

REGULAR CITY COUNCIL MEETING

The Regular City Council Meeting was held on January 23, 2023, at 6:30 p.m., with Councilman Hare presiding. Council members present were Mr. Anderson, Mr. Boggerty, Mr. Neil, Dr. Pillsbury, Ms. Arndt, Mr. Rocha, Mr. Taylor, and Mr. Hare. Mr. Sudler was absent.

Staff members present were Police Chief Johnson, Ms. Peddicord, Mr. Hugg (via Webex), Mrs. Gray, Mr. Rodriguez, and Ms. Bennett. Mayor Christiansen was also present.

OPEN FORUM

The Open Forum was held at 6:21 p.m., prior to the commencement of the Official Council Meeting. Acting Council President Hare declared the Open Forum in session and reminded those present that Council was not in official session and could not take formal action.

There was no one present wishing to speak during the Open Forum.

INVOCATION

The invocation was given by Elder Ellis Louden.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Councilman Boggerty

ADOPTION OF AGENDA

Mr. Neil moved for adoption of the agenda, seconded by Mr. Rocha, and unanimously carried (Sudler absent).

ADOPTION OF CONSENT AGENDA

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

Mr. Neil moved for adoption of the consent agenda, seconded by Mr. Pillsbury and carried by a unanimous roll call vote (Sudler absent).

Councilman Taylor thanked his colleagues and staff for their dedication and professionalism during his tenure on City Council. Mr. Taylor also thanked the residents of Dover for trusting him.

PROCLAMATION – BLACK HISTORY MONTH

The City Clerk read the following Proclamation into the record:

WHEREAS in 1915, Carter G. Woodson founded the Association for the Study of Negro Life and History, now known as the Association for the Study of African American Life and History. He believed that historical truth would diminish lies and usher in a new era of equality, opportunity, and racial democracy; and

WHEREAS, the Association for the Study of African American Life and History has selected “Black Resistance” as the 2023 National Black History Month theme, which recognizes, from America’s earliest days, how African Americans have fought repression, oppression, discrimination, and prejudice. From escaping the plantation to the rise out of poverty and the struggle for equal housing and education to the struggle for voting rights, the resistance lives on into the 21st century; and

WHEREAS, the important contributions of black faith organizations, cultural centers, black medical professionals, black athletes, and black musicians who have all challenged injustice and have worked tirelessly to achieve equality, advocacy, and change; and

WHEREAS, currently, the rise of the Black Lives Matter movement carries on the long and deep legacy of African American resistance that is ongoing.

NOW, THEREFORE, I, ROBIN R. CHRISTIANSEN, MAYOR OF THE CITY OF DOVER, DELAWARE, do hereby proclaim February 2023 as BLACK HISTORY MONTH in the City of Dover and urge all citizens to recognize the essential role of African Americans in shaping our nation’s history and commit to working together to build a society that lives up to its dynamic of liberty and justice for all.

PROCLAMATION – HUMAN TRAFFICKING AWARENESS MONTH

The City Clerk read the following Proclamation into the record:

WHEREAS, according to the National Human Trafficking Hotline, “human trafficking is a form of modern-day slavery in which traffickers use force, fraud or coercion to control victims for the purpose of engaging in commercial sex acts or labor services against his or her will, affecting every community across age, gender, ethnicity, and socio-economic backgrounds”; and

WHEREAS, human trafficking generates over \$150 billion in profits worldwide every year. The 2021 International Labour Organization report projected that approximately 50 million adults and children were victims of modern slavery globally. An estimated 27.6 million were in forced labor, including 17.3 million exploited in the private sector, 6.3 million in forced commercial sexual exploitation, and 3.9 million in forced labor imposed by the state. Traffickers often take advantage of the instability caused by natural disasters, conflict, or a pandemic to exploit others; and

WHEREAS, since 2007, the Human Trafficking Hotline for Delaware has received close to 680 signals, such as phone calls, texts, emails, and online tips, and identified over 500 victims included in 212 cases of human trafficking; and

WHEREAS, in 2009, Trafficking Victims Protection Act was passed by Congress establishing methods for prosecuting traffickers, preventing human trafficking, and protecting victims and survivors of trafficking. Recognizing potential red flags and knowing the indicators of human trafficking is a key step in identifying more victims and helping them find assistance. Delaware leaders, social organizations, and Delaware Healthcare Association all are devoting efforts to raising awareness and helping stop the epidemic.

NOW, THEREFORE, I, ROBIN R. CHRISTIANSEN, MAYOR OF THE CITY OF DOVER, DELAWARE, do hereby proclaim January 2023 as HUMAN TRAFFICKING AWARENESS

MONTH in the City of Dover and urge all residents to take action by being informed, spread awareness and know the signs for it could save someone's life.

CERTIFICATE OF RECOGNITION – PIZZA DELIGHT BY GIACOMO

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

WHEREAS, after moving to the United States from Italy in 1959, Giacomo D'Ambrosi opened Pizza Delight by Giacomo in 1972, offering the first fresh dough pizza in Dover at the Blue Hen Mall; and

WHEREAS, in 1983, they opened across from the Dover Air Force Base for a few years and then moved in 1988 to the Route 8 Greentree Shopping Center. In 1998, they opened a second location in the Route 10 Gateway South Shopping Center;

WHEREAS, Pizza Delight by Giacomo has been a trusted and dependable business in the Dover community for over 50 years. Giacomo's commitment to providing fresh, quality food to the citizens of Dover has made Pizza Delight by Giacomo, a landmark in our community and,

WHEREAS, it is deemed an honor and a privilege to present this Certificate of Recognition to

Giacomo "Jack" D'Ambrosi & Vicki D'Ambrosi Owners of Pizza Delight by Giacomo

We thank you for serving exceptional homemade food with love, for providing outstanding service, and for being a vital part of the Dover community. The City of Dover extends best wishes on all of your future endeavors.

Mayor Christiansen presented the Certificate to Mr. and Mrs. D' Ambrosi of Pizza Delight by Giacomo and commended them for the service provided to the community.

Mr. and Mrs. D' Ambrosi thanked the City of Dover for the recognition.

ADOPTION OF MINUTES – ECONOMIC DEVELOPMENT MEETING OF OCTOBER 11, 2022

The Minutes of the Economic Development Meeting of October 11, 2022, were unanimously approved by motion of Mr. Neil, seconded by Dr. Pillsbury, and bore the written approval of Mayor Christiansen (Sudler absent).

ADOPTION OF MINUTES – ECONOMIC DEVELOPMENT MEETING OF NOVEMBER 15, 2022

The Minutes of the Economic Development Meeting of November 15, 2022, were unanimously approved by motion of Mr. Neil, seconded by Dr. Pillsbury, and bore the written approval of Mayor Christiansen (Sudler absent).

ADOPTION OF MINUTES - REGULAR COUNCIL MEETING OF JANUARY 9, 2023

The Minutes of the Regular Council Meeting of January 9, 2023, were unanimously approved by motion of Mr. Neil, seconded by Mr. Boggerty, and bore the written approval of Mayor Christiansen (Sudler absent).

COUNCIL COMMITTEE OF THE WHOLE REPORT-JANUARY 10, 2023

The Council Committee of the Whole met on January 10, 2023, at 6:03 p.m. with Councilwoman Dr. Pillsbury presiding. Members of Council present were Mr. Anderson, Ms. Arndt, Mr. Boggerty, Mr. Hare, Mr. Neil, and Mr. Rocha. Mr. Sudler and Mr. Taylor were absent. Mayor Christiansen was also present. Civilian members present for their Committee meetings were Mr. Shelton (*Utility*), Mr. Contant (via WebEx), and Mr. Shevock (via WebEx) (*Legislative, Finance, and Administration Committee*). Mr. McCutcheon (*Utility*), Dr. Jackson, and Mr. Hosfelt (*Safety, Advisory, and Transportation*) were absent.

ADOPTION OF AGENDA

Mr. Neil moved for adoption of the agenda, seconded by Mr. Boggerty and unanimously carried.

UTILITY COMMITTEE

The Utility Committee met with Chairman Rocha presiding.

Adoption of Agenda

Mr. Neil moved for adoption of the agenda, seconded by Mr. Boggerty and unanimously carried.

Evaluation of Bids – FY 2023 Street and Alley Program (Jason Lyon, Director of Water and Wastewater)

Mr. Jason Lyon, Director of Water and Wastewater, reviewed the background and analysis of the evaluation of bids for the FY 2023 Street and Alley Program.

Staff recommended awarding the contract to Sam's Construction, LLC, for the City of Dover FY 2023 Street and Alley Program, Bid #23-0005PW, for \$1,037,595.25.

Responding to Ms. Arndt, Mr. Lyon stated that the total amount of repaving is 0.99 miles.

Responding to Ms. Arndt, Mr. Lyon stated that if this project is approved, the process to notify the residents of the paving project would be by sending a letter that states this project is coming forward. Mr. Lyon explained that the next step would be to set up a kickoff meeting with the contractor to schedule a start time and send a second notice of when the work will begin. Mr. Lyon further explained that a third handwritten, hand-delivered notice would be delivered one week before the start of work.

Mr. Boggerty requested that Mr. Lyon state what process he followed to ensure that everyone, including minorities, had ample opportunity to bid on the construction.

Mr. Lyon stated that they publicly advertise through the newspaper and the City of Dover website. Mr. Lyon explained that they solicit from the State of Delaware's list of Disadvantaged Business Enterprise. Mr. Lyon further explained

that they use that database to reach out to qualified vendors that could do this work.

Responding to Mr. Boggerty, Mr. Lyon stated that the City of Dover does not require the vendor to provide a diversity statement or proof of Equal Employment Opportunity (EEO).

Responding to Mr. Lyon, Mr. Boggerty stated that he thought it sounded like Mr. Lyon did his due diligence and wanted the process on record. Mr. Boggerty stated that he appreciated Mr. Lyon.

Responding to Mr. Shelton, Mr. Lyon stated that the city will coordinate with the Delaware Department of Transportation (DelDOT) and notify police, fire, emergency services, and schools of any road construction that would cause any detour or delays.

Mr. Hare moved to recommend awarding the contract to Sam's Construction, LLC, for the City of Dover FY 2023 Street and Alley Program, Bid #23-0005PW, for the amount of \$1,037,595.25, as recommended by staff. The motion was seconded by Mr. Neil and unanimously carried.

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

Evaluation of Bids – Williams Park Storm Pipe Replacement (Jason Lyon, Director of Water and Wastewater)

Mr. Jason Lyon, Director of Water and Wastewater, reviewed the background and analysis of the evaluation of bids for the Williams Park Storm Pipe Replacement.

Staff recommended awarding the contract to Gateway Construction, Inc. for the Williams Park Storm Pipe Replacement, ITB #23-0004PW, for \$148,000.

Responding to Ms. Arndt, Mr. Lyon stated that the corroded pipe led to a washout of soil around the pipe. Mr. Lyon explained that the pipe had started to disintegrate, and that sediment and dirt were going into the river. Mr. Lyon noted that the river is stormwater, and drinking water quality has not been affected.

Responding to Mr. Anderson, Mr. Lyon stated that they had anticipated 60 days for this project's construction process, including the allocation of materials. Mr. Lyon stated that the process should take at least four weeks once the contractor receives the materials. Mr. Lyon noted that this area is grass and that they will not have to worry about pavement, detours, or traffic control.

Responding to Mr. Anderson, Mr. Lyon stated that the project could start roughly around late spring. Mr. Lyon noted that they had seen a wide range of time delays with getting materials that could affect this time frame.

Responding to Mayor Christiansen, Mr. Lyon stated that both projects require a performance bond. Mr. Lyon explained that if the contractor does not complete

the work, then the city can pull the bond and use that money to hire another contractor to do the work.

Mr. Hare moved to recommend awarding the contract to Gateway Construction, Inc. for the Williams Park Storm Pipe Replacement, ITB #23-0004PW, for \$148,000, as recommended by staff. The motion was seconded by Mr. Neil and unanimously carried.

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

Annual Review and Approval of Governing Policy for Energy Commodity Risk Management (Lori Peddicord, Controller/Treasurer)

Ms. Lori Peddicord, Controller/Treasurer, reviewed the background and analysis of the amendments to the Governing Policy for Energy Commodity Risk Management.

Staff recommended approving the proposed amendments to the Governing Policy for Energy Commodity Risk Management.

Mr. Neil stated that he thought everybody here was being hurt so badly by the cost of electricity. Mr. Neil explained that the city went through a period for several years where they could purchase advances that held down electric rates very comfortably and very low. Mr. Neil stated that the city does not make money from this and that they are not a profit-making organization.

Responding to Mr. Neil, Ms. Peddicord stated that there is too much in the mix to say if the increase in purchasing power would result in lower costs to the customer. Ms. Peddicord explained that this allows the city to purchase the equivalent of what the city used to purchase in 2015 and larger lump sums to capture a better price.

Mr. Neil stated that for those who may need to be made aware, everything Ms. Peddicord explained is always available to the public. Mr. Neil explained that any member of the public could go to www.cityofdover.com and look under Agendas; they will be able to see and read what has been presented to council tonight.

Mr. Neil stated that what Ms. Peddicord says is not surprising to council members because they have done their homework and reviewed the material before the meeting. Mr. Neil explained that members of the public could review the same information and understand what they are going through to try to keep electric rates down and to be fair. Mr. Neil stated that the prices are coming down and that council will be able to take the surcharge off or drop it down as soon as possible.

Ms. Peddicord reviewed the chart entitled On Peak Purchasing MW By Year – Current \$20M Limit on page 50 of the packet. Ms. Peddicord explained that before 2020 the city was buying a lot more peak or megawatts. Ms. Peddicord stated that the limit increase would increase the city's ability to capture more in the future. Ms. Peddicord noted that the difference between the gray and red lines

is a large variance between the pricing of what they were capturing and what it is currently costing.

Ms. Peddicord stated that increasing the limit to 40 million will allow the city to purchase larger quantities at a lesser price and more than what they used to be able to do at a lesser value.

Mr. Neil moved to recommend approving the proposed amendments to the Governing Policy for Energy Commodity for Risk Management, as recommended by staff. The motion was seconded by Ms. Arndt.

Mr. Anderson stated that this was an important change, and he congratulated the board for that because it had been a concern. Mr. Anderson noted that he has been bugging the board that the city needs to be able to buy more when the price drops. Mr. Anderson explained that the city needs that flexibility when the price drops.

Mr. Anderson congratulated the staff and stated that this is an intelligent policy for the ratepayers of the City of Dover.

Mr. Neil moved to recommend approving the proposed amendments to the Governing Policy for Energy Commodity Risk Management, as recommended by staff. The motion was seconded by Ms. Arndt and unanimously carried.

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

Mr. Rocha moved for adjournment of the Utility Committee, hearing no objection; the meeting adjourned at 6:26 p.m.

SAFETY, ADVISORY, AND TRANSPORTATION COMMITTEE

The Safety, Advisory, and Transportation Committee met with Chairwoman Pillsbury presiding.

Adoption of Agenda

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

Dover Roundabout Analysis for Governors Boulevard, Ross Street, and Bradford Street (Sharon Duca, Assistant City Manager)

Ms. Sharon Duca, Assistant City Manager, reviewed the background and analysis regarding the Dover Roundabout Analysis for Governors Boulevard, Ross Street, and Bradford Street.

Ms. Duca introduced Ms. Wendy Carpenter, Traffic Calming Manager, DelDOT, and Ms. Nicole Wilson, Consultant, DelDOT. Ms. Carpenter and Ms. Wilson reviewed the traffic calming measures in Attachment #1 – Governors Boulevard at Ross and North Bradford – Intersection Improvement Options.

Ms. Carpenter noted that Representative Sean Lynn is willing to fund most options through the Community Transportation Fund. However, the larger two roundabouts on pages 9 and 10 of Attachment #1 would require a capital project through the Dover/Kent Metropolitan Planning Organization (Dover/Kent MPO).

Staff recommended that Council receive public input regarding the options presented and allow for additional research into low-impact traffic calming options.

Mr. Neil stated that this is just the first step because they have many people who will be concerned about this. Mr. Neil emphasized that every time they had this, they had to give everybody a chance to say what they thought. Mr. Neil explained that these are things that DelDOT and Council will have to take a very close look at in terms of presenting this to an audience of neighbors who will be affected by this.

Mr. Neil stated that Councilwoman Arndt, himself, and Mayor Christiansen had been inundated with complaints about the accidents in this intersection and that they must do something; they are concerned about safety. Mr. Neil stated that he wanted everybody to know that this is a first step and that this process will consider everyone's thoughts before deciding.

Responding to Mr. Rocha, Ms. Carpenter stated that CTF funds could not be used for anything that has right-of-way, drainage, or environmental impacts.

Responding to Mr. Rocha, Ms. Carpenter stated that CTF funds could not be used for the larger roundabouts on pages 9 and 10 of Attachment #1. Ms. Carpenter noted that the smaller roundabout on page 11 of Attachment #1 would qualify for CTF funds, but you must drive in a complete circle around it.

Mr. Rocha stated that he grew up in an area with roundabouts his whole life. Mr. Rocha stated that he felt the ones that are here, that are small, really are not effective at all. Mr. Rocha explained that if someone is going to speed, they will go right over the bricks in the middle. Mr. Rocha further explained that where he grew up, it was grass, and if it rained, you would be stuck there, so they learned not to do that.

Mr. Rocha suggested either putting grass in the middle or not making it so appealing to drive straight across. Mr. Rocha noted that he felt the small roundabouts were ineffective. For example, the one on Mifflin Road might as well just be ripped out.

Mr. Anderson stated that there is just not enough room for the large roundabouts and that they are trying to protect neighborhoods, not disrupt them. Mr. Anderson continued to state that taking away houses and getting rid of a couple of his neighbors is something that he would never support. Mr. Anderson explained that it is just not practical and would absorb the money the city desperately needs to repair other roads.

Responding to Mr. Anderson, Ms. Carpenter stated that there are options, such as 1A on page one of Attachment #1, which is just signing and striping; there is no closure or anything like that. Ms. Carpenter explained that for options such as the all-way stop and the closures, DelDOT would need to do some analysis just to ensure that if they close this road, what will that mean? Where are the cars going to detour to? Does it cause issues somewhere else, then? Ms. Carpenter explained that they needed to do a study for those questions.

Ms. Carpenter stated that for the options that are just signing and striping, it is just installing the signs and putting the striping down. Ms. Carpenter explained that for DelDOT, the striping season is spring and summer, depending on when they can get on the schedule. Ms. Carpenter further explained that striping and signing in Kent County are quick, and the City of Dover may install signage.

Responding to Mr. Anderson, Ms. Carpenter stated that they have yet to set a time frame for the larger projects as DelDOT would need to do more analysis.

Mr. Hare stated that there was a similar issue on Wyoming Avenue, and what prevailed was what the people that lived there wanted. Mr. Hare stated that he is more concerned about the people who live there, right on it, around it, and what they want. Mr. Hare stated that he would not sit there and say they would do this if the residents did not want it. Mr. Hare stated that the residents who live there are whom he wants to hear from and what they want.

Ms. Arndt stated that she wanted to reiterate Councilman Neil's point that this is the first step; this is a preliminary assessment. Ms. Arndt apologized and stated that she could certainly appreciate the folks from the neighborhood who, when they first saw this in the packet and saw this giant roundabout, she knew that caused them considerable anxiety. Ms. Arndt explained that residents had heard tonight that that is not an option worth pursuing, it is too large for that area, and certainly, they are not going to take anyone's home. Ms. Arndt noted that council is not choosing any of these options tonight.

Ms. Arndt stated that the point of tonight was to say, okay, council is going to move this forward. The council will take it to the public, and they will hold a workshop. Council will be getting input from the public. Ms. Arndt explained that there is more work that DelDOT needs to do regarding researching these alternatives to see what can happen in this area.

Responding to Ms. Arndt, Ms. Duca stated that one of the key factors is working with DelDOT directly. One of the things that she would foresee on this is something similar to some of the charettes DelDOT does for some other projects so that they can have time with the public to go over the options. Ms. Duca stated that Ms. Carpenter could speak on this and that DelDOT may want to do some additional analysis before holding those charettes so that they can answer more questions. Ms. Duca noted that she appreciates that they ruled out some of the options to begin with, so they do not need to research the large roundabouts. Ms. Duca explained that, looking forward, the city is trying to get that public input

before it comes back to the council. Ms. Duca noted that the dates would be posted when those meetings were occurring with the public so that interested council members could attend.

Mayor Christiansen requested that Madam Chair Pillsbury allow members of the audience who live in that area of Governors Boulevard, Ross Street, and Bradford Street an opportunity to speak.

Mr. James Frazier, 643 North Bradford Street, stated that he lives on the corner of North Bradford Street and Ross Street. Mr. Frazier stated that in the 43 years he has lived on the corner of North Bradford Street and Ross Street, almost all of his neighbors, including himself, have had a vehicle or property damage. Mr. Frazier explained that there had been single-car accidents caused by reckless driving, carelessness, and some cases, drunk driving. The number of these accidents equates to about one every five years. Other accidents in the intersection have been due to inattentive driving and speeding. Mr. Frazier noted that many times, he has observed drivers sitting at the stop sign at North Bradford and Ross Street, talking, texting on their cell phones, and then pulling into the intersection, nearly missing cars traveling on Governors. The recent addition of signs on the corners of North Bradford Street and Ross Street, alerting motorists that traffic on Governors Boulevard does not stop, has been a help.

Mr. Frazier stated that one constant problem at the intersection is excess speed. The speed limit on Governors Boulevard is 25 miles per hour. When drivers are coming from the north or coming north from Silver Lake and have a green light at Governors Boulevard and Walker Road, they start to slow down once they get through the intersection and see the solar-powered speed sign flashing at them. Mr. Frazier stated that he consistently sees speeds of 35 to 50 miles an hour registered on that sign. Drivers need to realize that they are entering a residential neighborhood when they travel down Governors Boulevard and State Street from the stop light at State Street, Governors Boulevard, and Walker Road. Mr. Frazier suggested that it would be helpful to have another solar-powered sign placed on Governors Boulevard, between the intersection and the traffic light at Governors Boulevard and Walker Road. Drivers need to be reminded of their speed before they get to the intersection, not after it.

Mr. Frazier requested to step up traffic speed enforcement. Mr. Frazier explained that the sight of a police car is one of the best traffic-calming devices he knows of. Mr. Frazier also suggested that one other thing that might slow down people is to paint crosswalk hash marks across the north and south sides of the intersection on Governors Boulevard, and the same for Ross Street and North Bradford Street and putting the State Law Yield to Pedestrian signs in the middle of them like there are on Governor's Avenue down by Delaware State Universities Downtown Campus.

Mr. Frazier asked council to please keep in mind that, with the problems mentioned, traffic through the intersection travels, or traffic moves through the intersection 99% of the time without a problem. Before they spend millions of dollars and start condemning houses and destroying parts of the neighborhood, he

would like for them to consider less destructive and cheaper ways to enhance the safety of both motorists and homeowners.

Jim Barron, 640 North Governors Avenue, stated that in 35 years, six fences, telephone poles, and multiple accidents at all times. Mr. Barron noted that he gets to see most of his neighbors when there is an accident, and they come out and try to work with people. The speeding is still there, last night at 3:45 pm, a car went through at 54 miles per hour on the flashing sign. Mr. Barron stated that they needed enforcement.

Mr. Barron stated that he is encouraged by the bigger roundabouts going away and seeing some of the ideas of making streets one way. Mr. Barron explained that vehicles are coming south on Bradford Street in the morning, heading across and not stopping to see if they can get through. He explained that this started happening when they changed the Walker Road intersection, which created more traffic on Ross Street because people are trying to avoid the light by coming up Ross Street, coming through that intersection, and cutting over to Walker Road. Mr. Barron noted that DelDOT buses do that a lot. Mr. Barron thanked the city and DelDOT for getting this started. He noted they do not need to take people's homes but need to make them safe.

Mr. Neil stated that the only point he made was that the residents made the point they had already heard. Mr. Neil explained that the only option given tonight that looked promising would have been the small roundabout on page 11 of Attachment #1. Mr. Neil stated that DelDOT must complete their program and study this because they are the experts. Mr. Neil stated that DelDOT would come to the council to educate them about its effect and then to the public for input on what they prefer.

Mr. Neil stated that anything that helps, he is in favor of. Mr. Neil stated that he is sure that the residents will get support from this entire group when that occurs, and it will happen. Mr. Neil explained that it would not happen in 35 years or 40 years, it is happening now, and the community has council's attention. Mr. Neil thanked the residents for coming out and participating. Mr. Neil reminded the residents that this was the first step.

Ms. Arndt moved to recommend that Council receive public input regarding the options presented and allow for additional research into low-impact traffic calming options, as recommended by staff. The motion was seconded by Mr. Neil.

Mr. Anderson moved to amend the motion to include Community Transportation Fund (CTF) funded options. Ms. Arndt and Mr. Neil accepted the amendment and unanimously carried.

Ms. Arndt moved to recommend that Council receive public input regarding the Community Transportation Fund (CTF) funded options presented and allow for additional research into low-impact traffic calming options, as

recommended by staff. The motion was seconded by Mr. Neil and unanimously carried.

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

Dr. Pillsbury moved for adjournment of the Safety Advisory and Transportation Committee, hearing no objection; the meeting adjourned at 7:01 p.m.

LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE

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

Adoption of Agenda

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

Draft Annual Comprehensive Financial Report (ACFR) (Lori Peddicord, Controller/Treasurer)

Mr. Anderson congratulated Ms. Peddicord and her staff for an unmodified audit and a Certificate of Excellence in financial reporting.

Ms. Lori Peddicord, Controller/Treasurer, introduced Mr. Bill Seymour, Engagement Partner, S&B Company. Mr. Seymour reviewed the presentation entitled Fiscal Year 2022 Audit Results.

Staff recommended acceptance of the draft report.

Mr. Neil moved to recommend acceptance of the draft report, as recommended by staff. The motion was seconded by Ms. Arndt and unanimously carried.

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

Library Rebranding Presentation (Brian Sylvester, Library Director)

Mr. Brian Sylvester, Library Director, reviewed the presentation entitled Dover Public Library Brand Guide. Mr. Sylvester stated that the Dover Public Library hired Kristine Arth, Brand Consultant, Lobster Phone. Mr. Sylvester noted that the rebranding campaign was covered by the state's side of the budget and did not include municipal funds.

Mr. Boggerty thanked Mr. Sylvester for the great work they had done. Mr. Boggerty stated that the L does not have an L shape. Mr. Boggerty also stated that he wants to see a space between the D and P. He explained that the letters are so exaggerated that they look more like shapes than letters.

Ms. Arndt stated that they could ask a hundred different people and get a hundred different points of view. Ms. Arndt stated that she thought the design looked great, fun, and modern and loved the color choices. Ms. Arndt also liked that the Dover Public Library staff could fully customize this design without returning to the designer.

Responding to Mr. Rocha, Mr. Sylvester stated that he reached out to Ms. Diane Laird, Director of the Downtown Dover Partnership (DDP) but had not heard back from her. Mr. Sylvester stated that he would contact Ms. Tina Bradbury, DDP, regarding the banners in front of the library to ensure cohesiveness with Mosaic's Downtown Master Plan.

Mr. Neil stated that he is a fan and customer of the Dover Public Library. Mr. Neil stated that the programs are phenomenal for kids and everyone there. Mr. Neil explained that there is space available for things such as DDP will be there to show and tell for Mosaic. Mr. Neil stated that he believes that when you have a great library, if you are bringing in businesses and economic development, you can show them what Dover has. Mr. Neil stated that he was very proud of the library. Mr. Neil explained that sometimes you must change the feel or the look to kind of freshen it and give excitement to the staff. Mr. Neil noted they are a great staff.

Committee action was optional.

Mr. Neil moved for acceptance of the Dover Public Library's report. The motion was seconded by Mr. Rocha and unanimously carried.

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

Mr. Anderson moved for adjournment of the Legislative, Finance, and Administration Committee meeting; hearing no objection, the meeting adjourned at 7:23 p.m.

Mr. Hare moved for an adjournment of the Council Committee of the Whole meeting. The motion was seconded by Mr. Rocha and unanimously carried.

The meeting adjourned at 7:23 p.m.

APPOINTMENT-RECOMMENDED BY MAYOR CHRISTIANSEN – DOVER PUBLIC LIBRARY ADVISORY COMMISSION – THERESA L. WHALEN – TERM TO EXPIRE JUNE 2028

Appointment Recommended by Mayor Christiansen – Dover Public Library Advisory Commission – Theresa L. Whalen (Term to expire June 2028)

By consent agenda, Mr. Neil moved for acceptance of the appointment of Theresa L. Whalen to the Dover Public Library Commission, as recommended by Mayor Christiansen. The motion was seconded by Dr. Pillsbury and carried by a unanimous roll call vote.

ITEMS NOT ON THE CONSENT AGENDA

COMMUNITY REINVESTMENT FUNDS-PROJECT ALLOCATION (JASON LYON, DIRECTOR OF WATER AND WASTEWATER)

Jason Lyon, Director of Water and Wastewater, explained that they were told in the fall of 2022 that they were afforded three million dollars for projects such as infrastructure. He explained that his team decided to look at projects that could be used that were already in the pipelines to get that money out and get it working. His team identified three different projects in no particular order. The first one is to supplement the North State Street water main replacement project, which is underway. Mr. Lyon explained that due to the state of inflation with construction projects, the project was underfunded; utilizing the Community Reinvestment Fund will allow this project to be completed.

Mr. Lyon stated that the second project was an Inflow and Infiltration Repair project. He explained that the city recently completed a large-scale evaluation of our sanitary sewer mains and manholes. The report provided several locations throughout the city that required rehabilitation. The total amount of pipe relined will be approximately 2,600 linear feet, and this project will rehabilitate 52 manholes. The repairs will decrease the infiltration into our infrastructure and increase the structural condition of the sewer pipes and manholes.

Mr. Lyon explained that the third project would be for the street and alley program. The city originally budgeted six (6) streets/alleys to be rehabilitated in FY23. However, due to the current economic state will only allow three (3) streets/alleys to be worked on within the original budget. This project would rehabilitate Buckson Street, Carvel Drive, and Ross Street.

Mr. Anderson moved to recommend accepting the \$3M from the Community Reinvestment Fund and approving the project allocation plan. The motion was seconded by Mr. Rocha and unanimously carried.

WELL #9 CHANGE ORDER (JASON LYON, DIRECTOR OF WATER AND WASTEWATER)

Jason Lyon, Director of Water and Wastewater, explained that the request is the change order to break the current side project. He explained that they are working on the redevelopment of a well that we have currently. Mr. Lyon stated that when the water reaches a certain height, they have to shut down that water source, which becomes more taxing on the system and the other wells. Mr. Lyon stated that this project is underway. The original contract price was in favor of \$79,000, and the requested change is \$90,000. The reason for the change orders is that there are different environments with various structural capacities. Mr. Lyon further explained that the new requirement is to take a structural analysis of the underground, and they did not have any in the nearby areas. He explained that the second component is water requirements for changing a building.

Mr. Rocha moved to approve the change order request from AECOM, Inc. in the amount of \$19,500 in accordance with the City of Dover Purchasing Policy and Procedures. The motion was seconded by Mr. Neil and unanimously carried.

FIRST READING - PROPOSED ORDINANCE #2023-01 AMENDING THE 2019 COMPREHENSIVE PLAN BY REPLACING TABLE 12-1: LAND DEVELOPMENT PLAN, MAP 13-1: ANNEXATION AREAS, AND MAP 13-2: POTENTIAL LAND USE FOR ANNEXATION AREAS

Acting Council President Hare reminded the public that copies of the proposed ordinance were available at the entrance of the Council Chambers and also could be obtained from the City Clerk's Office.

Members reviewed Proposed Ordinance #2023-01, which would amend the 2019 Comprehensive Plan. The amendments include consideration of the following associated with Annexation Application AX-23-01 Lands of Calpine Holdings, LLC. Two properties on White Oak Road: Requests for amendment of Map 13-1: Potential Annexation Areas to review the Annexation Plan category of two properties and requests for amendment of Map 13-2: Potential Land uses for Annexation Areas to identify the Land Use Classification of two properties.

Since the ordinance is an amendment to the 2019 Comprehensive Plan, a public hearing is required. Staff recommended that a public hearing be scheduled before the Planning Commission on February 21, 2023, at 7:00 p.m. and that a public hearing before City Council be set for Monday, March 13, 2023, at 6:30 p.m., at which time final action by Council will take place.

Mrs. Gray, Director of Planning and Community Development, explained that this is a series of requests which amend the 2019 Comprehensive Plan. The specific request is to amend maps 13-1 and 13-2. These requests were submitted by the property owner associated with the City of Dover.

Responding to Mr. Anderson, Mary Ellen Gray, Director of Planning and Community Development, stated that there are two types of comprehensive plan amendments minor and major. Ms. Gray explained that minor amendments are such things as zoning revisions, and this is a major request, and major requests can only happen once a year within a specific time frame. These requests must be made and applied to the Office of State Planning by December 15th. She further explained that if there were another major amendment to the comprehensive plan application, the applicant would have to wait until December 15, 2023.

Responding to Mr. Neil, Ms. Gray explained that it is her understanding that the application is for a solar farm, which is a utility.

By motion of Mr. Neil, seconded by Mr. Boggerty, Council unanimously referred the request to the Planning Commission and set a public hearing for March 13, 2023, at 6:30 p.m., as recommended by staff.

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

AN ORDINANCE AMENDING THE 2019 COMPREHENSIVE PLAN BY
AMENDING MAP 13-1: BY CHANGING THE ANNEXATION PLAN

CATEGORY AND BY AMENDING MAP 13-2: BY IDENTIFYING THE LAND USE CLASSIFICATION OF TWO PROPERTIES LOCATED ON WHITE OAK ROAD.

CITY MANAGER'S ANNOUNCEMENTS

City Manager did not have any announcements.

CITY MAYOR'S ANNOUNCEMENTS

Mayor Christiansen did not have any announcements.

COUNCIL MEMBERS' ANNOUNCEMENTS

Councilman Boggerty stated that when he sat down, his stomach dropped because he wanted to say something else about what he received and that he is normally good at speaking off the cuff. He gets to work with two individuals, one outside his profession, Councilwoman Arndt, and his friend Dr. Pillsbury. Years ago, a black man working with a white woman would never happen. This is black history when they all come together. He also publicly apologized, but he means it with all of his heart, to the degree that everyone knows he is big on diversity, equity, and inclusion. He has been called to a meeting Wednesday to discuss the government's diversity. Hopefully, he will have something to report back to council so that they can continue to move Dover forward in their push for diversity and will include anyone that wants to be a part of that meeting.

Councilman Neil stated that the largest bounce house and obstacle course is coming to NASCAR on NASCAR weekend when it arrives here in Dover. The announcement was made today, and they are making more festivities around the monster. He and Ms. Arndt thought it was worthwhile letting their people know because the people in the 3rd district are affected by it more than anyone else. So, he is making that announcement on behalf of the speedway. They released it today, and the word is out.

Councilman Anderson reminded everyone about the Special Council Meeting on Thursday, January 26, 2023, and there will be a couple of items discussed. The intended list is regarding the proposed loitering ordinance and some citizen complaints regarding an establishment downtown. He would like to also thank some people who have helped bring a consensus towards the loitering ordinance. Even though they did not necessarily have any agreement at the beginning, it is where you end. He wanted to thank Mr. Cecil Wilson and Ms. Lachelle Paul for working productively and bringing a consensus. It is something that their community has proudly supported. They had meetings in the 2nd and 4th districts at different times. He hopes he can continue to move forward because it is something that the people definitely said they wanted, just part and parcel of the new ordinance. If anyone has feelings regarding that, please come out or join online. The instructions are online, or they can email cityclerk@dover.de.us.

Mr. Anderson congratulated the Finance Office led by Controller/Treasurer Lori Peddicord. The Certificate of Excellence in Financial Reporting was put on the consent agenda, but nobody noticed unless they reviewed the packet. He just wanted to highlight that because that is phenomenal. The city had an audit that was unmodified, which means that things look very good. That is something that the city has a great heritage of, and considering the project management that is being done, with the newish computer systems, newish for 7 years. Considering that the fundamental work in the city is being done with excellence and recognized excellence, he would like to applaud the finance department.

Councilman Rocha announced that February 1st is World Read Aloud Day, and March 2nd is Read Across America Day. He explained that the participating school is W. Reily Brown, in the Caesar Rodney School District. The school is in the City of Dover limits, and an author will read a book to 1st or 2nd graders. He is unsure of which grade but that each 1st or 2nd grader, whichever one it is, will receive the author's book. It is all about encouraging our young to want to read, no matter what economic background they may have; reading at a level by the time they reach 3rd grade gives them the strongest chance to graduate high school and therefore move on to have some form of higher academics. So, he just wanted to point out that if anybody wants to support that, bring it up with him, and he will point them in the right direction.

The meeting adjourned at 7:27 p.m.

ANDRIA BENNETT
CITY CLERK

All ordinances, resolutions, motions, and orders adopted by City Council during their Regular Meeting of January 23, 2023, are hereby approved.

ROBIN R. CHRISTIANSEN
MAYOR

/AB

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