
- 3. A suitable drain location for condensation drains.
- 4. Free access to the site for 2-3 days.

PRICE: \$64,700 installed turnkey

TERMS: Net 30 Days
Price firm for 90 days
1 year limited warranty

SIGNED: 

CITY OF DOVER ORDINANCE #2017-16

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

3
4 That Appendix B - Zoning, Article 3 - District Regulations, Section 28 - Traditional Neighborhood
5 Design Zone (TND), Subsection 28.52 – Neighborhood Commercial District, of the Dover Code, be
6 amended by inserting the text indicated in bold, blue font and deleting the text indicated in red strikethrough
7 as follows:

8
9 28.52 *Neighborhood commercial district:* Additional uses permitted in this district include the following
10 subject to the requirements set forth in subsection 28.7:

11 28.521 Convenience retail stores such as, but not limited to, drug stores, grocery stores,
12 restaurants, variety stores, or combinations thereof. **Fuel pumps accessory to a convenience**
13 **retail store may be permitted as a conditional use, upon the approval of the Planning**
14 **Commission in accordance with the procedures and subject to the general conditions set**
15 **forth in article 10, section 1.** Drive through drug stores shall be allowed if they are of superior
16 design and screening consistent with the intent of the TND zone. There shall be no drive-through
17 restaurants.

18 28.522 Personal service stores such as, but not limited to, barber shops, beauty parlors, and
19 laundry/dry cleaning establishments.

20 28.523 Service establishments furnishing services other than of a personal nature, but excluding
21 ~~gasoline filling stations and~~ motor vehicle storage, repair, or service.

22 28.524 *Business, professional, and government offices, banks, philanthropic or not-for-profit*
23 *offices, and financial institutions.* Drive through banks shall be allowed if they are of superior design
24 and screening consistent with the intent of the TND zone.

25 28.525 Any of these uses mixed with residential uses in the same building.

26
27 **ADOPTED: ***

28 S:\ORDINANCES\2017\DRAFT\ORDINANCE #2017-16 APPDX B, ART 3, SEC 28 (TND), SEC 28.52 - NEIGHBORHOOD COMMERCIAL DIST\ORDINANCE #2017-16 APPDX B, ART 3.doc

29
30
31 **SYNOPSIS**

32 This Ordinance would allow the Planning Commission to approve a convenience retail store with fuel
33 pumps as a conditional use in the Traditional Neighborhood Design (TND) Zone.

34
35 (SPONSORS: COLE, LINDELL, AND POLCE)

36
37
38 Actions History

39 01/08/2017 - Scheduled for First Reading – City Council
40 12/12/2017 - Introduction – Council Committee of the Whole/Legislative, Finance, and
41 Administration Committee