

## **COUNCIL COMMITTEE OF THE WHOLE**

The Council Committee of the Whole met on September 09, 2025, at 6:00 p.m. with Council President Neil presiding. Members of Council present were Mr. Anderson, Ms. Arndt, Mr. Boggerty, Ms. Hall (arrived at 6:05 p.m.), Mr. Lewis (arrived at 6:03 p.m., left at 9:29 p.m.), Dr. Pillsbury, Mr. Rocha, and Dr. Sudler. Mayor Christiansen was also present (left at 8:06 p.m.). Civilian members present for their Committee meetings were Mr. Cunningham, and Mr. Lewis (*Parks, Recreation, and Community Enhancement*), Mr. Shevock (via WebEx), and Mr. Garfinkel (via WebEx) (*Legislative, Finance, and Administration*).

### **ADOPTION OF AGENDA**

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

### **Council Reports – August 2025**

#### **First District**

Dr. Pillsbury reported attending the Annual Veterans Dinner held by Ms. Faye White. She noted that the event was lovely and well done.

Mr. Rocha reported attending the quarterly pension board meeting, the Capital School District Opening Day Ceremony, and a meeting to discuss the Lemon House ordinance with Council President Neil. He also noted attending a meeting with Kent County Commissioners at Kent County Levy Court with a number of colleagues, he met with the Mayor of Little Creek for a discussion on electricity with Mayor Christiansen, Council President Neil, and Mr. Hugg, City Manager. Lastly, he reported attending the Kent County bus tour, where they visited several businesses from Smyrna to the greater Dover area.

#### **Second District**

Ms. Hall reported meeting with several community leaders following the forum that was conducted at the Sankofa Center. She noted following up regarding the Group Violence Intervention (GVI) findings and what the next steps look like. She also reported meeting with constituents in the community regarding the issues of break-ins and squatters in the Dover area of properties that are on the market for sale. She noted entertaining some ideas of what could be done to find corrective measures and a strategic plan for the disengaged youth.

Mr. Lewis reported meeting with residents in Clearview Meadow regarding recycling issues, which he was able to work with the employees at Kent County Levy Court to address because it fell under their jurisdiction. He reported receiving a complaint from a resident of Evergreen Drive regarding unkept property issues, which was passed on to Ms. Duca, Assistant City Manager, so that she could have the Code Enforcement Department take care of it. He reported receiving a complaint from a resident in the Schoolview subdivision regarding potholes in the roadway, which he was addressing. Additionally, he reported receiving a complaint from a resident on Orchard Avenue regarding Public Works not picking up dead shrubs and bushes that were left at the curb. He noted that the matter had been taken care of. He noted meeting with members of the community

by Crossgates Park along with Ms. Hall to discuss putting a playground at the park and what the residents wanted. He stated that it was mentioned to place one at Mayfair Park, but the money was allocated in the last budget to put a playground there. He noted that a survey had been conducted and they are waiting on the results from the Parks and Recreation Director.

#### Third District

Ms. Arndt reported responding to a number of quality-of-life issues with various constituents. She offered kudos to the Parks and Recreation Grounds team as they quickly handled a very large hornet's nest in a neighbor's tree. She noted they came out the next day, and rather than calling a pest control company, they put on a beekeeping suit and took it down themselves.

#### Fourth District

Mr. Anderson thanked Ms. Sharon Duca, Assistant City Manager, for working on an issue regarding safety concerns on Silver Lake Boulevard. He noted that she was able to find Community Transportation Funds to help resolve the issue. He thanked Senator Paradee and Representative Lynn for the additional help in resolving the issue. Mr. Anderson reported attending many events, including the City/County Committee Meeting that Mr. Rocha mentioned, and was pleased to see continued cooperation between the City and County. Lastly, he reported participating in and sponsoring the giveaway of over one hundred book bags to fourth district children with Holy Trinity Church UAME Church.

Dr. Sudler reported attending the Downtown Dover Partnership meeting to discuss some of the business of the City of Dover. He met with Belinda Main to discuss speed humps in the Simon Circle and Lincoln Park area. Lastly, he reported meeting with representatives from the Veterans Multi-Service Center to discuss various ways to provide adequate housing, new initiatives, and how to address post-traumatic stress disorders.

#### At-Large

Mr. Boggerty reported attending the National Association for the Advancement of Colored People (NAACP) Freedom Fund Banquet. He spent time researching and gathering information for the Security Ad-Hoc Committee meeting. He attended the Capital School District Opening Day Ceremony and worked with a state agency to give away book bags at the Blue Hen Mall.

#### Council President Neil

Council President Neil reported meeting with realtor, Todd Stonesifer, and Mr. Rocha regarding a drafted Lemon House ordinance. He reported attending the Caribbean Festival, a breakfast meeting with members of the city council and Kent County Levy Court Commissioners to discuss potential economic development projects, and the City/County Committee meeting. He reported attending the introduction of the new Central Elementary principal at the Dover Public Library, attending the Persimmon Park Place school giveaway program, the Capital School District Opening Day Ceremony, attending the Help Inc. project at Kings Cliffe Mobile Home Park to prepare inexpensive storm windows, and attended the governors signing of numerous bills adding protection to lease land homeowners at the Delaware Public Archives building. He met with the Chief of Police, the Mayor, and Mr. Rocha regarding complaints from an owner regarding 40 South Governors Avenue, and on the same day, met with the Mayor of Little Creek regarding electric rates. He noted that the concern over trees dying in the Capital Station shopping center

was addressed. He reported receiving complaints about events beyond the city's borders for Persimmon Tree Lane, for a Kent County permitted concert and events on private property in a residential area. He worked with Commissioner Angel and President Masten, and the most recent event prompted no complaints. He noted receiving citizen comments by telephone and email regarding the Fraternal Order of Police (FOP) and the Police Chief, many of whom did not support the FOP. Exchanged a series of emails with the President of the Kings Cliffe Homeowners Association regarding continued concerns with homes and the community, and he requested a list of the problem areas to review with staff. Lastly, he reported on the continued efforts of an East Lake homeowner to resolve problems of trash, homeless encampments, loud parties, and sexual encounters by working with various staff members who have provided exemplary service.

### **PARKS, RECREATION, AND COMMUNITY ENHANCEMENT COMMITTEE**

The Parks, Recreation, and Community Enhancement Committee met with Chairwoman Arndt presiding.

#### **Adoption of Agenda**

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

#### **First State Aquatic Project (Courtney Ford, Head Coach, First State Masters Swimming)**

Ms. Courtney Ford, Co-founder and Executive Director, and Ms. Julia Gorman, Co-founder and Board President of First State Aquatic Center, reviewed the presentation entitled First State Aquatic Center (**Attachment #1**).

This item was informational; committee action was not required.

Mayor Christiansen stated that all of his children were swimmers, and his grandchildren will be too. He noted that the community lost something when Kent Swim Club closed because lots of kids learned to swim there, and the YMCA is overburdened during swim meets as well as hot. He stated that he liked Ms. Ford's idea to use the old Macy's building, as it may be an idea they are open to. Mayor Christiansen explained that he is on the Prescription Opioid Settlement Distribution Commission and to date have received twenty-eight million dollars, and there should be thirty-eight million more to be distributed. He explained that a pool for the City of Dover and Kent County would be a nice addition.

Mr. Boggerty expressed his excitement surrounding the presentation as his daughter swam competitively. He noted that it was fulfilling to watch the kids draw tiny bubbles on their arms and all of the fun things they did at competitions. He explained that there were often close to five hundred people in and out of swim meets. Mr. Boggerty stated that his grandchildren are also learning to swim, but that, as an African American, swimming is often lost because they are not introduced to swimming at a younger age. He explained that he would love to support the initiative and help individuals who have not been introduced to swimming properly. He recalled reading an article where a young African American man drowned because he did not know how to swim while out on the water and thought he was safe.

Responding to Mr. Boggerty, Ms. Gorman noted that advocating for a 50-meter facility would give the flexibility to run two 25-yard swim meets at the same time, which would cut a very long day into a shorter one.

Mr. Neil expressed his excitement, noting that sports and families bring in economic development, much like the D.E. Turf Sports Complex. He stated that the D.E. Turf has been a smash hit, and with lots of teams comes lots of people, and those people will spend their money in the city. Mr. Neil noted that there will be questions about the cost and location.

Responding to Mr. Lewis, Ms. Ford stated that one of the reasons they highlighted the Greensboro Aquatic Club was that they run a program called the Healthy Lifestyles Program through their school to aid those suffering financial hardship. She explained that the second graders are bused to the aquatic center for part of their school day. She noted that they intended that the center would be an economic driver and bring in tourism with the big competitions. Those competitions would then provide funding to offer the community programs at substantial discounts or as a part of the school curriculum.

Responding to Mr. Lewis, Ms. Ford stated that the short answer would be yes, the center would be open to the youth. She explained that the details will come from the feasibility study, but their goal is to build the center large enough so that it can provide funding for free programs to the community.

Ms. Hall thanked Ms. Ford and Ms. Gorman for their presentation. She noted that it could be a financial struggle to be able to afford membership to the YMCA for kids to get swimming lessons, and she is in support of their plan. She asked that they partner with the schools to reach the most vulnerable children and give them the opportunity, so that parents will know that it is an available resource.

Mr. Anderson thanked Ms. Ford and Ms. Gorman for bringing forward an innovative program that will be of great value to Kent County and hopefully the City of Dover. He noted that the opioid settlement money is supposed to be used for reducing opioid dependence and it is specifically stated in the settlement. He explained that making them get into treatment and setting up treatment facilities in Kent County is the best use of that money. He stated that there are lots of other pots of money, grants, partnerships with schools, and programs that are available.

Mr. Rocha expressed his excitement surrounding the presentation and the different models provided. He noted that he concurred with Mr. Anderson and that the opioid money would be best spent in the area of mental health and substance abuse issues. However, he believed that there could be a tie to therapeutic help for those with mental health and substance abuse issues. Mr. Rocha recalled growing up in Long Island, where he did not learn to swim in a pool either. He stated that he caught a bus at the elementary school, and they were bused to Hampton Bays, where they dove into the water, were taught to float, and then had to figure the rest out on their own. He also recalled his dad being sent to Little Rock, and every hotel they stayed at during the drive, he would swim laps in the pool. He explained that salt water has benefits, but he preferred swimming in fresh water. He recommended having a facility indoors and would offer any support that he could.

Mayor Christiansen explained that it does not state that the city cannot be creative with the opioid funds. He noted that swimming can be very therapeutic and help in several different ways. He explained that funds are waiting to be utilized, and the funds that had been distributed disappeared. He stated that it is time the city looks at something meaningful, and the aquatic center is something meaningful that could help the entire community by giving the kids a place to go.

**Review of Active Recreation Plan – The Governor: Mixed Use Building at 120 S. Governors Avenue (Located at 120 S. Governors Avenue and associated parcels at 105, 111, and 115 S. New Street: Site Plan/Architectural Review Certification S-25-11/HI-25-02) (Dawn Melson-Williams, Principal Planner)**

Ms. Dawn Melson-Williams, Principal Planner, reviewed the background and analysis of the Active Recreation Plan of The Governor located at 120 S. Governors Avenue.

Staff recommended approval of the Active Recreation Area Plan for the project, subject to the conditions outlined in the Active Recreation Review Report.

Responding to Mr. Anderson, Ms. Melson-Williams stated that the active recreation requirements are satisfied by what is in the proposed building. She noted that the three small parcels located on South New Street, where they proposed a park-like setting for the dog run and playground space, would increase the availability of recreation. However, the increase would not hold up the project because it does meet the minimum requirements for active recreation with the spaces that they are proposing in the building. She noted that it is subject to the site plan review process with the Planning Commission, and they would be looking at the whole thing, and if there are any specific conditions that should be considered at that time. The park area includes a proposal for a playground area, which she believed is part of their strategy to meet the outdoor play requirements for the child daycare center that was proposed in the building. She noted that some of the requirements are at the state level when they involve childcare services.

Responding to Mr. Lewis, Ms. Melson-Williams stated that the review of the active recreation plan is part of the site development plan review process for the development of the property located at 120 South Governors Avenue. She noted that the land is owned by the Downtown Dover Partnership and was identified as a key project in their overall transforming downtown Dover plan. However, the transforming downtown Dover plan was a vision plan and not a plan authorizing immediate construction of any projects that were identified in the plan. Ms. Melson-Williams stated that they are currently in the process outlined by the zoning ordinance for a site plan review, and as part of that site plan review process, one of the stops is with the Parks and Recreation Committee to review the active recreation plan.

Responding to Mr. Lewis, Ms. Melson-Williams stated that the project was filed as a site development plan and earlier in the summer went before the Historic District Commission because the land was within the city's historic district. She explained that the Historic District Commission had some review responsibilities regarding how projects are constructed in the historic district. She noted that on Monday, September 15, 2025, the site plan was scheduled for review and public hearing before the Planning Commission where they will evaluate the site plan including the active recreation area plan as well as their final action on the architectural review certification for building in the historic district.

Dr. Sudler expressed concerns regarding the concern with paraphernalia and contamination issues on South New Street and New Street. He explained that he would hate to see any of the youth in the area stuck by a contaminated needle. He recommended coming up with a plan to address the issues in the area to get it cleaned up as the area continues to be developed.

**Mr. Anderson moved to recommend approval of active recreation plan for the project subject to the conditions outlined and the active review report as recommended by staff. The motion was seconded by Mr. Rocha and carried with Mr. Lewis voting no.**

**Ms. Arndt moved for adjournment of the Parks, Recreation, and Community Enhancement Committee meeting, hearing no objection the meeting adjourned at 7:00 p.m.**

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

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

#### **Adoption of Agenda**

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

#### **Investment Portfolio Presentation (Patricia Marney, Controller/Treasurer, Martin Hammond, Managing Director, PFM Asset Management, and Jeff Fasino, Senior Managing Consultant, PFM Asset Management)**

Ms. Patricia Marney, Controller/Treasurer, and Mr. Martin Hammond, Managing Director, PFM Asset Management, reviewed the presentation entitled City of Dover Investment Performance Review for the Quarter Ended June 30, 2025.

This item was informational; committee action was not required.

Responding to Ms. Hall, Mr. Hammond stated that first and foremost, they look at the investment policy, which has three different goals. Safety of principle, adequate liquidity, which is being met, and returns. He explained that the greatest focus is on safety and liquidity.

Responding to Ms. Hall, Mr. Hammond stated that when looking at the yielding goals, they do review the risk of tolerance to determine what types of products are being used to achieve the goals. He explained that an important component of managing governmental funds while putting the portfolio together is to make sure that it is well diversified and meets the three goals mentioned, while not taking on too much interest rate risk. He noted that he has been talking with some clients about extending the duration to instead of a two-year duration target to a five or six-year duration target. He explained that those moves come with their own underlying risk, and there would need to be a conversation about whether or not the changes meet the risk tolerance for the city.

Responding to Dr. Sudler, Mr. Hammond stated that continuity of service is very important to them. He explained that they run stress testing on portfolios and their ability to manage dollars. He

also noted that they have a process where they run through a scenario where servers go down and they need to pull up the portfolio managers somewhere because of an unfortunate economic event.

Responding to Dr. Sudler, Mr. Hammond stated that diversification is important when talking about managing portfolios. He explained that they only invest in very high-quality fixed income, so there are no equity holdings in the portfolio. When looking at investing outside of federal agencies or US treasuries, there are very strict guidelines that are included in the investment policy. The investment policy states that they can only invest up to fifty percent of the portfolio in “riskier” risk assets. Risk assets are not necessarily comparable to equities within fixed income. For example, corporate debt, fifty percent of the portfolio may not be held in corporate debt. Also, the maturities have to be within a certain timeframe, and the policy has a ten-year limit; they are currently investing five years out. Additionally, there are credit rating requirements. Every single security that is bought in the corporate space has to be rated A or better by one of the rating agencies.

Responding to Mr. Neil, Mr. Hammond stated that, typically, you would not want to have cash flow to the bank for your custodian and not earn anything. He noted that an institutional share class money market, mutual funds yield around four percent annualized currently. He explained that if Morgan Stanley were to make a coupon payment of around \$32,000, which is generally not enough to buy a new security because the rate will be lousy, it would become an odd lot. Typically, they would wait until they were doing another trade and bundle the cash up to buy another security, as something that makes more sense for the city. He noted that from time to time, there will be small amounts of cash in the portfolio, earning interest, while waiting to be soaked up during another trade or when more coupon payments are made in a dollar amount that is bigger and more palatable to the market.

**Change Order – Meeting House Branch Drainage Improvement Project (Jason Lyon, Water & Wastewater Director)**

Mr. Jason Lyon, Water and Wastewater Director, reviewed the background and analysis of the change order for the Meeting House Branch Drainage Improvement Project.

Staff recommended approval from City Council of the proposed amendments to the engineering design scope by the consulting firms to complete the design of the project.

Responding to Ms. Arndt, Mr. Lyon stated that the feasibility study has nothing to do with the Bayhealth property, as it has no bearing on the design of the project. The feasibility study is for the contaminated portion of the project, which is down by the river. He explained that the feasibility study that was noted was to see if it would be feasible for the pipes to be moved around the building, and not a feasibility study with an environmental component.

Responding to Ms. Arndt, Mr. Lyon stated that the change order number to the \$12,000 original change order is being paid for by Bayhealth. He noted that there was another change order that was not listed because it is going directly to Bayhealth in the magnitude of \$90,000 for the redesign so that AECOM could go around the building to make sure all of the hydraulics work.

Responding to Ms. Arndt, Mr. Lyon stated that Kent County is not offering any support or services to locate the force main due to the city initiating the project. He explained that it is a standard

practice used in municipalities. When a developer comes in, they are responsible for any and all utility upgrades.

Responding to Ms. Arndt, Mr. Lyon stated that if someone were to dig in their backyard, they would want to find the location of their Comcast internet. Comcast would come out and spray paint the area, but there would be no guarantee on the depth of the utility. He explained that they roughly know the horizontal location of the force main, but they do not know the depth. The depth is from the top of the grade to the bottom of the pipe, and it is imperative that they find out the depth. Kent County is not responsible for locating the depth, only the horizontal location.

Responding to Ms. Arndt, Mr. Lyon stated that those who have been around Dover for a long time know that there have been spills that have happened to that pump station due to the age of the system. Lastly, Mr. Lyon noted that he is not aware of any plans for Kent County to do any upgrades that may go alongside the work that the city is doing.

Responding to Dr. Sudler, Mr. Lyon stated that the force main was constructed in the sixties, and they worked vigorously with Kent County to find out if they had any as-built plans. He explained that the concern they have is that, as the plans were created, in that timeframe, the city utilized the area for a landfill; therefore, the information is inaccurate. He explained that the minimum depth would be about three feet for a gravity force main. The problem will be that they have to go underneath the pipe that was discharging into the river, which was deeper than three feet. Therefore, they do not know how deep the pipe is buried.

Responding to Dr. Sudler, Mr. Lyon stated that all the work that will be related to Bayhealth, which was change order number two and the one that was not included in the presentation, has been paid for by Bayhealth. They have a master plan for their long-term growth, and both Bayhealth and the City of Dover agreed that it would be in both parties' best interest to not build the stormwater where they are going to be building in the future. Mr. Lyon explained that they do not know when they are going to be building, but it is in their master plan. He noted that they worked with Bayhealth to realign the location and go around where their proposed footprint is for the future, so that there are no issues long-term.

Responding to Dr. Sudler, Mr. Lyon stated that Bayhealth will not be enduring any of the costs regarding the contamination because the contaminated location is nowhere near the Bayhealth property; it is only on the city property.

Responding to Mr. Boggerty, Mr. Lyon stated that from Lincoln Park, where Charity Street is, through the northeast portion of Eden Hill, and then back towards what was the old Dover Light and Gas on New Street, is a drainage basin that is very large. The water that is coming from the west side of the railroad tracks to the property is coming from upstream. The work that is being done from Governors Avenue down, is downstream. He noted that the improvements would drastically improve the drainage of the intersection of Water Street and Governors Avenue.

Responding to Mr. Boggerty, Mr. Lyon stated that the Brownfield study is not available to use because the city is the owner of the property. He explained that if the city were purchasing the property from someone, they would have access to that. Mr. Lyon noted that they did submit a



congressional directed spending from Lisa Blunt Rochester's office, and so far, it was approved at the local level, and it is currently sitting at the federal level. He explained that he cannot guarantee that the city will get the money, but they asked for \$1.4 million to help offset the cost of the project, which can be used at any phase of the project.

Responding to Mr. Boggerty, Mr. Lyon stated that the funding would cover more than the change order. The change order was for \$150,000, and the funding was \$1.4 million.

Responding to Mr. Lewis, Mr. Lyon stated that environmental aspects are not his forte, but he can say that when the project is approved, it will be dutifully reviewed by DNREC. He explained that the feasibility study will lead to how things are addressed as the project is ongoing. All of the contamination that had been found had been at least four to five feet deep underneath soil, concrete, and fill that had been put on the site. Many years ago, there was an incinerator that was on the site where they would take their trash, burn it, and put it in the landfill. He noted that, as unfortunate as those things are, they have to be addressed. He explained that he has concerns for every project, but if they are to go through the process and have the project tightened up so that DNREC is okay with everything, then they will be in good shape.

Responding to Mr. Lewis, Mr. Lyon stated that he could not make any guarantees on how much more money the project may cost. He explained that he hopes that they can find the infrastructure, that it is in a place that they can design around, and then continue on and finish the project.

Responding to Mr. Lewis, Mr. Lyon stated that during the construction phase, there would be a hold harmless agreement against the city contractor, who would take all responsibility during the construction phase for anything environmental.

Dr. Sudler recommended preparing for the short-term and long-term risks of people being exposed to contamination during the feasibility study.

Responding to Dr. Sudler, Mr. Lyon stated that he believes all of those things will be worked out in the feasibility study with the effects of the construction long term, and if it is not part of the study, he will speak with the environmental consultant.

Responding to Ms. Hall, Mr. Lyon stated that every project that goes out to bid is reviewed by the city's insurance broker for minimum insurance requirements. He explained that some may carry a \$5 million rider, and some might carry \$10 million. He stated that the information is not provided until the project is fully designed. He explained that when they receive bids for a project, they review them, look at a myriad of factors with the bidder, which includes making sure they have proper insurance coverage associated with their business name. As a part of their agreement, they have to make sure they keep their insurance up to date with the city.

Responding to Ms. Hall, Mr. Lyon stated that he can bring her concerns to the insurance broker and make sure they are aware of her concerns.

Mr. Rocha recommended having a town hall meeting similar to the one done by the Electric Director regarding the destruction of the McKee Run plant. He explained that the meeting could help inform the community of the contamination and removal plans.

Responding to Mr. Rocha, Mr. Lyon stated that he believed that it would be a great idea, and they could do something similar to their Persimmon Park Place drainage project.

Responding to Mr. Anderson, Mr. Lyon stated that the city entered into a volunteer cleanup program with DNREC due to the fact that the location has been contributing to issues in the river. He noted that the importance of the project is paramount. He stated that there is a hospital, family courthouse, and businesses in the area that experience flooding, and it is something that must be tackled. Additionally, the site is not currently being used, and if it could be turned into a park or recreational area for the public rather than sitting stagnant, it could offer a great social impact to the community.

**Mr. Rocha moved to recommend accepting the staff recommendation for the approval of the proposed amendments to the engineering design scope by the consulting firms. The motion was seconded by Mr. Neil and unanimously carried by a roll call vote.**

**Mr. Rocha moved to refer to staff when the time is appropriate, to hold a town hall meeting for the community in the surrounding areas of Meeting House Branch to discuss the environmental concerns and educate the community on environmental concerns when the project is in full motion. The motion was seconded by Ms. Hall and unanimously carried.**

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

Ms. Naomi Poole, Human Resources Director, and Ms. Patricia Marney, Controller/Treasurer, provided updates regarding the County and Municipal General Pension Plan.

This item was informational; committee action was not required.

Ms. Poole recapped that in the later part of 2024, a town hall meeting was held for all employees where the State of Delaware provided information and allowed employees to ask questions. The Human Resources Department also completed a survey that was sent out to gauge the interest of the eligible employees and whether they would like to join a pension plan. She noted that eighty-two employees were on board with a pension, and nine employees said no.

She explained that in June of the current year, they met with the state, which had made changes to their requirements. She noted that the first option includes that every current and future employee must join the pension plan, and there will be no option for an employer buy-in, which is different than the original plan. The second option would be that all current employees would stay on the current 401/457 plan with the employer match, and that anyone hired after a certain timeframe, which the city could choose, would automatically be entered into the pension plan. For example, the city could say that anyone hired after November 1, 2025, would automatically be entered into the pension plan, which would benefit new hires joining the organization. The third option was that every current and future employee must join the pension plan to include an employer buy-in for five, ten, or all years of service.

After reviewing the information, she noted that Mr. Hugg, Ms. Duca, Ms. Marney, and she had settled on option three and were moving forward with option three. She explained that Ms. Marney

was tasked with researching what the cost of option three would be, if it was viable, and could the city afford it.

Responding to Dr. Sudler, Ms. Poole stated that option three is a good option because the city would be buying in the years of service rather than the employee starting at day one. However, it is the costlier option. She noted that the difference is that they were told by the state before June of 2025 that the employee would have the option to join the pension or stay on the 401/457, and now that option has been taken off the table.

Responding to Dr. Sudler, Ms. Poole stated that the options presented have not been presented to the employees yet.

Ms. Marney stated that they have taken the last few months to do quite a bit of research, as the State of Delaware Pension Office provided them with the specific Internal Revenue Service (IRS) code outlining why they made drastic changes from the original discussion. She noted that based on 2023 actuarial estimates, they could purchase all years of service for about \$8.3 million, ten years of service for \$5.8 million, or five years of service for \$3.8 million. She noted that to be able to draw a pension, the employee must have at least five years of documented service. She explained that the state did say they would do a new actuarial report, but they did ask that the city base its funding on the 2023 numbers. Ms. Marney stated that it would be a large one-time expense that has to be paid all at once. She stated that it is up to city management and the city council to decide if they should look for the funding, and could it can be funded. She noted that the funding was not included in the Fiscal Year 2026 budget, and the totals came when they were finalizing the budget for Fiscal Year 2026.

She explained that the research was done based on option three, but if they want to benefit the most employees, they may want to look at option one, but there would be no buy-in for years of service. She noted that they could ask employees to fund a portion of the money that would be needed for the buy-in of years of service; however, that could lead to financial hardship. She noted that employees cannot access their current retirement plans due to the plan wording, and they cannot do early withdrawals, and if they could, it would come with penalties through the Internal Revenue Service (IRS).

Responding to Mr. Anderson, Ms. Marney stated that there would be no cost with option one because there would be no buy-in, and everyone would start fresh, regardless of the time that they had worked for the city. She also noted that they would still have their 401/457, but they would no longer receive a match. Option two would have no cost because all current employees would stay in the 401/457 plan with their current matches, and then any new hires, depending on the date effective, would be in the pension plan and not qualify for the 401/457.

Responding to Dr. Sudler, Ms. Marney stated that the presented information does not affect the city's general employee pensioners or the police pensioners, only the current employees.

Responding to Mr. Lewis, Ms. Marney stated that the way the current plan documents are worded, an employee cannot withdraw from their 401A, the 457 they can withdraw from but not until they

have reached fifty-five and a half. She explained that there is no provision that allows the employee to access the money now.

Ms. Arndt asked that they be provided with a matrix of the different options, the pros and cons, the cost to the city, and the impact to the employees.

Responding to Mr. Boggerty, Ms. Marney stated that there is a rollover option in the plan. She stated she would review the information and provide an update. She noted that typically the rollover provision is to an IRA and not into a pension plan.

Responding to Mr. Rocha, Ms. Marney stated that they do not lose access to their 401, and they could make the decision to roll it into an IRA on their own. For example, if the city chose option one and everyone is joining fresh, the employee would still have their 401. The contributions from the city and the contributions from the employee would still belong to the employee and no longer belong to the city. The city would no longer provide a match, and the employee would receive access to roll over the funds if they wished. She stated they should be able to bring the matrix information back at the first meeting in October.

**Mr. Rocha moved to refer the topic back to staff with the suggestions that council made and to report back at the first Legislative, Finance, and Administration meeting in October. The motion was seconded by Ms. Hall and unanimously carried.**

**Small Local Cybersecurity Grant Program (SLCGP) Grant Approval for FY26 Information Technology Projects (Joseph Simmons, Information Technology Director)**

Mr. Joseph Simmons, Information Technology Director, reviewed the background to the Small Local Cybersecurity Grant Program (SLCGP) Grant Approval for FY26.

Staff recommended approval of the following Small Local Cybersecurity Grant Program (SLCGP) grants totaling \$316,000 through the Cybersecurity and Infrastructure Security Agency (CISA): SLCGP-23-1157, SLCGP-23-1158, SLCGP-23-1159, SLCGP-23-1160, SLCGP-23-1161, and to authorize the City Manager to perform the necessary budget amendments based upon the award.

Dr. Sudler moved to recommend approving the staff recommendation for approval of the Small Local Cybersecurity Grant Program totaling \$316,000 through the Cybersecurity and Infrastructure Security Agency. The motion was seconded by Ms. Arndt.

Responding to Mr. Rocha, Mr. Simmons stated that, like with all federal funding, they must avoid a possible displacement of the budget. He explained that the grant would not cover anything that has already been budgeted. For example, it cannot be used for ongoing costs that have been paid for the last two years, service fees, or payments on equipment. The grant can only be used for new equipment, a new program, or new software and hardware.

Responding to Mr. Rocha, Mr. Simmons stated that the reason the Dover Police Department was granted the computers was because of an unfunded mandate. He noted that the Fire Marshal's Office would also be receiving computers because of the mandate, as they also connect to the Delaware Criminal Justice Information System (DELJIS). He explained that DELJIS has a

mandate that has minimum requirements for the computers. Lastly, he noted that the city would receive funding for upgrades to the servers and any network equipment.

Responding to Mr. Rocha, Mr. Simmons stated that the current endpoint detection system, CrowdStike runs on every computer. He noted that it would run on Windows 10 and report back any abnormal activity. He expressed understanding of Mr. Rocha's concerns that, at some point, those systems will have to be upgraded to keep ahead of the curve and work effectively.

Responding to Dr. Sudler, Mr. Hugg stated that they do have the ability to reallocate funds within the Information Technology budget. He noted that they are not planning to move any money out of the budget because, in all actuality, they need twice as much funding as was received. He noted that the fundamental system is in a much better place, and things are being replaced that should have been replaced a few years ago.

Mr. Simmons noted that the grant is a reimbursable grant that is fully funded, and the money has already been transferred to the Delaware Emergency Management Agency (DEMA). He noted that once the city is able to provide a proof of purchase to DEMA it would take approximately thirty days for DEMA to provide the city with a check.

**Dr. Sudler moved to recommend approving the staff recommendation for approval of the Small Local Cybersecurity Grant Program totaling \$316,000 through the Cybersecurity and Infrastructure Security Agency. The motion was seconded by Ms. Arndt and unanimously carried.**

**Non-Bargaining Step Proposal Discussion (David S. Hugg, III, City Manager)**

Ms. Naomi Poole, Human Resources Director, and Ms. Patricia Marney reviewed the background regarding the non-bargaining step proposal.

Staff recommended discussion and direction for staff.

Mr. Anderson expressed support and noted that a scale is needed. He explained that the union scales have a basic scale, and then the cost-of-living scale is negotiated and can change. He recommended building a basic scale to move employees along and then a cost-of-living scale that could be built into the budget.

Dr. Sudler expressed support for the escalation and advancement of the non-bargaining employees.

Ms. Andria L. Bennett, City Clerk, noted that often when people think of non-bargaining, they think of department heads. However, many departments have staff who are considered part of the non-bargaining unit due to the nature of their job. For example, the clerk's office had a person go to the planning department and take a pay cut, but because she is now union, she will likely surpass her previous salary at a faster rate.

Responding to Mr. Lewis, Mr. Hugg stated that they were not looking for a vote. They wanted to obtain clarification as to whether the proposal was something that council wanted them to continue to look into.

Mr. Lewis stated that he would like more information.

Responding to Mr. Lewis, Ms. Marney stated that there was an estimated cost of \$135,000 for Fiscal Year 2026, and it would be similar if backdated for Fiscal Year 2025. The total expenditure would cost about \$300,000. She noted that they would be going from a min, mid, max scale to an actual step scale. It would provide a three percent growth between steps, and then the cost-of-living increases. She explained that if they were to implement the scale mid-year, it would be about a \$70,000 budget amendment.

Ms. Poole noted that they are seeing employees leave at a high rate. She explained that when considering the costs, they must consider the overall costs of vacancies, and what does that mean from a cost perspective? She explained that it will be put into perspective when they do the math and figure out what the cost would be to keep the employees by creating a scale that makes sense, as opposed to having them leave.

Responding to Mr. Boggerty, Ms. Marney stated that there are twenty steps, and they modeled the scale based on the recent changes made with the American Federation of State, County, and Municipal Employees (AFSCME) union contract. She explained that they recently went from a min, mid, max scale to an actual step scale like the other unions.

Responding to Mr. Boggerty, Ms. Marney stated that they would evaluate where everyone is currently, how many years of service they had, and where they would fall on the scale dollar-wise. She clarified that the employees would continue to step up until they get to 20 on the scale, and then they would only be given the cost-of-living increase thereafter.

Mr. Anderson expressed his support and stated that a mid-year raise should not be difficult, and they should be able to find the \$65,000, but he would like to see a proposal on where the money would come from. He also expressed interest in seeing a proposal for the retroactive \$130,000.

Responding to Mr. Boggerty, Ms. Marney stated that the city can do one-time bonuses, and it has been done in the past if council so chooses.

Mr. Neil noted that the difference between the two is that a bonus may be given, and the scale, the employee knows that it will be coming and is a built-in incentive. He stated that he was looking at a room full of employees he has a great deal of respect for, and he would like them to know that it was not just a handout on occasion. He explained that some people do not want to spend money, but sometimes you have to if you want to keep good people.

Mr. Anderson also asked that staff bring back the numbers that show what a one-time bonus would cost and where the funding would come from, in addition to the information for the mid-year raise and the retroactive \$130,000.

**Review of Application for the Economic Development Fund (David S. Hugg, III, City Manager)**

Mr. David S. Hugg, III, City Manager, reviewed the application for the Economic Development Fund.

Staff recommended reviewing, revising, and approving the Economic Development Fund Application.

Mr. Anderson noted that there was an accidental merger between the community development and the economic development applications. Therefore, some corrections had to be made. On the last page, where it said Parks and Recreation Committee, it should say Legislative, Finance, and Administration Committee.

Responding to Dr. Sudler, Mr. Hugg stated that when the applicant is asked to do their project description and identify the location, one of the things they will look for is that the location is not in a wetland or brownfield setting. He noted that one of the reasons they asked for zoning was so that the applicant would not want to put an industrial building in a residential neighborhood or vice versa.

Mr. Anderson clarified that the economic development fund is not for nonprofits, but the community development fund is. He explained that there were two funds that came about around the same time, and the guidelines were passed at the same time. He noted that the applications are being made separately because if the city wanted to join Kent County for a partnership to do something that costs a couple of million dollars, it would be allowed. He noted that if there was a smaller program like the Workforce Development Program, the proposed application could provide up to \$50,000.

Mr. Anderson recommended placing the application and the guidelines on the city website.

**Ms. Hall moved to recommend the adoption of the application with the technical corrections. The motion was seconded by Mr. Rocha and unanimously carried.**

**Mr. Anderson moved for adjournment of the Legislative, Finance, and Administration Committee meeting, hearing no objection the meeting adjourned at 9:31 p.m.**

**Mr. Neil moved for adjournment of the Council Committee of the Whole meeting, hearing no objection the meeting adjourned at 9:32 p.m.**

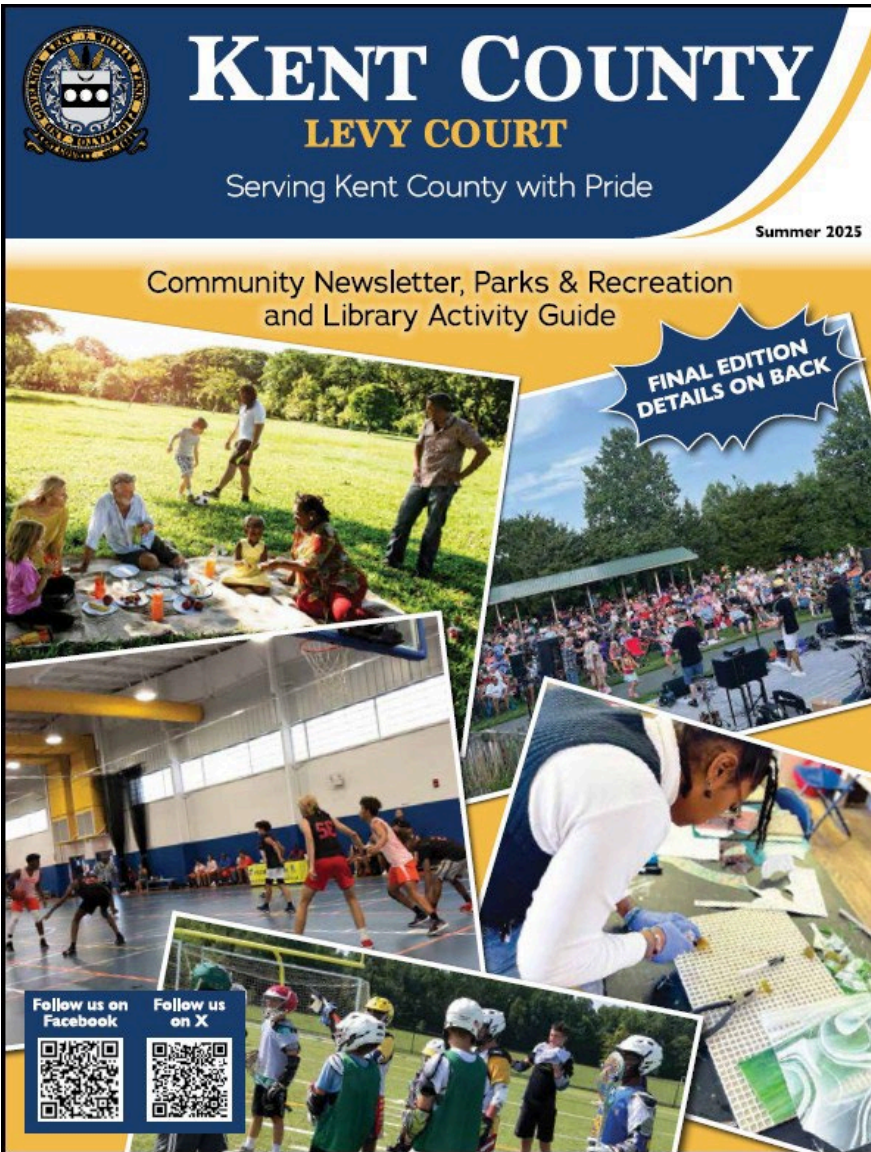
Fred A. Neil  
Council President

Attachments

Attachment #1 - Presentation entitled "First State Aquatic Center"

# First State Aquatic Center

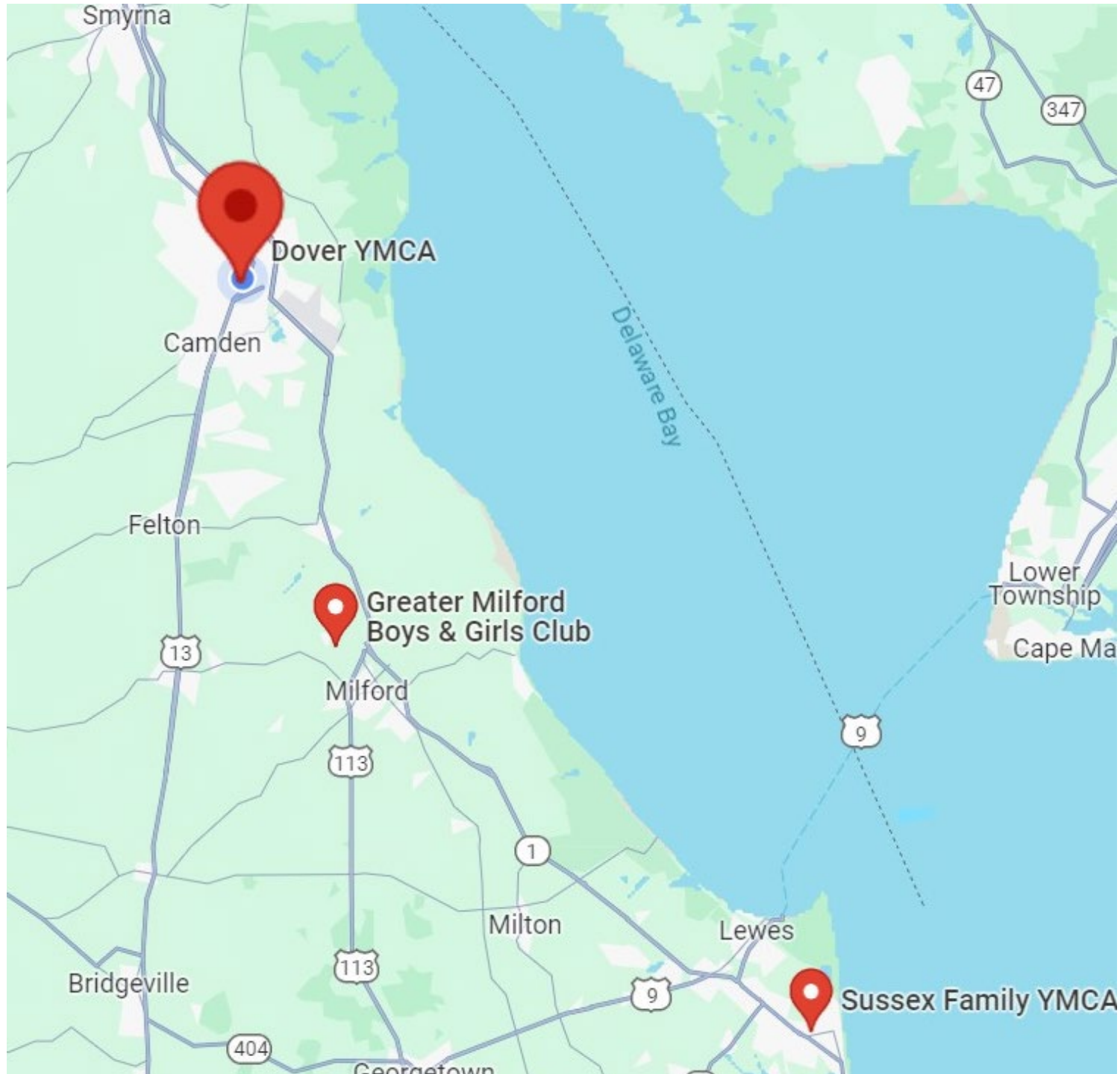




How many swim lessons are offered by  
 Kent County or City of Dover?

**After Labor Day, where  
in Kent County can  
someone go to partake  
in Aquatic education and  
recreation:**







# Problems worth solving in Central Delaware

Unable to host Regional and National Aquatic Events:

FSAC to host competitions bringing in athletes and families  
the Middle Atlantic and BEYOND

- Swimming - all ages and abilities
- Triathlon
- Waterpolo
- Underwater Hockey....to name a few

Lack of year-round aquatic opportunities in Central Delaware.

FSAC to offer activities that complement other City of Dover  
and Kent County entities - DAFB families; DE TURF

# Community Models

Drowning remains the leading cause of injury-related death for children ages 1-4



‘Learn to Swim’ healthy lifestyle program  
Greensboro Aquatic Center, NC

# USA Swimming Local Swimming Committees & Zones



28%



# POOL OF DREAMS

## BUILD IT AND THEY WILL COME

- 500-800 Athletes + Families
- Seating for 1500 spectators
- Multi-day Invitational & Tournament events 40+ weekends
- Advertising and Sponsorship revenue
- \$\$\$\$ Food, Lodging, Entertainment, Shopping

# Zero Entry, Multi-Use





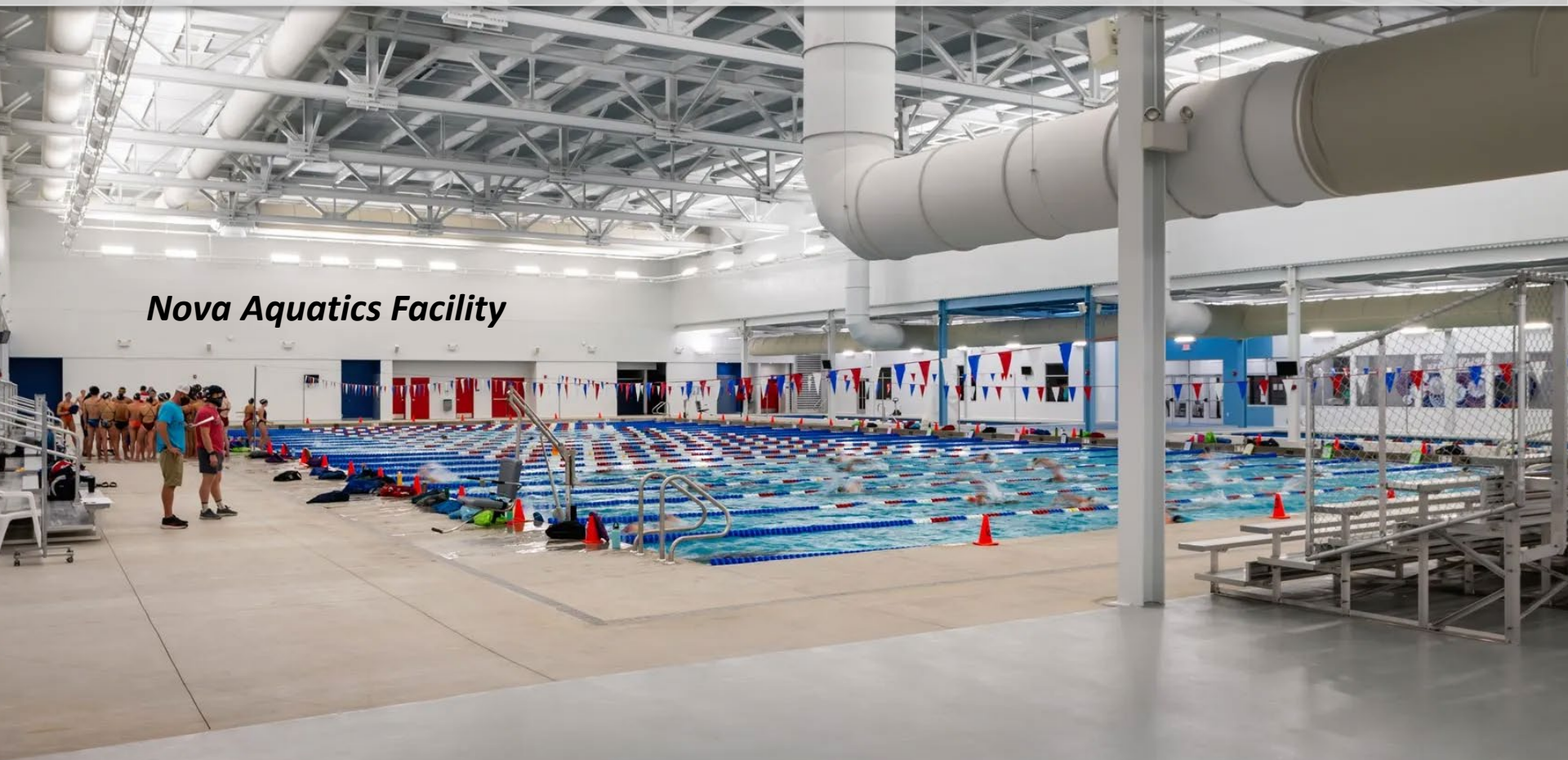
# Obstacle Course & Outdoor Feature





This elite aquatics facility will embolden tourism to Central Delaware,  
bringing regional and national recognition  
while creating an accessible community space  
in a modern environment.

***Nova Aquatics Facility***







***Lucas Oil Stadium***

# Delaware Tourism

New Castle County

Historic New Castle  
and Dupont Legacies

Sussex County

Beaches and Outlets

Kent County

NASCAR, DE Turf,  
DSU Sports, **FSAC**

*Revitalize the heart of Kent County  
Destination for sports tourism*





P: 928-242-2586  
E: [FirstStateMastersSwimming@gmail.com](mailto:FirstStateMastersSwimming@gmail.com)  
f @1stMasters    @1stMastersDE

Dear Supporter of the FSAC initiative,

July 15, 2025

A place to swim, heal, train, and belong — that's the vision behind the First State Aquatic Center (FSAC). A year-round aquatic and wellness facility designed to meet critical needs in Central Delaware and the Mid-Atlantic region. Despite being a state surrounded by water, Delaware currently lacks an indoor 50-meter pool and has few facilities that are fully accessible to veterans, seniors, families, and athletes all in one place. FSAC will change that.

The proposed facility includes:

#### Board of Directors

##### Community Engagement

Nanette Holmes  
Sean Saxton  
Janie Warren

##### Planning and Strategy

Strohm Edwards  
Jennifer Holmes  
Maj. Joel Loftus  
John Van Gorp

##### Resource Development

John Cribbin  
Laurie Judy  
Knolan Rawlins

- A 10-lane, 50-meter competition pool with seating for 1,500+
- An 8-lane short-course pool for lessons, rehab, and fitness
- A zero-depth entry warm therapy and teaching pool
- Outdoor water feature
- Fitness facilities, classrooms, and meeting space
- Dedicated access for teams, masters swimmers, and community use

FSAC will be more than a pool. It will be a community anchor, public health resource, and economic driver — hosting local and regional meets, creating jobs, and delivering life-saving swim instruction.

Your support will help us:

- Fund the feasibility study
- Complete design and engineering plans
- Begin site work and permitting

Whether you give \$50 or \$5,000, your donation directly supports this bold and vital project. Make a secure, tax-deductible gift at [donorbox.org/fund-the-feasibility-study](https://donorbox.org/fund-the-feasibility-study), scan the QR code below, or contact us to explore sponsorship and other giving options. Together, we can build something transformative for Delaware.

With appreciation,

*Courtney Ford*

Courtney Ford

Co-founder & Executive Director

*Julia Gorman*

Julia Gorman

Co-founder & Board President







Follow us on social media | **@1stMasters**

Watch our FSAC presentation on YouTube | **@1stMastersDE**

Sign the petition | **[tinyurl.com/ynxrkx3k](https://tinyurl.com/ynxrkx3k)**

Email us | **[FirstStateMastersSwimming@gmail.com](mailto:FirstStateMastersSwimming@gmail.com)**