

REGULAR CITY COUNCIL MEETING

The Regular City Council Meeting was held on August 11, 2025, at 7:11 p.m. with Council President Neil presiding. Council members present were Ms. Hall, Mr. Boggerty, Mr. Anderson, Dr. Pillsbury, Ms. Arndt, Mr. Rocha, Dr. Sudler (via WebEx), and Mr. Lewis.

Staff members present were Deputy Chief Kuntzi, Mr. Hugg, Ms. Marney, Ms. Melson-Williams, and Ms. Bennett. Mayor Christiansen was also present. Police Chief Johnson and Fire Chief Carey were absent.

OPEN FORUM

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

Rob Vanella, Wilmington resident and facilitator for Neighbors Organized for Credibility and Accountability in Policing Delaware (NOCAP), stated that they had co-sponsored an event last week at the Dover Library on police reform in Delaware. He noted that the police gave a statement to WBOC afterward, and he had some comments about it.

Ms. Tanya Whittle, Wilmington resident, read the following statement:

According to Dover PD, Neighbors Organized for Credibility and Accountability in Policing Delaware (NOCAP) has come to Dover with the intention of disparaging the police department to achieve political goals. They have brought a biased and unprofessional initiative that can only have one outcome. Should a member of our community have a complaint about policing, there is a legitimate process that enjoys widespread support from both the community and the policing profession.

Mr. Vanella stated that the comment made by the police was unprofessional and that he believed the accusation was untrue. He added that they plan to build a community coalition in the city to demand a voice in how the community is policed. He stated that while council has a voice, the problem was that only council has had one, which he described as a small “d” democracy. He emphasized that their political agenda was to change that by working to amend laws and rules.

William Faust, Jr., expressed frustration over Councilwoman Arndt’s email response to his letter in the Bay to Bay Newspaper, noting he found it ironic and suggested possible political influence in the removal of his article. He emphasized that he was advocating for residents affected by budget constraints, not seeking personal glory. He also addressed factual issues, such as a 10% utility rate increase. He noted that Ms. Arndt had taken offense to his newspaper comment but acknowledged her right to respond, and he planned to submit her email. He questioned Ms. Arndt’s claim of not knowing Mr. West, noting that it seemed unusual to refer to someone by their first name if they were unfamiliar. **(Exhibit #1)**

Responding to Mr. Faust, Ms. Arndt apologized if she had hurt his feelings by providing the

facts to the newspaper editor to contradict what he had stated in his editorial.

Responding to Ms. Arndt, Mr. Faust stated that his feelings were not hurt. He acknowledged Mr. Anderson and stated that when Mr. Anderson had an issue with one (1) of his editorials and letters, he was enough to make a rebuttal and publish. He noted that he may not agree with him, but respected Mr. Anderson because he stood on principle and the facts.

Responding to Mr. Faust, Ms. Arndt stated that she was woman enough to talk to him face to face when she had come into the building, and that was how she handled that. She emphasized that she would not do a rebuttal in the paper, but that they could have a conversation.

Responding to Ms. Arndt, Mr. Faust stated that they could have a conversation anytime.

McKayla Ray, a Dover resident, expressed frustration with policing. She referenced a situation that had happened between her and being harassed by the police.

Responding to Mayor Christiansen, Ms. Ray stated that she did not want to speak with him in the hallway.

Ms. Ray explained that an incident occurred with her and the police in regard to individuals coming to her home. The officer stated that she had harassed him, which was false; she was not stalking him. She noted that the incident occurred, and she ended up losing her home because the police officer assaulted her. She also mentioned that she was a victim of domestic violence.

Mayor Christiansen stated that he wanted to speak with Ms. Ray in the hallway with Ms. Vonderlear Smack.

Cleveland Wilson, 234 North Kirkwood Street, expressed frustration that at each meeting he has attended, he has witnessed heated disagreements over differences of opinion. He emphasized the importance of working together and directed his remarks to Mayor Christiansen, noting that at least 20% of residents were watching the Regular Council meetings. He questioned if residents saw council members arguing and behaving in such a manner, how could he encourage a young person to put down a gun? He stressed the need to find a way to achieve unity and noted that he had come to the meeting to ask for a few favors. He emphasized the need for a central location where youth could be directed for support, somewhere they could walk to, rather than an out-of-the-way location requiring parents to transport them. He gave the example of a student being able to walk in and say they wanted to improve their homework but needed help. While many families are aware of tutors, after-school programs, and other resources, some children may not know about them. He expressed his desire to focus on prevention, noting that providing hope can deter individuals from becoming involved in crime. He urged the formation of a steady, ongoing system of hope, rather than relying solely on occasional events, so that youth have consistent access to resources and support.

Vonderlear Smack, 1001 White Oak Road, Apartment #F12, expressed concern with policing. She spoke on behalf of community members who have experienced encounters with local law enforcement, citing multiple incidents of wrongful traffic stops and “jump outs” involving armed

officers using unmarked vehicles. She described those police officers as part of a troubling pattern that causes fear, trauma, and erodes trust. She noted that residents were often too afraid to file complaints. She urged the City Council to take immediate action by reviewing and revising policing protocols, ensuring accurate identification procedures, implementing de-escalation training, and empowering the Police Accountability Board to review use-of-force incidents. She emphasized that the community deserves a police force that serves with integrity and respect. She called for collaborative efforts to restore trust and safety in Dover.

Responding to Ms. Smack, Mr. Neil suggested that if constituents are afraid of the police, they could reach out to any council member, as the council needs to know the details of who was involved, when the incidents occurred, and the specific circumstances.

Responding to Ms. Smack, Mr. Neil stated that addressing any issue requires following a process to ensure that verifiable incidents are properly acted upon. He emphasized that the council would not tolerate the behavior she described. He explained that the only type of incident they can act on is one where the details are clear, who was involved, when it occurred, and the specific circumstances. Without the information, they cannot intervene or pursue legal action. However, once verified, the matter can be taken to court, brought to the police, or addressed with Mayor Christiansen.

Responding to Mr. Neil, Ms. Smack stated that she had already begun writing emails and was now waiting for a response, which she had been waiting for around three and a half weeks.

Responding to Ms. Smack, Mr. Neil stated that the problem was that the information needed to be verifiable, and it cannot be anonymous.

Responding to Mr. Neil, Ms. Smack stated that she did not realize the procedure would take so long to verify.

Responding to Ms. Smack, Mr. Neil stated that the information needs to be verified by the individual who was the victim; otherwise, it does not hold up in court.

Responding to Mr. Neil, Ms. Smack stated that she had sent the constituent's name and information out. She further stated that she had done everything and that she did know what she was doing.

Responding to Ms. Smack, Mayor Christiansen acknowledged that she had sent him a letter via e-mail.

Appollonia Rivera, 466 Barrister Place, shared several concerns, beginning with an incident where an 18-year-old was confronted at gunpoint by four (4) officers in an unmarked SUV, thrown to the ground, and frisked despite having no weapons. She emphasized the lack of officer identification and accountability, which prevented residents from filing complaints. She criticized leadership for failing to address these issues. She raised concerns about potential retaliation regarding her son's case, which has gone 58 days without updates. She called for greater transparency, which included publicizing officers' names and photos, to ensure residents

can hold law enforcement accountable.

LaChelle Paul emphasized that the public forum brings all city leadership together, providing residents with a chance to address issues directly. She highlighted her long-standing advocacy work, stressing that she serves constituents who may fear retaliation and consistently follows through on concerns. She urged the council to adhere to past practices for public comment, listen to those on the ground, and put aside differences to address the city's widespread problems. She stressed the importance of open discussion and collaboration, noting that real issues, including gang-related violence, cannot be ignored or tiptoed around. She stated that meaningful solutions required all parties to come together to restore Dover.

Martha Wright, a Dover resident, expressed grief and frustration over the 99 days since her son was murdered in Dover, highlighting the lack of communication and progress from the police, including the release of a suspect found with firearms. She criticized the police Victim Services for inaccurately reporting her as "safe" despite encountering the suspect in public. She also raised concerns about the lack of support for youth in the city, emphasizing the need for community action to prevent future tragedies and protect children.

Jessica Saxton, a Civil Rights Advocate and Litigator from Washington, D.C., emphasized the importance of de-escalation training and her strong support for the United States Constitution. She referenced the United States Code Service Rules of Civil Procedure, along with United States Supreme Court Rules 17 and 20, noting that the United States Constitution was the overarching requirement that every state must follow. She emphasized that states were not able to enact their alternative legislation as a substitute for the guarantees of the United States Constitution. That would mean that their state laws were more powerful than the United States Constitution, which was illegal and unconstitutional. She cited the First Clause of the Fifth Amendment, which provided, "that no person should be held to answer for a capital or otherwise infamous crime unless on presentment or indictment by a Grand Jury." She criticized the State of Delaware for enacting alternative legislation that substituted law enforcement officers, prosecutors, and attorneys to pursue prosecution based on information rather than indictment, calling the practice unconstitutional. She further stated that emolument violations occur when public officials are compensated to commit crimes. She noted that there are two (2) areas that reinforce the United States Constitution: The first area, she referenced Article I, Section 10 of the United States Constitution, which states that no state shall create any law that shall impair the obligation of contracts, noting that police officers, prosecutors, and judges are all bound by contracts. She noted that the second area was the Emolument Violation, which is reinforced by the 14th Amendment of the United States Constitution. She referenced the 14th Amendment, which stated that no state shall create any law that shall abridge the privileges and immunities of a United States citizen. She pointed out that the State of Delaware has enacted a law in its inferior constitution that permitted public officials and law enforcement, whom the state paid to violate the United States Constitution.

As a result, the State of Delaware has an inordinate number of individuals currently in prison here, which was unconstitutional and illegal. She stated that over 700,000 individuals are unlawfully imprisoned, with Mr. T. Downing preparing a Supreme Court case on the matter. She warned that paying public officials to break the law could lead to criminal sanctions. She urged the council to uphold the First Clause of the Fifth Amendment and act in a lawful constitutional

manner that is consistent with their oath of office. She requested that her notice be entered into the record. **(Exhibit #2)**

Mr. T. Downing, a Civil Rights Litigator from Washington, D.C., stated that he represented around 1,100 Delaware victims who were unconstitutionally charged under state legislation allowing arrests based on information rather than indictment, in violation of the First Clause of the Fifth Amendment. He explained that such arrests were unconstitutional and that the affidavits identified two (2) applicable federal statutes, including Title 18, Section 242, which addresses the deprivation of rights under color of law, and Title 18, Section 241, which addresses the conspiracy against rights. He emphasized that when public officials act together under an inferior state statute to make an arrest, a conspiracy under Section 241 was established. He further explained that those offenses were *per se* crimes, meaning that they do not have to prove that they intended to breach the constitutional obligation under the breach. He stated that, having provided council notice has a lawful and statutory obligation to address the matter. Otherwise, they risk becoming culpable within that criminal conspiracy. He clarified that while not all officials may be acting unlawfully, the rights of those affected have been abridged by the State of Delaware and its agents, who work for the city and that the city pays for. He argued that citizens should not be forced into voluntary servitude in a for-profit business for the benefit of the state. He stressed that there was a better way to treat people. He noted that the appearance was part of a broader effort, one (1) of 55 stops across the country, to notify cities that such practices would no longer be permitted. He clarified that he was not seeking to change the law but to ensure that existing laws were being upheld. He emphasized that laws must be followed as written, and that does not change arbitrarily, because that was tyranny. He noted that Constitutionalism demands that the laws evolve only through suffrage. Therefore, it's up to the citizens to decide whether or not the Constitution applies to them and not a judge or a state. He concluded that, being in the United States, if any permissions guaranteed by the Constitution are found to be wrong, they should be corrected only by an amendment in the way in which the Constitution so designates.

Responding to Dr. Sudler, Mr. Downing suggested a breakout meeting for clarification to help ensure that council does not violate laws or constitutional statutes. He emphasized the importance of the situation, noting that over 700,000 people in the U.S. are currently imprisoned on direct facial constitutional violations, meaning their judgments may be invalid, since they derived from a direct facial constitutional violation. He clarified that his goal was not to release dangerous individuals, but to bring attention to the fact that if they were to open their criminal procedure manual written by the Ninth Circuit Court of Appeals judge, referencing the fourth paragraph of the practice, which states that most prosecutors across America agree that as much as 15% of individuals in prison may be innocent, but that was an acceptable deviance because the system was not perfect. He stated that it was unacceptable to detain any innocent individual, certainly not if they were following the proper procedures, especially when those procedures align with the constitutional process for adjudicating a crime. He stressed the need to return innocent individuals to their families and treat people humanely rather than forcing them into involuntary servitude for the state's benefit. He highlighted that 78% of people in prison are incarcerated for drug-related offenses, emphasizing that those individuals are not dangerous, but they are hurting. He emphasized that those individuals needed to go into treatment and get the support that they needed.

Responding to Mr. Downing, Dr. Sudler stated that the information he provided could be

submitted to Madam Clerk Andria Bennett for future reference. He appreciated the opportunity for a follow-up and noted that if the council chose to address the issues collectively, that would be ideal. As the Fourth District representative, he expressed interest in having the training provided to both council members and the community who wish to participate. Everyone could be on one (1) accord, which would be aligned with Mr. Wilson's and Ms. Paul's comments, that the community and council can work better together.

INVOCATION

Mayor Christiansen observed a moment of silence for former City Councilwoman and former Mayor Beverly Graham Carter Williams, followed by the invocation.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Councilman Rocha.

ADOPTION OF AGENDA

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

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 requests, in which event the matter shall be removed from the Consent Agenda and considered a separate item.

Mr. Boggerty moved for adoption of the consent agenda, seconded by Dr. Pillsbury, and carried by a unanimous roll call vote.

ADOPTION OF MINUTES - REGULAR COUNCIL MEETING OF JULY 29, 2025

The Minutes of the Regular Council Meeting of July 29, 2025, were unanimously approved by motion of Mr. Boggerty, seconded by Dr. Pillsbury, and bore the written approval of Mayor Christiansen.

COUNCIL COMMITTEE OF THE WHOLE REPORT OF – JULY 29, 2025

The Council Committee of the Whole met on July 29, 2025, at 6:00 p.m. with Council President Neil presiding. Members of Council present were Mr. Anderson, Ms. Arndt, Mr. Boggerty, Ms. Hall, Mr. Lewis (via WebEx), Dr. Pillsbury (via WebEx), and Mr. Rocha. Dr. Sudler was absent. Mayor Christiansen was also present. Civilian members present for their Committee meetings were Ms. Jackson (*Safety, Advisory, and Transportation*), Mr. Garfinkel, and Mr. Shevock (via WebEx) (*Legislative, Finance, and Administration*). Ms. Smack (*Safety, Advisory, and Transportation*) was absent.

ADOPTION OF AGENDA

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

SAFETY, ADVISORY, AND TRANSPORTATION COMMITTEE

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

Adoption of Agenda

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

Annual EMS Update – Ambulnz (Kay Sass, Emergency Services Manager, and Tyler Selak, Senior Director of Operations, Ambulnz)

Mr. Tyler Selak, Senior Director of Operations, Ambulnz, reviewed the presentation titled City of Dover EMS FY 24-25 Annual Report.

Mr. Boggerty shared his personal experience following a tragic event at his home, where he struggled with feelings of doubt, questioning whether he had performed CPR correctly or if there was more that he could have done. He explained that he had spoken with Mr. Selak, who reassured him that he had done everything possible. Mr. Boggerty noted that Ambulnz responded quickly, took control of the scene, and did everything they could. He thanked Mr. Selak for helping him process those emotions and expressed that it was nice to see individuals from the previous contract. He added that although some people disagreed with their decision a year ago, he believes they made the right one.

Responding to Ms. Arndt, Mr. Selak stated that there is no specific trend contributing to the increase in emergencies. He explained that during the COVID pandemic, people avoided the doctors' offices and hospitals, resulting in more severe illnesses at home and increased ambulance calls. He noted that they are still seeing the residual effects from that time. He also reported an uptick in heat-related emergencies, which is typical during the summer months, though no particular trend has been identified.

Responding to Ms. Arndt, Mr. Selak confirmed that they track the number of heat emergencies as a part of a larger report.

Responding to Ms. Arndt, Mr. Selak stated that she was correct, that mutual aid calls typically involve assisting other counties or municipalities.

Responding to Ms. Arndt, Ms. Sass added that there is an exception related to mutual aid. Going back several years, across various contracts and service providers. The city had external providers coming into the community approximately 240 to 260 times a year, which became costly. She noted that the city would pay a stipend because they were being pulled out of their territory, and the city was not able to keep up. She explained that with the service provider prior to Ambulnz, they saw a fifty percent decrease, and with Ambulnz, the number has

almost dissipated. She stated that there is no reimbursement given other than what they capture for patient billing. She noted there is no reimbursement aside from patient billing revenue, which is minimal overall, but mutual aid is still something the city is able to provide to its neighbors.

Responding to Mr. Lewis, Mr. Selak stated that Ambulnz has an internal billing department that handles all claims. However, mailings are sent out through a third-party service. He acknowledged that some letters may appear to be bills on the front, but the instructions explain that the recipient may be responsible for charges and ask them to sign the back of the form to authorize billing to their insurance. He noted that rates are then negotiated between the insurance company and Ambulnz. Many insurance plans now carry higher copays and deductibles, which can make ambulance bills appear more substantial, though they are subject to negotiation

Responding to Mr. Anderson, Mr. Selak explained that they pay the Dover Fire Department a stipend for the space that they occupy. The Memorandum of Understanding outlines the responsibilities of both Ambulnz and the fire department.

Responding to Mr. Anderson, Mr. Selak confirmed that Ambulnz also provides discounted training to the fire department.

This item was informational; committee action was not required.

Review of Safety Concerns on East Loockerman Street (David Suiters)

Mr. David Suiters, East Loockerman resident, presented his concerns surrounding speeding and the safety of residents on East Loockerman Street.

This item was informational; committee action was not required.

Joseph Satterfield, 790 East Loockerman Street, Dover, Delaware, stated that he captured on his camera a car speeding down the road, hitting his tree, and injuring a small child. He explained that many of them have almost been hit while walking down the street. He also noted that when he cuts his grass, he must remain aware of his surroundings because it is not safe.

Mary Bell, 801 East Loockerman Street, Dover, Delaware, stated that her Girl Scouts did their Citizen Scientist Journey qualification concerning her street, and they also wrote a letter (**Attachment #1**). She explained that her house serves as a cookie pickup location in the winter, and while doing so, the girls found her street to be unsafe. Ms. Bell recounted a time when she was loading cookies into another troop leader's car, and the woman was almost struck by a passing car. Ms. Bell explained that not only has a small child now died, but her kids have almost been struck while riding bikes, she has almost been struck while walking her dogs, and her daughter's car has been totaled, her car has been totaled, and her

husband's car has been severely dented. She noted that she has lived in different parts of Dover for most of her life and never experienced the speeding that she sees on her road now. She emphasized that there are no consequences for the drivers coming down the street and almost running people down.

Mr. Anderson thanked everyone for expressing their heartfelt concerns as well as trying to bring solutions. He clarified that Ms. Bell was speaking about closing the portion of the street that proceeds past Burger King, where it was halfway closed before.

Ms. Bell stated yes, on East Loockerman.

Ms. Arndt thanked the residents for attending and sharing their concerns. She noted that this was not the first time the issue had been brought to their attention. She recalled a previous conversation with Mr. Suiters during which she visited the neighborhood and noted that the streets were very narrow, which would typically encourage drivers to slow down. The speed data analysis had been conducted and was previously discussed during a Council Committee of the Whole meeting. Although no community members were present at that meeting, the data was reviewed, and at the time indicated that speeds were not excessive and there was a recommendation to change the signage at the end of the road that indicated "No Thru Traffic". Ms. Arndt reiterated her appreciation for the community's continued engagement and stated that they would continue to explore potential solutions.

Mr. Rocha noted that, in light of the safety of the children, if members of the community are suggesting closing the road, he would be in favor of closing the road. He stated that he remembered the previous conversation regarding the road closure, but he did not remember the pros and cons of the possible closure. He noted, remembering an ordinance that became effective after the neighborhoods were developed, that now would no longer allow a throughway through a development. He stated that they should consider the closure unless there is a reason for emergency vehicle access.

Jeremy Schneider, 787 East Loockerman Street, Dover, Delaware, questioned where the speed study was conducted. He explained that if it were placed close to the Burger King entrance, then the data would not be accurate. He noted that the live speed sign that was in their neighborhood revealed a car going 52mph in the residential neighborhood while he was walking his dog.

Responding to Mr. Boggerty, Mr. Schneider stated that they are entering by the Burger King one way and by the time they have gone 300 yards, they are reaching an excess of 52 mph. He emphasized that if the speed study had not been conducted in the middle of the road, then that would be why it did not reveal a speeding issue.

Thomas Johnson, Chief of Police, explained that there is a broader context to the speed study they have reviewed, and they are typically done anytime they have received a speeding complaint or an aggressive driving complaint. He explained that the sergeant who is in charge of the device that does the study places it for seven days and typically in the area with the highest potential for speeding. He noted that it would not make sense to place the device in a spot where someone is just pulling away from a stop sign because it would not give the people the opportunity to commit the violation. He clarified that the pin shown in the image was auto generated by Google Earth and does not accurately reflect the actual placement of the speed monitoring device. He explained that he does not have enough information regarding the study to say the exact location of the device. Historically, the device is placed in a location where they would do enforcement and where they are most likely to see violations.

Responding to Mr. Schneider, Chief Johnson stated that he believes that no less than two of the reports for the 700 block of East Loockerman were recorded with speeds beyond 50 mph. He explained that he is constantly working with the State Office of Highway Safety to find a message to coax people to understand the responsibility of safe driving, especially in neighborhoods. He noted that when looking at the studies, he must evaluate where to assign his resources. There are only a set number of officers on a few shifts, and lots of miles to cover in Dover. He emphasized that the block is in their rotation, but they have to go where the data tells them to go, and he does not want anyone to think that they are not concerned with the problem at hand. He noted that everyone's emotions around the accident that took the life of a small child were valid.

Robert Bell, 801 East Loockerman Street, Dover, Delaware, questioned whether it would be possible to have the electronic radar sign reinstalled on their street. He noted as Mr. Suiters previously stated, it had been hit and is no longer there. He also questioned whether they make cameras for the back of the signs to catch individuals pulling away at over 50 mph.

Responding to Mr. Bell, Chief Johnson stated that the Speed Camera Program is now state law. He explained that there are a ton of regulations on how it can be applied because of concerns for profiteering and other things. Currently, the system is not built to be useful unless there are enough violations to pay for the cost of the technology. He noted that the technology is incredibly expensive, and council had recently inquired into the technology. He explained that the technology is not cost-effective unless there are enough violations beyond a certain point to generate enough money to cover all the overhead costs to allow the technology to exist on the streets. A traffic study is also required, and it must show that the block that people are requesting meets a certain criterion. He explained that the study done on East Lockerman Street would not meet the state standard of enough violations for the device to be placed there.

Responding to Mr. Bell, Chief Johnson stated that the device they previously had on the pole was a traffic calming device. He explained that it did not record anything and could not issue fines. He noted that the device that would take a photograph and issue fines is something different for addressing neighborhood speeding problems. He explained that he did not believe the data would represent an issue for East Loockerman under the current State of Delaware law.

Marianna Duckworth, 756 South Halsey Road, Dover, Delaware, stated that she walks her dogs in the alley behind Edgehill because of the traffic. She noted that the Chief would not have to worry about resources if the road were blocked off permanently.

Mr. Anderson stated that a street closure is a major step that has many consequences and has to be done with the consent of the neighborhood. He explained that council asked that it be verified that their neighbors wanted the closure because if there are a few who do not it can create many problems.

Mr. Anderson moved to recommend that staff begin an engineering study for the closure of the neighborhood and to replace the electronic speed signage that was damaged that was previously in the neighborhood. The motion was seconded by Mr. Rocha.

Responding to Ms. Hall, Mr. Anderson stated that they would have to change the city code because speed bumps and speed humps are not allowed anywhere in the city. He noted that speeding is a problem all over the place, and that speed bumps are bad and should be banned. There is new technology that has been developed, and he wanted to have a discussion about some of the new options that have come out.

Ms. Arndt recalled what was discussed at the previous meeting and the memorandum that was presented by the assistant city manager, which provided data and things for council to consider. Ms. Arndt noted that there were concerns from the City of Dover Fire Marshal, who were not in support of the road closure due to increased response times for emergency incidents. There were also concerns regarding stormwater management depending on the type of road closure. She emphasized that it was noted that a petition should be filed to demonstrate that most of the neighbors agree with the people in attendance. She explained that she was not opposed to evaluating the closure further, but she wanted to recap the previous discussion.

Mr. Suiters noted that he had previously obtained a petition and signatures in 2023 and turned it into the permitting desk.

Mayor Christiansen explained that he agreed with Chief Johnson's concerns regarding the speed cameras. He noted that the City of Newark has taken the risk with the speed cameras, and he feels the committee needs to investigate the cost

effectiveness of having the speed cameras put up. He explained that speeding is a problem all over the city. He stated that the chief only has so many people to depend on to enforce speeding laws, and there are no consequences for those who break the law.

Mr. Rocha emphasized being in favor of the closure due to the loss of the child and to prevent another accident like that from occurring again. He noted that they should consider shutting the road down. Although he did not know what the impact would have on the fire department and their response time, it should be considered.

Mr. Boggerty questioned if the road closure could be ramp-like for only emergency access, similar to what was done at Delaware State University.

Mr. Anderson asked that all the options be looked at in regard to the closure and then be brought back. He emphasized that he would like to see another petition done and delivered to the City Clerk's Office with a majority of the residents' signatures.

Mr. Suiters offered the idea of installing a gate with a remote control, similar to those placed around senior housing developments. He explained that the police department and fire departments could maintain control of the remotes for emergency access.

Mr. Lewis asked that the mayor have the police department replace the electronic speed sign.

Mayor Christiansen asked Chief Johnson to have a new electronic speed sign placed on East Lookerman Street.

Mr. Anderson moved to recommend that staff begin engineering studies to find the best way to achieve closure and to replace the digital radar speed sign. The motion was seconded by Mr. Rocha and unanimously carried.

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

Request for Speed Humps/Reducers in Lincoln Park (Sharon Duca, Assistant City Manager)

Ms. Sharon Duca, Assistant City Manager, reviewed the background and analysis of the request for speed humps or reducers in Lincoln Park.

Staff recommended receiving direction from council to either select a presented option, amend the current code, or follow the existing procedure.

David Carey, Chief of the Dover Fire Department, stated that he, Chief Johnson, Mr. Selak, and Ms. Sass all met during race weekend to discuss speed bumps and speed humps. He explained that although the different emergency services do not agree with speed bumps because they can slow down response times, hinder operations, create concerns with providing medical treatment in the back of ambulances, as well as police cars responding to incidents. He explained that they all agreed to traffic calming devices such as those on Independence Boulevard or Mifflin Road. He noted that from the fire department's standpoint, a structure fire doubles in size every thirty seconds. That creates less chance of survival if someone is trapped in a building, and buildings today are built differently than many years ago.

Chief Johnson agreed, noting that they had a productive meeting and they all had some common concerns. He noted that the police department puts lots of miles on their vehicles in the city every year, and the constant hits on speed bumps will create a large amount of suspension issues. The city would then have to put money aside for the things that will impact the life cycle of any city asset that is purchased. He emphasized that turning it around to the community and their consumption of emergency services and their expectations, just like a fire grows quickly, think about the felony in progress call from a homeowner that has someone coming through their window. He noted that if there is urgency at the other end of the radio, it is human nature and their desire to serve, and that could have consequences, as they are not going to slow down for those speed bumps. He stated that he agrees with Chief Carey, they are trained to drive, so if a chicane is placed in front of them or some other calming device that does not impact the rubber and road, they can navigate that and not waste a whole lot of time.

Mr. Selak added that when talking about patient care and starting things like intravenous (IV) fluids in the back of an ambulance, there are risks when the paramedic is now wielding a sharp object and trying to stick a patient. Problems can occur when placing a breathing tube, which takes accurate skill and requires steady speed and concentration. In instances with neck fractures, there are millimeters before someone can be left with paralysis. He explained that the City of Dover roads are well maintained, but the roads outside of the city have issues like potholes and other things they encounter, and they are already navigating those. Adding speed bumps or cushions would not be in the best interest of the business and would add additional wear and tear. Looking at a primary truck in the A district, they do over 30,000 miles in a year. He emphasized that they do a lot of driving, which creates a lot of wear and tear, and the trucks run 24 hours a day, seven days a week, and they want to do what they can to protect those investments. He stated that he agrees with the traffic calming devices as the chicanes are rather easy for the vehicles to navigate.

Responding to Mr. Rocha, Chief Johnson stated he would have to look up the regulations for Pennsylvania, as it is a commonwealth. He noted that most townships, boroughs, and cities avoid bumps for all the reasons previously

discussed. He stated that in the rural areas, he has encountered the extended humps or plateaus as Ms. Duca described, but they are typically on very quiet streets off the beaten path. They typically do not have a lot of traffic, not a lot of calls for services, not even a lot of residential traffic, let alone support services. He noted that speed bumps are often found on private property and parking lots. He recalled his own experience as a paramedic, where they moved the paramedic unit after speed bumps were placed in the employee parking lot because they were tired of paying the bills for the shocks and suspension parts.

Responding to Mr. Rocha, Chief Johnson stated that there are many circumstances to consider how many speed cushions are there. How far apart are they located? What would the data be in that area? He explained that they try and patrol everywhere, and if they were driving in normal conditions, it would not be a big deal, but it would be when the emergencies come in. He emphasized that he would be very cautious about using them, but he would not say that it is impossible, and he believes that it would be neighborhood specific.

Responding to Mr. Rocha, Chief Carey noted that a speed hump slows a firetruck down by ten seconds. He emphasized that a speed bump would cause more of a delay because it is more erratic. He also noted concern for the safety of the crews in the fire trucks who are putting on an air pack and grabbing tools from the inside of the truck, so that when the truck stops, they are ready to bail out and go to work. He stated that the large metal bars that are carried to break doors would now be flying objects. He explained that he understands both sides of the spectrum, as he lived in a neighborhood where people would speed through. However, he also understands the concerns from the safety aspect of emergency services and the services they are trying to provide to the general public.

Mr. Anderson moved to recommend that staff review the data and return by the end of the year with a speed reduction plan that includes the chicanes. The motion was seconded by Ms. Hall and unanimously carried.

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

Chief Carey noted that on Independence Boulevard, the sign placement is very tight and causes damage to the fire apparatus. He explained that there are hoses and ladders on the sides, and when they are traveling to a call, there have been a few instances where the signs have struck the trucks and caused damage. He asked when evaluating the chicanes if they could consider pushing the signs farther out.

Mayor Christiansen stated that he concurred with the chief that the signs are ill-placed.

Mr. Boggerty recommended revisiting the current sign placement to protect the investment in the safety apparatuses.

Mr. Boggerty moved for adjournment of the Safety Advisory and Transportation Committee meeting, hearing no objection, the meeting adjourned at 7:37 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 Ms. Hall and unanimously carried.

Proposed Ordinance #2025-13 – Amending Chapter 2 – Administration, Article IV – Officers and Employees, Division 1 – Generally, Section 2-201 – Compensation and expenses for mayor, council, and other elected or appointed officials (Councilman Anderson)

Councilman Anderson reviewed the background for Proposed Ordinance #2025-13.

The recommendation was to forward Proposed Ordinance #2025-13 to council for approval.

Ms. Arndt moved to recommend forwarding the Proposed Ordinance #2025-13 to council for full approval. The motion was seconded by Mr. Boggerty and unanimously carried.

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

Proposed Amendments to Military Leave (Employee Handbook) (David S. Hugg, III, City Manager, and Chief Johnson, Dover Police Department)

Ms. Naomi Poole, Human Resources Director, reviewed the background and analysis regarding the proposed amendments to the Military Leave policy in the employee handbook.

Staff recommended approval of the proposed policy changes.

Mr. Boggerty noted that having the ability to provide 48 hours’ notice is not a guarantee. Depending on the state of emergency, there may not be 48 hours available. He recommended changing the language to when possible or in extreme circumstances.

Mr. Anderson stated that parts of the organization are on call twenty-four hours, which would not create an issue. However, he recommended using language that says notification within two business days, except in extraordinary circumstances. He explained that as a Reservist, if they were to go in on a Saturday and get orders, there would be no one to notify until Monday for most city offices.

Ms. Arndt expressed appreciation for the many former military and active-duty members on council. She stated that she appreciates the perspective and expertise that they bring to the discussion, and it is very important for a town that has an active military base.

Mr. Neil moved to recommend approval of the proposed policy changes. The motion was seconded by Mr. Rocha and unanimously carried.

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

Discussion – Open Forum Improvements (Councilwoman Arndt)

Councilwoman Arndt stated that Council President Neil requested she, Councilman Rocha, Councilman Anderson, and Dr. Sudler review the Open Forum policy to ensure that sufficient time is being allotted for public input. She explained that there have been instances where a large number of speakers, each given the standard three minutes, exceeded the total time allotted for the Open Forum.

She further stated that the group plans to look at what improvements could be made to ensure that they receive public input. As part of the process, they intend to review the existing policy, with the assistance of the City Clerk's Office, and examine other public body procedures for possible guidance.

Responding to Mr. Anderson, Ms. Arndt stated that she will prepare a white paper outlining background information and proposed changes, which she will circulate via email.

Responding to Mr. Rocha, Ms. Arndt stated that they provide information via email and then will be brought back to the full committee for an open discussion.

Mr. Anderson suggested sending any suggestions to the City Clerk's Office for compilation to avoid an accidental serial meeting.

Mr. Anderson noted concerns about individuals scheduled on the agenda. Many of whom travel from across the state or from out of state. They often leave when meetings start significantly late, resulting in council not receiving the information they had anticipated. Mr. Anderson explained that some public bodies recess the Open Forum once the allotted time ends and reopen it at the conclusion of the meeting, which allows for additional public comment. He noted that this approach

could respect both the time of invited speakers and members of the public who wish to provide input.

This item was informational; committee action was not required.

Establishment of an Ad Hoc Security Committee

Council President Neil stated that he was appointing Councilman Boggerty, Councilwoman Hall, Councilwoman Pillsbury, and Lieutenant Jordan Miller to review security concerns. He noted that there have been several attacks on elected officials, who often attract individuals who are highly emotional. He further explained that large crowds can present additional risks, both to attendees and to those involved in the meeting. He emphasized the importance of evaluating these factors to ensure the safety of both the public attending meetings and the council and committee members present.

Mr. Anderson recalled an incident when an out-of-town group raised death threats against a member of council. He noted that they were passing out flyers in his neighborhood as well as posting on social media. He explained that the police department responded very well.

Mr. Neil moved to recommend the establishment of an Ad Hoc Security Committee. The motion was seconded by Ms. Hall and unanimously carried.

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

Chief Johnson requested to address police complaints. He noted that parliamentary procedure does not allow him to speak during the Open Forum unless directed by Council President or if a member of council asks that he address something. He explained that he is normally able to comment during the business portion of the meeting, and by then, the impact of the public comment has already had an impact on the employees of the organization. He asked that, as they review the procedure for the Open Forum that they consider allowing him time to address the issues directly, as long as he can do so without putting the city at risk.

Mr. Anderson moved for adjournment of the Legislative, Finance, and Administration Committee meeting, hearing no objection the meeting adjourned at 8:00 p.m.

Mr. Neil moved for adjournment of the Council Committee of the Whole meeting, hearing no objection the meeting adjourned at 8:00 p.m.

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

MONTHLY REPORTS – JUNE 2025

By motion of Mr. Boggerty, seconded by Dr. Pillsbury, the following monthly reports were accepted by consent agenda:

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

APPOINTMENTS RECOMMENDED BY COMMITTEE CHAIR

By motion of Mr. Boggerty, seconded by Dr. Pillsbury, the following appointments were accepted by consent agenda.

Parks, Recreation, and Community Enhancement Committee – One-Year Term to Expire May 2026

Charles A. Cunningham, IV – (Recommended by Chairwoman Arndt to fill the unexpired term of Michael Tholstrup)

2025/2026 Staff Appointment

Assistant Controller/Treasurer – Tammy Kelledees

APPOINTMENTS RECOMMENDED BY MAYOR CHRISTIANSEN

By motion of Mr. Boggerty, seconded by Dr. Pillsbury, the following appointments were accepted by consent agenda.

Historic District Commission – Three-Year Term to Expire July 2028

Kathleen M. Baker

RESOLUTION NO. 2025-08 – AUTHORIZING SIGNATURES FOR BANKING SERVICES

By consent agenda, Mr. Boggerty moved for adoption of Resolution No. 2025-08. The motion was seconded by Dr. Pillsbury, and by a unanimous roll call vote, Council adopted the following Resolution:

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

WHEREAS, the City of Dover's investment policy includes the investment of funds up to \$00,000 per banking institution, investments in the State of Delaware Investment Pool, and the purchase and sale of investment grade corporate bonds, and U.S. Treasury and agency securities; and

WHEREAS, the banking institutions, brokerage firms, trust companies, and other

various financial institutions require an Authorizing Resolution for the opening of accounts, and for purchasing, selling, transferring, assigning, and handling situations;

WHEREAS, by the Mayor and Council of the City of Dover, that the Controller/Treasurer and Assistant Treasurers are hereby authorized to open accounts with banking institutions and purchase, sell, transfer, assign, and handle securities, and that they are authorized to sign all related forms;

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the City of Dover, that the Controller/Treasurer and Assistant Treasurers are hereby authorized to open accounts with banking institutions and purchase, sell, transfer, assign, and handle securities, and that they are authorized to sign all related forms;

BE IT FURTHER RESOLVED that the transactions in these accounts be carried out with any one signature; and

That the following are the office holders authorized for these purposes, until further notice:

Patricia M. Marney	Controller/Treasurer
Tammy Kelleles	Assistant Controller/Treasurer
Robin Dickerson	Assistant Treasurer
Andria L. Bennett	Assistant Treasurer
Arielle M. Rivera	Assistant Treasurer

ADOPTED: August 11, 2025

APPOINTMENT OF CITY SOLICITOR – DANIEL A. GRIFFITH

Mr. Neil stated that Mr. Daniel A. Griffith and his firm were the only respondents who answered the RFQ, and council had a chance to meet them individually.

Mr. Anderson made a motion to appoint Daniel A. Griffith as the City Solicitor. The motion was seconded by Ms. Hall.

Mr. Rocha stated that he would abstain from the vote because he was not at the meet and greet, and does not know the individual or the firm.

Mr. Anderson stated that Mr. Griffith is highly qualified, has several years of experience representing the City in lawsuit defense, and is very capable of being their City Solicitor. He noted that Mr. Griffith was distinguished and one (1) of the few attorneys in the State of Delaware who is a member of the U.S. Supreme Court Bar.

Mr. Lewis mentioned that he, Mr. Anderson, and many of his colleagues had attended the meet and greet. He noted that he was satisfied with the questions he had directed to Mr. Griffith and

had no objection to appointing him as the City Solicitor.

Mr. Anderson made a motion to appoint Daniel A. Griffith as the City Solicitor, seconded by Ms. Hall, and carried by a roll call vote, seven (7) yes (Hall, Boggerty, Anderson, Pillsbury, Arndt, Lewis, and Neil), two (2) abstained (Rocha and Sudler).

RESOLUTION NO. 2025-09 – AUTHORIZING THE CITY MANAGER TO ACT ON BEHALF OF THE CITY OF DOVER IN THE SALE OF THREE LOTS AT GARRISON OAK BUSINESS AND TECHNOLOGY PARK

The City Clerk read the following Resolution into the record:

WHEREAS, the City of Dover acquired and developed the Garrison Oak Business and Technology Park for the express purpose of offering lots for sale to promote business and industrial development;

WHEREAS, the City Council previously authorized the City Manager in conjunction with its broker(s) to develop such Agreements of Sale as are necessary for this purpose, and to represent the City in the settlement thereof; and

WHEREAS, the City has an Agreement for Sale for three lots at 500 Garrison Oak Drive (Lot 6), 550 Garrison Oak Drive (Lot 5), and 600 Garrison Oak Drive (Lot 4), Dover, DE 19901; and

NOW, THEREFORE, BE IT RESOLVED, THE City Council of the City of Dover confirms and authorizes the City Manager to act on behalf of the City and sign all documents required for sale and settlement on such properties.

ADOPTED: August 11, 2025

Mr. Dave S. Hugg, III, City Manager, reviewed the Resolution No. 2025-09 – Authorizing the City Manager to act on behalf of the City of Dover in the sale of three lots at Garrison Oak Business and Technology Park.

Responding to Dr. Sudler, Mr. Hugg stated that the properties involved total approximately 33 acres combined, with a sale price of around \$60,000 per acre. The offering price was approximately \$2 million, and the city would net slightly less than that after settlement. Normally, funds received from the sale of lots at the Garrison Oak Business Park are deposited into the Economic Development Fund, which was established a few years ago for future economic development projects. He noted that there was technically one (1) lot remaining for sale, but two (2) lots still pending settlement, with one (1) not settling until utility work is completed. He also stated that once the funds have been received and deposited, it would be up to council to decide whether to use the funds for other purposes in addition to the originally intended allocation.

Dr. Sudler recommended that council, colleagues, and constituents consider utilizing a portion of the funds to provide relief to residents.

By motion of Mr. Anderson, seconded by Dr. Sudler, Resolution No. 2025-09 was adopted by a unanimous roll call vote.

FIRST READING PROPOSED ORDINANCE #2025-13 – AMENDING CHAPTER 2 – ADMINISTRATION, ARTICLE IV-OFFICERS AND EMPLOYEES, DIVISION 1 – GENERALLY, SECTION 2-201 – COMPENSATION AND EXPENSES FOR MAYOR, COUNCIL, AND OTHER ELECTED OR APPOINTED OFFICIALS

Council President Neil reminded the public that copies of the proposed ordinance were 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 302-736-7008 or cityclerk@dover.de.us. Final action by Council on the proposed ordinance will take place during the Council Meeting of September 8, 2025.

Mr. David Anderson, Council member, reviewed the Proposed Ordinance #2025-13 – Amending Chapter 2 – Administration, Article IV – Officers and Employees, Division 1 – Generally, Section 2-201 – Compensation and Expenses for Mayor, Council, and Other Elected or Appointed Officials.

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

ORDINANCE #2025-13 – AMENDING CHAPTER 2 – ADMINISTRATION,
ARTICLE IV-OFFICERS AND EMPLOYEES, DIVISION 1 – GENERALLY,
SECTION 2-201 – COMPENSATION AND EXPENSES FOR MAYOR,
COUNCIL, AND OTHER ELECTED OR APPOINTED OFFICIALS

CITY MANAGER'S ANNOUNCEMENTS

Mr. Hugg announced that they have only one (1) or, depending on how everyone counts, two (2) properties left in Garrison Oak Business and Technology Park. He stated that they are seeing several projects move forward. He noted that they were still shooting for a December deadline for having the new electric substation online, which would make one (1) of those lots and help one (1) of those lots go to settlement.

MAYOR’S ANNOUNCEMENTS

Mayor Christiansen had no announcements.

COUNCIL MEMBERS' ANNOUNCEMENTS

Ms. Arndt stated that she wished to share correspondence from Mr. Tony Prado, Communications Specialist for the Blood Bank of Delmarva. She reported that, according to Mr. Prado, the Blood Bank of Delmarva has declared a blood emergency, as the region’s blood supply has dropped to less than two (2) days’ inventory, well below the ideal seven (7) days needed to meet hospital and patient needs. She also noted that Mr. Prado took the opportunity to introduce the new Vice President, Mr. Keith Heim, who would be leading the organization moving forward. All blood types are urgently needed, with the shortage especially severe for O-negative and O-positive, which are critical for emergencies and trauma care. All citizens are encouraged to schedule an appointment with the Blood Bank of Delmarva and donate, as the

need is critical.

Mr. Lewis announced that the Second Annual Delaware Caribbean Carnival Parade will begin at 11:00 a.m., followed by a concert at 3:00 p.m., on Saturday, August 16th, on The Green in front of Legislative Hall. He noted that he attended the event last year, thoroughly enjoyed it, and that it was well-received by many members of the community.

Mr. Anderson agreed with Mr. Lewis that the Delaware Caribbean Carnival Parade was a great event. He noted that he was glad to see that event come back. He announced that the Dover Latin Festival will be held at Legislative Hall on Saturday, August 23rd, from 12:00 p.m. to 5:00 p.m., and encouraged citizens to attend, describing it as an extraordinary event.

Mr. Neil announced that on September 4th, it is Mayor Christiansen's birthday.

Mr. Hugg announced that they had successfully settled the sale of the old post office last week, and the new owners are busily moving forward with their development plans.

The meeting adjourned at 7:32 p.m.

ANDRIA BENNETT
CITY CLERK

All ordinances, resolutions, motions, and orders adopted by the City Council during their Regular Meeting of August 12, 2024, are hereby approved.

ROBIN R. CHRISTIANSEN
MAYOR

/AB

Exhibits

Exhibit #1 – Ms. Arndt's email from Mr. Faust

Exhibit #2 – Correspondence from Ms. Saxson

RE: Open Forum

From: Andy West (awest@iniusa.org)
To: tricia.arndt03@gmail.com; codeblue1999@verizon.net
Date: Sunday, August 10, 2025 at 01:18 PM EDT

Tricia –
Thank you for the information. I have taken this off the site.
Thanks,
Andy

From: Tricia Arndt <tricia.arndt03@gmail.com>
Sent: Sunday, August 10, 2025 12:53 PM
To: codeblue1999@verizon.net
Cc: Andy West <awest@iniusa.org>
Subject: Open Forum

You don't often get email from
Good afternoon Mr. Faust,

I read your piece on the Bay to Bay news site insinuating that the City of Dover, and me specifically, intended to violate 1st Amendment rights through changes to open forum procedures that will be discussed at tomorrow's meeting. () I was asked by Council President Neil to confer with Council colleagues and consider improvements to the open forum procedure. I don't understand how or why you would mischaracterize this effort as restricting rights to free speech so I am sending this email to provide you with the necessary clarification.

To clarify- The Open Forum discussion agenda item was introduced at the previous Committee as a Whole meeting (July 29, 2025). It is not on the August 11th Council agenda. The online packet for the 8/11 meeting includes the minutes from the previous Committee meeting as part of the consent agenda. The minutes from that discussion are pasted below with my emphasis noted in red.

Also, please know that you can contact me, or any councilmember, via our contact information on the City website. I'd rather have a direct discussion with you than read your frequent editorials in the state news.

The full Council meeting agenda packet can be found here:

Minutes excerpted from agenda packet:

Discussion – Open Forum Improvements (Councilwoman Arndt)

She explained that there have been instances where a large number of speakers, each given the standard three minutes, exceeded the total time allotted for the Open Forum.

She further stated that the group plans to look at

As part of the process, they intend to review the existing policy, with the assistance of the City Clerk's Office, and examine other public body procedures for possible guidance.

Responding to Mr. Anderson, Ms. Arndt stated that she will prepare a white paper outlining background information and proposed changes, which she will circulate via email.

Responding to Mr. Rocha, Ms. Arndt stated that they provide information via email and then will be brought back to the full committee for an open discussion.

Mr. Anderson suggested sending any suggestions to the City Clerk's Office for compilation to avoid an accidental serial meeting.

Mr. Anderson noted concerns about individuals scheduled on the agenda. Many of whom travel from across the state or from out of state. They often leave when meetings start significantly late, resulting in council not receiving the information they had anticipated. Mr. Anderson explained that some public bodies recess the Open Forum once the allotted time ends and reopen it at the conclusion of the meeting, which allows for additional public comment. He noted that this approach could respect both the time of invited speakers and members of the public who wish to provide input.

This item was informational; committee action was not required.

I hope this helps clear up any misconceptions you have about the intent of the review of Open Forum procedures.

Regards,

Tricia K. Arndt

Dover City Council



TANAWAH DOWNING

CIVIL RIGHTS LITIGATOR & ADVOCATE

Subject: Notice of Constitutional Non-Conformance and Action Item request

Honorable Commissioner or Councilman,

I'm writing to you today to inform you of a situation that is of the utmost urgency and asking that you immediately take action to investigate the non-conformance of Constitutional obligations that I have outlined below. Be advised that this dispute has been submitted to the United States Supreme Court and Article III has been invoked by a United States Citizen demanding that the Court fulfill the obligation of Original Jurisdiction, as codified within the United States Constitution. As a Constitutional obligation, when Article III is invoked, because a State is named a Party, the obligation is not discretionary and non-delegatable and must be performed. Failure to do so would be a breach of Constitutional obligation resulting in a public wronging. Unfortunately, the Clerk of Court is obstructing the administration of Justice by refusing to docket the case, which is of course a crime and intentional refusal to enforce the body of laws governing this nation, by an agent obligated to do so as a result of the Oath or Affirmation taken upon entry into their Office. I will be addressing these criminal acts in the very near future, however, the intent of this letter is to bring to your attention a different matter and to give you and your office sufficient time to consider the issue so that you can be adequately prepared when it is brought forward to the public domain.

As an Advocate for the People, I hereby submit this Action Item request to you to immediately take action to address these direct, willful deprivation of rights secured by and enumerated in, the Constitution for the United States of America, by states subjected to the jurisdiction thereof.

Let me be clear, I am not trying to change the laws, rather I am pointing out what the laws state and that the ways in which they are being enforced directly contradict with what is specified. Therefore, I am not trying to change the laws, I am asking that we enforce them. If the laws state that something will be done, in a certain way, then we must follow that way. Laws do not change arbitrarily, that is tyranny. Constitutionalism demands that the laws evolve only through suffrage therefore, it is up to the People to decide whether or not the Constitution applies to them and not a judge or a State. If in the opinion of the People of the United States, any of the provisions or guarantees of the United States Constitution be in any particular way wrong, then let it be corrected by an amendment in the way in which the Constitution so designates. Until, if and when that time comes, every single United States Citizen is entitled to every single right secured by and enumerated in the

United States Constitution, regardless of where they choose to reside within the jurisdictional United States of America.

NOTICE OF CONSTITUTIONAL NON- CONFORMANCE

Currently, there are more than 700,000 people across the United States who are imprisoned on direct, facial Constitutional violations, because their judgements derive from direct breaches in Constitutional obligations by numerous states that are acting in direct, willful defiance of the procedures and processes codified within the United States Constitution for the adjudication of crimes. Unfortunately, any judgement rendered as a result of a breach of Constitutional obligation is unconstitutional because such judgements are tainted by the illegality of the way in which they were obtained. No judgement can be Constitutional if they derive from an unconstitutional act.

Clause 1 of Amendment 5 to the United States Constitution states, "No person shall be held to answer for a capital or otherwise infamous crime unless on presentment or indictment by a Grand Jury." That is clear, no person can be arrested and held to answer for a capital or infamous crime unless upon a presentment or indictment by a grand jury. Title 18 USC §4083 defines an infamous crime as, "Any crime punishable by more than 1 year imprisonment in a penitentiary."

There are 13 states that outright do not conduct a Grand Jury proceeding at all, including the State of Washington. These states are choosing to charge persons for infamous crimes by information and not by indictment, as Constitutionally required, however, according to Title 18 USC §555, "Information can only be used for other than infamous crimes." As a result, millions of United States Citizens have been deprived of Due Process and are now unlawfully imprisoned because the states failed to adhere to the procedures and processes required for the adjudication of crimes, resulting in judgements that are void and completely without force or effect under Civil Rule 60.

This systemic failure of the Justice System to adhere to the agreed upon code of conduct established by the majority goes far beyond those 13 states that are acting in direct, willful defiance of the Constitution because most other states permit the Prosecuting Attorney to charge by Indictment or Information, as required by law, such as the State of Oklahoma or the State of Florida. Unfortunately, states do not have the power to substitute their own alternative legislation for the provisions and guarantees of the United States Constitution and if they do, then the "Judges in every state are bound thereby anything in the Constitution." According to the Rules of Civil Procedure, "Rules must not conflict with statutes, nor impair the rights of the party's involved in the dispute, thus a court has no power to create a rule which would constitute a waiver of a Constitutional right." Or as stated by the United States Supreme Court in the case *Miranda v. Arizona*, "Where rights secured by the Constitution are involved, there can be no legislation created nor rule made which would abrogate them." Furthermore, sedition is defined as, "The speaking or writing of words, such as law established, to cause disaffection to the Constitution in order to procure its alteration in any way other than lawful manner." Our Constitution is a rigid Constitution that can only be altered in accordance with the Special Amending Procedures found within Article V. Any attempt to alter it in any other manner, such as by legislation enacted by a State, would be an act of sedition by a body of men attempting to procure its alteration in any way other than lawful manner. There is only one way to change the Constitution and that is through an authentic act of the People and until that happens, the Constitution is wholly with force and effect on all persons individually and collectively.

When a Prosecuting Attorney chooses to rely upon a state statute to deprive a person of a right secured by and enumerated in the Constitution for the United States of America, that act is a crime called Deprivation of Rights under Color of Law (Title 18 USC §242) and when a state judge chooses to hold a person over for trial without

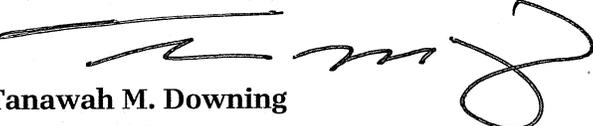
having the proper charging instrument, as Constitutionally required, that judge has entered into a Conspiracy to Deprive of Rights (Title 18 USC §241) and when that judge then orders law enforcement to perform an arrest on that individual without the correct charging instrument, as Constitutionally required, those performing the arrest are complicit in the criminal conspiracy and the crime of kidnapping has occurred, which if the crime of Deprivation of Rights under Color of Law occurs in conjunction with a kidnapping, the penalty is death, as prescribed by law. This is a very serious matter that happens in every single state across the nation, every single day effecting millions of United States Citizens and it is imperative that the Legislative Branch immediately take action to correct the criminal acts of those enforcing and administering the laws of our nation unlawfully.

In light of the evidence raised, as well as the supporting evidence that I can provide, upon request for the deprivation of Constitutional rights for millions of United States Citizens, I again implore you and appeal to your honorable nature to immediately initiate a public investigation of these criminal acts to ensure that those tasked with administering and enforcing those laws of this nation are doing it in compliance with the authority with which they are invested by law and when it is determined that there was an abuse of delegated authority, that any and all liberties be immediately restored to all effected party's without delay or obstruction. Any person who pays any public official to act unlawfully, are subject to criminal sanctions, which carry a possible punishment of death, as prescribed by law. I would advise this commission to immediately cease any further payment, benefits, or programs which permit any public official to act contrary to the Supreme Law of the Land.

While it is not the duty of a servant to question the motives of his superior, if he has reason to believe that his acts are unjust, he should obey his conscience and refuse to comply. Ultimately, the servant of a tyrant cannot take refuge in the excuse that he was just "following orders". Therefore, in the wise words of President Abraham Lincoln, "I do suppose that it will be much safer for all, both in private and public station to abide by and conform to, all those acts which stand un-repealed, than to violate any of them trusting to find impunity in their absolute immunity." Absolute immunity only covers civil liability and not criminal liability, so any deprivation of Constitutional rights under the authority of an inferior law or ruling is a crime that no public official can avoid liability for violating and the punishment, as required by law, is one which none of them want to be enforced.

I am available for discussion, should this governmental body desire my professional guidance in further understanding or addressing this matter, as I am currently actively engaged in bringing this matter to the attention of the public and preparing to present this debate to the United States Supreme Court. Your timely response to this matter is in the best interests of your constituents and this nation.

Respectfully and Peacefully
a Servant of Justice,


Tanawah M. Downing
Chief Legal Strategist
The We Shall be Free Tour

(843) 834-8964 cell
(771) 215-6455 secure
tanawahdowning@gmail.com
www.tanawah.com



TANAWAH DOWNING

CIVIL RIGHTS LITIGATOR & ADVOCATE

Introducing the We Shall be Free Tour: Embrace Equality and Empowerment.

Justice is not just a product; it's a movement. With a focus on equality, this exceptional series of events empowers individuals to stand up for what is right. By promoting fairness and inclusivity, the We Shall be Free Tour fosters a society where everyone's voice is heard and respected.

Many along the way are able to experience the greatness of the Tour as it breaks down barriers and continues to pave the way for a better world. The Tour notified media of its intent to hold 37 press conferences at 37 state capitals and numerous major cities over its length, leading up to the presentation of oral arguments to the United States Supreme Court for what will be the most significant civil rights decision in American history, effecting every single Citizen of the United States of America. Join the movement and be a catalyst for change. Together, let's create a world where freedom truly knows no bounds.

If you are interested in joining or learning more about the tour, please contact:

Tanawah M. Downing, Advocate, Sui Juris

Chief Legal Strategist

We Shall be Free Tour

(843) 834-8964 cell

tanawahdowning@gmail.com

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