

REGULAR CITY COUNCIL MEETING

The Regular City Council Meeting was held on January 28, 2026 at 6:53 p.m. with Council President Neil presiding. Council members present were Ms. Hall, Mr. Boggerty, Mr. Anderson, Dr. Pillsbury, Mrs. Arndt, Mr. Rocha, Mr. Lewis, and Dr. Sudler.

Staff members present were Police Chief Johnson, Ms. Marney, Mr. Hugg, Mrs. Melson-Williams (via Webex), Mr. Griffith, and Ms. Bennett. Mayor Christiansen was also present. Fire Chief Carey was 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.

William Faust, 136 Orchard Avenue, stated that the state already tried to pass an ordinance such as the Proposed Ordinance #2025-21. If the ordinance passed tonight, he urged everyone to vote no, because he did not believe that the ordinance would withstand public or legal scrutiny. He added that if those members who voted in favor of the ordinance tonight were willing to repay the citizens for the waste of public funds. The only individuals who would make money from the ordinance were the attorneys involved in the lawsuit. He emphasized that if council members were not willing to repay those costs, then those members who pushed the ordinance forward should ask themselves if they would resign due to putting a hardship on an already strained system, which would likely result in increased taxes or fees to cover unchecked costs. He noted that they needed to be more conservative and that the ordinance would not solve homelessness, nor would it solve public safety or security.

Belinda Main, 142 Reese Street, stated that Proposed Ordinance #2025-21 did not address public safety and that homelessness was not a distraction. She stated that homelessness was a call for the city, council, and residents to come together to identify what was not being done. She further stated that council was elected and paid to address those issues and that, despite annual raises for council, the homeless population continues to grow with no improvement.

John Davis, a Dover resident, spoke in favor of the Proposed Ordinance #2025-21 because he has witnessed several dangerous situations. He stated that he was concerned for both the drivers and the individuals soliciting funds from individuals, which were mainly at red lights, and the ones he witnessed the most were from the corner of Forest Avenue and Salisbury Road. He added that the ordinance was a public safety ordinance. He stated that he has read through the ordinance several times and that the ordinance does not address how an individual raises funds and, in fact, ignores that issue entirely. He further stated that the question of how individuals make money was not before council. He mentioned that he supported the issue of homelessness. He commended the city's utility workers, police, and electrical workers in particular for their handling of the most recent snowstorm. He stated that those employees did not receive enough recognition when things were done well, but often hear criticism when things go wrong, and wanted to acknowledge their efforts.

Lachelle Paul, 501 Silverside Road, stated that one (1) of the City Council's primary responsibilities was to manage taxpayer funds responsibly, ensuring they were properly handled and distributed to benefit the city without creating unnecessary costs. She further stated that when it came to public safety and ordinances, it was the council's responsibility to thoroughly research those measures before making any decisions. She noted that every member of council has the ability to contact the Attorney General's Office to find out what laws could be applied. She mentioned that a key question that should be asked was how many of those laws were actually enforceable, what responses have been received from the Attorney General's Office, and how many of those laws have actually been used to address median safety. She also added that the Police Chief Johnson's responsibility was to enforce existing laws and to figure out what needed to be done. She emphasized that Police Chief Johnson did not need to create an ordinance.

Vonda Smack, 1001 White Oak Road, stated that she wanted to discuss transparency and accountability. She noted that the City of Dover council existed to serve the residents, all of the constituents, not just those with privilege, political access, or economic comfort, but every resident of the community, regardless of race, income, housing status, or circumstance. She explained that the Public Safety Ordinance #2025-21 demanded heightened scrutiny because laws that regulated survival presented in public space disproportionately impacted those with the least power. Transparency was not optional and was due no justice and no peace. Accountability means that council must clearly answer what problem the ordinance was solving and justify its necessity. She added that public safety could not be used as a blanket to justify criminalized poverty or push vulnerable residents into harm. She stated that true safety was built through housing, behavioral health care, employment access, and dignity, not citations, displacement, or selective enforcement.

Jordan McClements, 11 Maple Lane, stated that individuals experiencing homelessness and addiction were part of the community. While they may not be everyone's concern, they were his concern, and the way they were being treated was a disgrace to what Delaware represented. He noted that Proposed Ordinance #2025-21 did not address the ongoing losses to homelessness and addiction, and instead criminalized being in public.

Meme Sebelist, a Bloomington resident, stated that she opposed the Proposed New Castle care because the Proposed Ordinance #2025-21 showed a coordinated effort between Wilmington and Dover to criminalize poverty and policy. She highlighted Subsection B of the ordinance, which addressed approaching vehicles, which was likely the source of safety concerns. However, Subsection C is separate and targets standing or remaining on the median, making it a crime to remain there even for the duration of two (2) traffic lights. She noted that pedestrian safety was insulting to say that it was fixing the streets. She questioned the fees individuals would incur if not paid within 14 days, noting that the fees would automatically double, and asked how those fees would be paid.

Regina Smith, 354 Delta State Drive, expressed concern that the proposed ordinance could set homeless individuals up for failure. She explained that repeated fines for those unable to pay could lead to warrants, arrests, a criminal record, and long-term barriers to employment. She questioned whether the city had explored less punitive alternatives, such as signage or time-based restrictions, before imposing fines. Drawing on personal experience of having once been homeless, she stated that fines or criminal penalties could have prevented her from securing long-term employment.

She argued that the ordinance placed an unfair burden on the homeless, appearing to offer help on one (1) hand while compounding their problems on the other (1) and urged council to reconsider whether the approach truly reflected the city's values.

Melissa Jeter, a Dover resident, stated that after reviewing the role of a councilmember, she noted that council members receive monthly stipends and are expected to provide leadership by serving as liaisons for the community and overseeing issues affecting residents. The speaker stated that when council comes to the table, the expectation is to brainstorm solutions. Referencing a prior meeting, she noted that council had emphasized accountability and stated that accountability required moving forward. She mentioned that council leadership had been in place for many years and questioned the direction and progress being made. She expressed concern that continued arguments failed to address the real issue, noting that public debate affected real individuals who were suffering. She urged council members to hold themselves accountable by working collaboratively to develop solutions rather than relying on punitive measures, and stated she agreed with comments made by Regina Smith.

Bonnie Pennington, a Dover Resident, stated that she sees several homeless individuals. She further stated that there were several vacant buildings that were empty, and individuals would just like to have a place to live. She noted that she had a son who was homeless for a year, who lived on the streets and was kicked from home to home, city to city, because nobody wanted to help him. She mentioned that not every individual was on drugs to be homeless.

INVOCATION

The invocation was given by Mayor Robin Christiansen.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Councilman Sudler.

ADOPTION OF AGENDA

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

ADOPTION OF CONSENT AGENDA

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

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

PROCLAMATION – BLACK HISTORY MONTH

The City Clerk read the following Proclamation into the record:

WHEREAS, Black History Month is observed each February to recognize and celebrate the history, heritage, and contributions of African Americans; and

WHEREAS, Black History Month traces its origins to 1926, when Dr. Carter G. Woodson established Negro History Week, which expanded into a month-long national observance in 1976; and

WHEREAS, the Black History Month theme, “A Century of Black History Commemorations,” marks 100 years of organized efforts to honor, preserve, and elevate Black history and culture, highlighting the evolution of these commemorations and their role in educating the public, shaping national understanding, and ensuring that the achievements, struggles, and resilience of African Americans are recognized and remembered; and

WHEREAS, this centennial theme invites reflection on how Black history observances have strengthened historical awareness, inspired civic engagement, and affirmed the importance of telling inclusive and accurate stories of our nation’s past; and

WHEREAS, African Americans have made significant and lasting contributions to the cultural, civic, economic, and social development of the City of Dover, the State of Delaware, and the United States; and

WHEREAS, recognizing Black history strengthens community understanding, promotes inclusion, and affirms the City’s commitment to equality, opportunity, and respect for all;

NOW, THEREFORE, I, ROBIN R. CHRISTIANSEN, MAYOR OF THE CITY OF DOVER, do hereby proclaim February 2026 as **BLACK HISTORY MONTH** in the City of Dover and encourage all residents to observe this month by reflecting on a century of Black history commemorations and celebrating the achievements and contributions of African Americans throughout our nation’s history.

On behalf of the Mayor and Council, Mayor Christiansen presented the proclamation to the former Councilman Reuben Salters.

Mr. Salters expressed gratitude for the opportunity to discuss Black History Month. He believed that Black History should be celebrated year-round, and no special month for it. He noted that it was conceived by Caucasians and that they gave it the coldest and shortest month. He emphasized that he was a proud African American and that he raised his family to be proud, and hope that everyone was proud that he was African American. He also added that he was proud of everyone, no matter who they were, and that there are several different ethnicities in the state and city. He mentioned that all national and international holidays were celebrated in different ways, and proud to be an American. He noted that Delaware has the opportunity and has taken advantage of some of those opportunities to be the greatest state in the union. He pointed out that they live in Delaware because they love Delaware. He emphasized that he loved Delaware and his wife, and they have spent 69 years of marriage in the state of Delaware. He noted that his family was very proud and that they had made it their job and their God-given right to praise individuals of all nationalities. He expressed gratitude towards the youth of the community, who were tremendous.

PROCLAMATION – HUMAN TRAFFICKING AWARENESS MONTH

The City Clerk read the following Proclamation into the record:

WHEREAS, human trafficking is a grave crime and a violation of human rights that exploits individuals through force, fraud, or coercion for labor or commercial sex; and

WHEREAS, human trafficking occurs in communities of all sizes and affects people of all ages, genders, and backgrounds; and

WHEREAS, public awareness, education, and community engagement are critical to identifying, preventing, and responding to human trafficking; and

WHEREAS, the 2026 Human Trafficking Awareness Month theme, “Stronger Connections. Stronger Futures,” highlights the importance of building supportive relationships, community ties, and collaborative networks that protect vulnerable individuals and help prevent human trafficking; and

WHEREAS, the City of Dover is committed to raising awareness, strengthening prevention efforts, and supporting survivors through coordinated local partnerships with law enforcement, service providers, educators, community organizations, and citizens;

NOW THEREFORE, I, ROBIN R. CHRISTIANSEN, MAYOR OF THE CITY OF DOVER, hereby proclaim January 2026 as **HUMAN TRAFFICKING AWARENESS MONTH** in the City of Dover and urge all residents to learn the signs of human trafficking, strengthen supportive connections in their communities, and work together toward a future free from exploitation.

On behalf of the Mayor and Council, Mayor Christiansen presented the proclamation to Dr. Pillsbury.

Dr. Pillsbury stated that she served on the Human Trafficking Committee, and when she was first asked to represent the medical society of Delaware, she was naïve and did not believe human trafficking existed in Delaware. She noted that Delaware was a small state and had never encountered the situation, and believed that there was no problem, but was surprised that they were having a statewide committee and that the medical society was involved. She added that over the years, she has learned that human trafficking is a serious problem. She stated that it was not a problem that excluded Delaware. She encouraged everyone that if they suspect someone is being trafficked, please try to help them to provide them services and connect them with resources. She noted that she has read things online about youth and connecting with other individuals online, and not realizing the dangers associated with that, and then they are often exploited. She encouraged everyone to educate their children, because it does impact them as well; it was not just an adult problem.

ADOPTION OF MINUTES - REGULAR COUNCIL MEETING OF JANUARY 12, 2026

The Minutes of the Regular Council Meeting of January 12, 2026, were unanimously approved by motion of Ms. Arndt, seconded by Dr. Pillsbury, and bore the written approval of Mayor Christiansen.

COUNCIL COMMITTEE OF THE WHOLE REPORT – JANUARY 13, 2026

The Council Committee of the Whole met on January 13, 2026, at 6:00 p.m. with Council President Neil presiding. Members of Council present were Ms. Arndt, Mr. Boggerty, Ms. Hall (via Webex), Mr. Lewis (out at 8:33 p.m), Mr. Anderson, Dr. Pillsbury, Mr. Rocha, and Dr. Sudler (via Webex, out at 8:06 p.m.). Mayor Christiansen was also present. Civilian members present for their Committee meetings were Mr. Cunningham, Mr. Lewis (*Parks, Recreation, and Community Enhancement Committee*), Mr. Garfinkel, and Mr. Shevock (via Webex) (*Legislative, Finance, and Administration*).

ADOPTION OF AGENDA

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

Review of the Booted and Suited (Bobby Wilson, CEO and Founder)

Mr. Bobby Wilson, CEO and Founder, and Ms. Deniera Gibson, Marketing Director, reviewed the presentation entitled “Booted and Suited”.

Responding to Dr. Pillsbury, Mr. Wilson stated that they would have two shifts, a morning and evening shift, and that it would consist of two managers and himself overseeing the project. He noted that they have several volunteers who would be on probation and from the court system. He added that those volunteers would be involved in the community service on the project. He mentioned that in the budget, both managers would be paid \$500, and he would be paid \$1,000 overlooking the project weekly.

Responding to Dr. Pillsbury, Mr. Wilson stated that he would be working around the clock, and as long as his managers were on the ground, he would be working.

Responding to Dr. Pillsbury, Mr. Wilson stated that he was responsible for his business, U.S. Veteran Builder.

Responding to Dr. Pillsbury, Mr. Wilson stated that he would divide his time with his staff members and that \$1,000 would be broken down with his staff’s support as well.

Responding to Mr. Rocha, Mr. Wilson explained that the Booted and Suited program would be part of a larger workforce development initiative. Participants would receive training in cleanup and other entry-level jobs, with opportunities to move into union careers. He mentioned meeting with a labor union and plans to meet with the Bricklayers Union, aiming to partner with multiple unions to create career pathways. The program also emphasizes building relationships with individuals returning from prison to help them successfully reintegrate into the community.

Responding to Ms. Arndt, Mr. Wilson stated that the program was pursuing additional funding sources, with the intention of leveraging its current success to secure increased financial support. He also noted that a grant writer, who has successfully obtained millions of dollars in funding for a similar program in Wilmington, was working on grant applications to expand funding for the initiative. Responding to Mr. Neil, Mr. Wilson clarified that he was looking to get Booted and Suited established in Dover.

Responding to Mr. Neil, Mr. Wilson clarified that the program already had a ready and available workforce that could be integrated. He noted that they operated a Saturday academy at their facility and have made investments in community-serving locations on Lookerman Street, including a training center on South Little Creek Road.

Mr. Wilson provided the committee with a signed petition (**Attachment #1**).

Big Brothers, Big Sisters of Delaware, Inc. (Councilman Boggerty and Anya Lindsey-Jenkins, Chief Executive Officer)

Councilman Boggerty, Ms. Anya Lindsey-Jenkins, Chief Executive Officer, and Dr. Vilicia Cade, Treasurer, reviewed the presentation entitled “Big Brothers, Big Sisters of Delaware, Inc”.

Responding to Mr. Anderson, Ms. Lindsey-Jenkins stated that they planned to continue to work with the Capital School District and plan to have their own vehicle for transportation to ensure that young individuals could get home safely in the evenings.

Responding to Mr. Anderson, Dr. Cade stated that the board has had no discussions regarding securing bonds for financing at the moment.

Responding to Mr. Anderson, Ms. Lindsey-Jenkins stated that much of their funding progress has come through grassroots efforts, including collaboration with senators, community members, and direct community outreach to share their vision and build public support. She added that they were open to additional funding opportunities and external consideration moving forward.

Responding to Mr. Rocha, Ms. Lindsey-Jenkins clarified that they serve children from eight to eighteen years old, and although that is a wide range, they never mix the age groups. She mentioned that the specific media hub would focus on the older teens (**Attachment #2**).

Responding to Mr. Rocha, Ms. Lindsey-Jenkins stated that their organization has maintained a consistent high school program for the past five years, primarily serving older students. She noted that mentoring older youth can be more challenging, so the program has emphasized group mentoring, workforce readiness, and career preparation. She highlighted the success of their Beyond School Walls

program, which has been operating at Howard High School. Over the last four years, the program has supported long-term student engagement, and seventeen youth graduated to college last year, marking the first full year that they completed four years in the program. She shared that their goal was to expand Beyond School Walls to Dover, describing it as their most successful program to date. The initiative focused on group mentoring, workforce readiness, and career training, and included plans to establish a safe community hub where mentors and youth could connect and feel supported.

Network Connect Presentation (Councilman Boggerty and Cierra Hall-Hipkins, Executive Director)

Councilman Boggerty, Ms. Cierra Hall-Hipkins, Executive Director, and Mr. Nathan McAllister, Program Development Manager, reviewed the Network Connect Presentation.

Responding to Mr. Rocha, Ms. Hall-Hipkins stated that there is continued participation in the Special Olympics.

Responding to Mr. Rocha, Ms. Hall-Hipkins stated that their organization has modeled a program after the Special Olympics and operated a race camp in Wilmington that serves young people impacted by trauma. She noted that the camp was free of charge, with funding secured through external sponsors. She shared that the program served 50 youth last summer, and the previous summer included participation from the entire Red Clay Consolidated School District. The camp focuses on teaching athletics, mental health recovery tools (not limited to substance use), and academics. She also highlighted monthly parent engagement activities and race days, where youth would compete alongside their parents.

Ms. Cierra Hall-Hipkins and Mr. Nathan McAllister provided the committee with the Network Connect 2024 Annual Report (**Attachment #3**).

Council Reports – December 2025

First District

Dr. Pillsbury reported that she had participated in the Christmas activities in December and that she was limited in getting around because of her inability to drive, but noted that she would come to anything that could be arranged.

Mr. Rocha reported that with the holidays and venturing out for Christmas activities, he did not have anything to report on.

Second District

Ms. Hall reported that she participated in the Legislative Summit with Spotlight Delaware to discuss items that the state government needed to understand about what their particular needs were locally, as compared to other parts of the state. She noted that the following day, she was able to participate with the Women's

Legislative Caucus at Legislative Hall to speak on issues pertaining to homeless women in the local area and plans to address those concerns. She also added that she had several constituents reach out, and she provided answers to those emails.

Mr. Lewis reported that he had nothing significant to report in the Second District with the holidays, but he was following up on some complaints from constituents regarding code enforcement matters in the Stoney Creek development and crime issues over on Orchard Avenue and Stoney Creek.

Third District

Ms. Arndt reported that, similar to her colleagues, it was fairly quiet in the Third District. She attended holiday events and public events, including the Delmarva Blood Bank and an event for the Dover Volunteer Fire Department.

Fourth District

Mr. Anderson reported that he attended the Dover Volunteer Fire Department event and noted that several individuals who have saved lives should be recognized, adding that they deserve broader public recognition. He also attended various Christmas events, including one hosted by the Inner City Cultural League. He highlighted the upcoming Economic Breakfast with the Central Delaware Chamber of Commerce being held on January 14th and the upcoming Annual Chili Cook-Off to benefit youth and after-school programs at People's Community Center. He noted that there were various constituent meetings to help individuals connect in different ways to get the necessary help with shelter and other items. He expressed gratitude toward the staff for the replacement of the safety fence at Silver Lake Boulevard and stated that residents were pleased with the replacement. He also expressed appreciation to Senator Paradee for assistance with the community transportation funding, as well as to the Public Works Department for completing urgent downtown water and wastewater utility replacements.

Dr. Sudler reported receiving multiple calls regarding sewer line infrastructure issues in the Lincoln Park area near Circle Road, noting that Ms. Barry and approximately five to six other property owners had incurred high costs due to a discrepancy between the city's and private sewer line responsibilities. He is gathering information to share with the Public Works Department to explore possible accommodations and prevent future issues. He also reported concerns about concrete and asphalt crushing within the city, which he forwarded to the Code Enforcement Department. He relayed community inquiries about the status of the Civic Arena project to City Council and the City Clerk's Office. Additionally, he noted his ongoing work with Peer-to-Peer Recovery and Treatment organizations, community cleanup efforts in Downtown Dover, and coordination with the State's Public Safety Mobile Unit and the Mayor's Opioid Task Force on outreach initiatives.

At-Large

Mr. Boggerty reported that he had spent December and the latter part of November touching base with grassroots organizations, such as the presentations that were presented, and he met with constituents regarding the pedestrian safety ordinance and some concepts to consider moving forward, and how to address that, and over the holidays, assisted constituents with places to stay and with giving food.

Council President Neil

Council President Neil reported that he attended Wreaths Across America at Bally's Dover Casino Resort in December and Tracy Harvey's retirement party in January. He served as a panelist on the Construction and Property Maintenance Code Board of Appeals with Chairman Boggerty and Mr. Rocha. He noted receiving and responding to multiple emails opposing the traffic safety ordinance, engaged with a group proposing the Civic Ice Arena at Schutte Park, and informed Dover Motor Speedway officials that the Dover Kent County Metropolitan Planning Organization (MPO) denied a traffic study for the Leipsic Road corridor due to rapid apartment development. He also shared that he provided a tribute to the late former Council President William Hare for the Delaware State News, with the article written by Mike Finney, and noted that funeral arrangements were pending, with a ceremony expected in the spring.

PARKS, RECREATION, AND COMMUNITY ENHANCEMENT COMMITTEE

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

Adoption of Agenda

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

Review of Revised Active Recreation Plan – The Enclave Apartments: Revised Walker Road Apartments (Dawn Melson-Williams, Principal Planner)
(Property of 6.08 acres +/- located on the north side of Walker Road and west of Independence Boulevard, as owned by Dover Synergy Group, LLC. Planning Reference: Site Plan S-26-03)

Ms. Dawn Melson-Williams, Principal Planner, reviewed the background and analysis regarding the review of Revised Active Recreation Plan – The Enclave Apartments: Revised Walker Road Apartments.

Staff recommended approval of the Active Recreation Plan with the provided comments and conditions.

Responding to Mr. Lewis, Ms. Melson-Williams stated that the original plan was submitted a few years prior, and the overall layout was slightly smaller with a similar number of units. She noted that the site was partially wooded, requiring

careful consideration of tree clearing, and explained that the decision reflected a balancing act and a shift in a different direction.

Responding to Mr. Lewis, Ms. Melson-Williams stated that the project is scheduled for a public hearing before the Planning Commission on January 20th and that no written correspondence had been received to date. She explained that public notice requirements include a site posting, a legal advertisement in the local newspaper, and mailed notices to property owners within 200 feet. She added that the applicant has completed the required notices and that any objections would be addressed during the January 20th public hearing.

Responding to Dr. Sudler, Ms. Melson-Williams stated that the applicant was responsible for mailing the notice and providing proof of mailing, noting that certified mail was not required, though some applicants chose to use it. She added that they have to prove to them that the notice was mailed to the mailing list of adjacent property owners that the city provided to them based on the current tax records.

Mr. Neil moved to accept staff recommendations. The motion was seconded by Mr. Anderson and unanimously carried.

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

Ms. Arndt moved for adjournment of the Parks, Recreation, and Community Enhancement Committee meeting, hearing no objection the meeting adjourned at 7:30 p.m.

LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE

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

Adoption of Agenda

Mr. Neil requested that Item #1, Review of The People's Community Center Economic Development Fund Application, be removed from the agenda.

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

Review of Donny Legans Economic Development Fund Application (Councilwoman Arndt, and David S. Hugg, III, City Manager)

Councilwoman Arndt, Mr. David S. Hugg, III, City Manager, and Mr. Donny Legans reviewed the proposed Economic Development Fund Application.

Staff recommended approval of the grant by the Legislative, Finance, and Administration Committee in the amount of \$50,000.

Mr. Lewis stated that he voted against the introduced economic development application because he believed the funds derived from the sale of city-owned properties should be distributed by the public rather than by the council. He expressed concerns about the creation of the Economic Development Fund but emphasized that his vote was not personal, commending Mr. Legans for the longevity and success of his business in the City of Dover.

Responding to Mr. Lewis, Mr. Legans clarified that the HVAC upgrades were not for the main building but for a smaller structure that was originally a shipping container converted into a bar and currently lacks an HVAC system. He explained that the container's interior temperature mirrors outside conditions and that installing a simple mini-split system would allow the space to be used for additional events.

Responding to Mr. Lewis, Mr. Legans stated that he would be interested in providing transportation and noted that the Capital Improvement Plan includes a potential opportunity for micro-transportation.

Mr. Boggerty stated that Mr. Legans has been a positive influence on the city, noting that economic growth often depends on places where people can gather after work, which Mr. Legans has provided. He added that Mr. Legans employs residents, including those seeking second-chance employment, and has succeeded in a challenging business environment. He emphasized that this aligns with the city's economic development and reinvestment goals to help change the city's narrative and highlighted the many positive places within the community.

Ms. Bonnie Pettington, a Dover resident, stated that she lives across the street from the Rail Haus and initially had concerns about patrons parking in the alley near her home. She noted that this is no longer an issue, crediting Mr. Legans for improvements in the area and for bringing the community together. She encouraged council to allow Mr. Legans to enhance the property, stating that it would benefit the community and attract more people to the city.

Mr. Cameron Llewellyn, 117 West Reed Street, stated that his business performed much of the construction work for Rail Haus. He explained that installing sod over only a few inches of topsoil caused drainage issues, with water pooling on the surface, leaving the area functioning more like a parking lot than grass. He noted that the proposed engineered grasses would allow for proper grading and improved drainage. He also stated that installing air conditioning would make the converted shipping container usable again.

Mr. Rocha stated that installing grass would enhance the area, noting that it was a high-traffic location where seasonal improvements would support outdoor

activities throughout the year. He expressed his full support for the proposal presented.

Dr. Sudler stated that Mr. Legans is doing an excellent job, particularly in the Fourth District, and served as a strong model for other businesses. He expressed appreciation for Mr. Legans' investment in the City of Dover and his commitment to serving the community.

Mr. Rocha stated that as downtown development progresses, particularly along Loockerman Street by 2030 or when completed, there would be a clear connection between the beer garden and Loockerman Street. He noted that the development would extend toward Mr. Legans' location and be supported by increased foot traffic, as the site was part of the downtown district.

Responding to Mr. Garfinkel, Mr. Legans stated that the project could be completed during the winter and estimated it would take about ten days to remove the old surface, level the area, install nail boards, and deliver materials. He noted they were exploring using the DE Turf Sports Complex to reduce costs and inquired about available old turf, as Fifer's Farm had done with their area, but was informed by Ms. Linda Parkowski that all the old turf had been used. He acknowledged that while using old turf could save some money, the project would likely require purchasing new turf, which was already accounted for in the budget.

Responding to Mr. Garfinkel, Mr. Legans stated that he did not seek a loan from a bank or credit union. He noted that in 2025, they made a significant investment in a tent for the ceiling to protect the area from weather elements, such as rain, since they did not have sufficient funds for the grounds.

Responding to Mr. Garfinkel, Mr. Legans clarified that their capital funds were sufficient and that they were using operational funds to do additional work. He explained that those funds would be coordinated with their current bank account to ensure the project's completion, and any overages would be covered.

Mr. Rocha moved to accept staff recommendations for the approval of the grant by the Legislative, Finance, and Administration Committee in the amount of \$50,000. The motion was seconded by Dr. Pillsbury.

Mr. Anderson stated that he supported the application based on its significant community impact. He explained that while economic development funds were not available for every business, this fund was created with community impact as a key criterion, which the for-profit business clearly met. He noted that the business has positively supported nonprofits, helped other businesses get started, and served as an economic incubator. He emphasized that the Economic Development Fund was established to reinvest proceeds from the sale of city-owned properties, particularly in Garrison Oak, back into economic development, job creation, workforce

development, and community improvement, rather than absorbing the funds into the general budget and losing their long-term impact.

Mr. Lewis stated that he would abstain from voting rather than vote no. He explained that his concern was that the funds could be diverted into the general fund and potentially used to cover a budget deficit instead of raising taxes. He added that he would take the same approach with any future applications seeking Economic Development Fund support and noted that, given the current budget, the city could face a deficit.

Mr. Rocha moved to accept staff recommendations for the approval of the grant by the Legislative, Finance, and Administration Committee in the amount of \$50,000. The motion was seconded by Dr. Pillsbury, carried by a roll call vote of eight (8) yes (Hall, Boggerty, Pillsbury, Arndt, Rocha, Neil, Shevock, Anderson), two (2) abstentions (Lewis and Garfinkel), and one (1) absent (Sudler).

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

Evaluation of Bids – Silver Lake Dam Repairs (Jason Lyon, Director of Water and Wastewater)

Mr. Jason Lyon, Director of Water and Wastewater, reviewed the background and analysis of the evaluation of bids for the Silver Lake Dam Repairs.

Staff recommended awarding the contract to Mar-Allen Concrete Products, Inc, for the Silver Lake Dam Repairs, request for quote #26-0009WW, for the amount of \$128,282.64.

Responding to Mr. Lewis, Mr. Lyon stated that the bidders explained that price increases were due to rising equipment costs. He noted this occurred with many projects and added that there were only two bidders, as finding additional companies capable of this type of work in the area was difficult, giving the bidders limited competition. Mr. Lyon explained that the funds being used came from savings in the streets program, which could have been returned to the general fund, but were recommended by his team to be applied toward the necessary repairs.

Responding to Mr. Lewis, Mr. Lyon stated that he did not attempt to apply for assistance through any agencies.

Responding to Mr. Lewis, Mr. Lyon stated that he would look into the other agencies, such as the Delaware Department of Natural Resources and Environmental Control (DNREC) and the Federal Emergency Management Agency (FEMA), that were responsible for dam safety repairs.

Mr. Lewis stated that agencies such as the Delaware Department of Natural Resources and Environmental Control (DNREC) and the Federal Emergency

Management Agency (FEMA) administer a national dam safety program and provide grants and technical assistance to support dam repairs at the state and local levels. He added that he would not support the bid, suggesting that Mr. Lyon could seek funding through those grant programs.

Responding to Mr. Lewis, Mr. Lyon stated that he had not researched that type of assistance but appreciated the information being brought to his attention. He noted that other federal grants they have received typically took two to three years to be awarded. While he was willing to look into the grant options, he emphasized that the repairs should be completed promptly.

Responding to Mr. Lewis, Mr. Lyon explained that the Silver Lake dam undergoes an annual inspection by a professional engineer, who rated the urgency of repairs based on potential impact, and noted that those particular repairs did not require immediate action.

Mr. Rocha appreciated Mr. Lewis for identifying the grant opportunity and noted that the repairs were part of ongoing maintenance that would benefit the city. He acknowledged that the work needed to be done and made a motion to accept the staff recommendation, emphasizing that delaying could result in higher costs, and recommended awarding the contract to Mar-Allen Concrete Products for the Silver Lake Dam repairs.

Mr. Rocha moved to accept the staff recommendation to award the contract to Mar-Allen Concrete Products, Inc. for the services and repairs for the Silver Lake dam. The motion was seconded by Dr. Pillsbury.

Responding to Mr. Bobby Wilson, Mr. Lyon stated that he had not reached out to DC Water.

Responding to Mr. Wilson, Mr. Lyon stated that they coordinated with the Delaware Department of Natural Resources and Environmental Control (DNREC) for the dam inspection program. He noted that a state inspector, who reviewed all dams in Delaware, recommended using the State Office of Supplier Diversity to identify companies qualified to perform the necessary repairs.

Mr. Wilson suggested reaching out to other municipalities that have experience with similar projects, as this could help identify additional qualified bidders.

Mr. Rocha moved to accept the staff recommendation to award the contract to Mar-Allen Concrete Products, Inc. for the services and repairs for the Silver Lake dam. The motion was seconded by Dr. Pillsbury and carried by a roll call vote of nine (9) yes (Hall, Boggerty, Pillsbury, Arndt, Rocha, Neil, Shevock, Garfinkel, Anderson), one (1) no (Lewis), and one absent (Sudler).

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

Street and Alley Rating Overview (Jason Lyon, Director of Water and Wastewater)

Mr. Jason Lyon, Director of Water and Wastewater, reviewed the proposal for the Street and Alley Rating Overview.

This item was informational, and committee action was not required.

Responding to Mr. Garfinkel, Mr. Lyon stated that in 2017, when the system was first installed, a quality control audit (QA/QC) was performed. He noted that roads could deteriorate or change at different rates, so if a road was last evaluated in 2017, conditions might have changed since then, or the road might degrade differently than neighboring streets. That made the ongoing quality control audit (QA/QC) challenging. However, at the time of installation, the system was evaluated as the individual conducted his assessments.

Responding to Mr. Garfinkel, Mr. Lyon clarified that after the installation and evaluation of the system in 2017, they did not have an additional audit.

Responding to Mr. Garfinkel, Mr. Lyon stated that the next audit would be in 2027.

Responding to Mr. Garfinkel, Mr. Lyon clarified that the roads are scheduled to be reevaluated in 2027. He respectfully disagreed with him, noting that after driving the roads, he observed that Bicentennial Village had significantly more transverse cracking compared to Freedom Street and Liberty Street. He explained that cul-de-sacs experience less wear because they do not have the same through traffic as regular roads. He added that the road had longitudinal cracking but overall less damage than other roads.

Responding to Mr. Rocha, Mr. Lyon stated that the snow removal process was consistent on all streets. He explained that the main concern was not the snow removal itself, but the effects of the freeze-thaw cycle during snowfall, which could worsen cracking in the roads.

Responding to Mr. Rocha, Mr. Lyon noted that he did not want to speak on behalf of the snow removal team, but stated that an internal conversation about the issue could certainly take place.

Proposed Ordinance #2025-14 – Amending Chapter 22 – Buildings and Building Regulations, Article I – In General, by adding Sec. 22-66 – Lemon Housing Protection (Council President Neil and Councilman Rocha)

Council President Neil and Mr. Rocha reviewed the background and analysis of the Proposed Ordinance #2025-14 – Amending Chapter 22 – Buildings and Building

Regulations, Article I – In General, by adding Sec. 22-66 – Lemon Housing Protection.

Staff recommended forwarding Proposed Ordinance #2025-14 to council for approval.

Responding to Ms. Arndt, Mr. Rocha stated that buyers are generally informed about inspections, though he was unsure whether the practice was specific to Delaware State Housing Authority (DSHA) or applied more broadly. In Ms. Butcher's case, he noted that the realtor ordered a walkthrough inspection, possibly assuming she could not afford a more comprehensive option. He explained that the proposed ordinance would ensure potential buyers were informed of the different types of inspections available and allowed to choose based on cost. Even if a buyer could only afford a walkthrough inspection, they would at least be aware of the type of inspection they were selecting, rather than discovering it at closing after purchasing the home. He emphasized that the information would be especially beneficial for first-time homebuyers, and that the proposed ordinance would provide that transparency.

Responding to Ms. Arndt, Mr. Neil stated that Ms. Butcher's situation involved a cover-up by a house flipper. He explained that disclosure requirements differ because homeowners who have lived in a house must disclose known problems, whereas a flipper who has not lived in the home could claim they were unaware of any issues. As a result, problems could be concealed, such as termite damage or other defects. He noted that Federal Housing Administration (FHA) inspections only required certain items for approval, which allowed issues to be hidden; for example, a hole in the roof may be patched and disclosed as patched, but not necessarily repaired. In Ms. Butcher's case, she stated that there was water damage that had been covered with a rug. He added that if all existing problems had been properly disclosed and reviewed, Ms. Butcher would not have been required to sign off on the purchase. Going forward, he stated that buyers would be required to sign off on all disclosed issues so no one could later claim the buyer was unaware and responsible for the problems. He emphasized that this had nothing to do with Delaware State Housing Authority (DSHA) versus the open market, as the law applied to everyone. However, he noted that it disproportionately affected individuals with limited financial resources, particularly those who relied on Delaware State Housing Authority (DSHA) loans because they could not afford the down payments required in the open market.

Responding to Mr. Boggerty, Mr. Neil clarified that there was no difference in standards, as all existing real estate industry documents and requirements were incorporated into the process. If those requirements changed, they would automatically be built into the proposed ordinance, including disclosure requirements. He explained that when an individual has never lived in a home, such as a flipper, they may state they were unaware of plumbing or electrical issues if those problems were not identified during inspection or appraisal. He noted that

appraisal reports stated that certain deficiencies must be corrected, and if they were not, the buyer should not receive the loan. He explained that the purpose of the measure was to take the appraisal report and require the buyer to acknowledge which issues they accepted or understood before purchasing the home, including situations where the buyer believed they could address the repairs themselves. That ensured buyers fully understood what they were getting into at the time of purchase, since there was no recourse after closing. He emphasized that the proposed ordinance acted as a preventative safeguard by providing buyers with as much information as possible. He added that the ordinance incorporated all current real estate industry requirements into law, and if those requirements changed in the future, the ordinance would automatically reflect those changes to maintain the same protections for buyers.

Responding to Mr. Boggerty, Mr. Neil stated that the document required under the ordinance was the same document presented at closing, but it would require the buyer to review it line by line and check off each item to confirm full awareness of its contents. He noted that the ordinance included a penalty provision stating that if an individual failed to comply with the ordinance, they would no longer be permitted to do business in the City of Dover.

Mr. Faust stated that when he purchased his home in 2002, he had a walkthrough inspection performed by a highly recommended inspector. He explained that the inspection covered only items that were visible and accessible, not concealed issues. As an example, the inspector reported that the insulation was in good condition, but a cracked heater block was later discovered, which the homeowner had to replace. He noted that he was not informed that there was no insulation in the house and was told that if problems were concealed and not visible during the inspection, the buyer had no recourse. He added that even if the law had changed since 2002, when issues are concealed and not identified by the inspector, there was nothing the buyer could do.

Ms. Arndt stated that she was not understanding the issue well enough to make an informed decision, so she would be abstaining from the vote.

Mr. Neil moved to recommend the adoption of Proposed Ordinance #2025-14. The motion was seconded by Mr. Rocha and carried with two (2) abstentions (Arndt and Pillsbury), and two (2) absent (Sudler and Lewis).

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

Mr. Anderson moved for adjournment of the Legislative, Finance, and Administration Committee meeting, hearing no objection the meeting adjourned at 8:51 p.m.

Mr. Neil moved for adjournment of the Council Committee of the Whole meeting, hearing no objection the meeting adjourned at 8:51 p.m.

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

Quarterly Revenue Report as of December 31, 2025

Members were provided the Quarterly Revenue Report as of December 31, 2025.

By consent agenda, Ms. Arndt moved for acceptance of the Quarterly Revenue Report as of December 31, 2025, seconded by Dr. Pillsbury and carried by a unanimous roll call vote.

Quarterly Review – Capital Investment Plan (CIP) (October, November, December)

Members were provided the Quarterly Report of the Capital Investment Plan as of December 31, 2025.

By consent agenda, Ms. Arndt moved for acceptance of the Quarterly Report of the Capital Investment Plan as of December 31, 2025, seconded by Dr. Pillsbury and carried by a unanimous roll call vote.

CONFIRMATION OF POLICE PENSION ELECTION

By consent agenda, Ms. Arndt moved for acceptance of the Confirmation of the Police Pension Election, seconded by Dr. Pillsbury and carried by a unanimous roll call vote.

Confirmation of Police Pension Election – Retired Lieutenant Timothy Mullaney, Sr. – Three (3) Year term to Expire January 31, 2029.

DISSOLUTION OF THE DOVER PARKING AUTHORITY

Mr. Dan Griffith, City Solicitor, briefed the members of council on the Dissolution of the Dover Parking Authority.

Responding to Dr. Sudler, Mr. Griffith explained that in 1954, the Dover Parking Authority was incorporated, and according to its language, it was to operate and maintain all street and public parking facilities in Downtown Dover. The Dover Parking Authority remained in that capacity from 1954 through 2008, and according to the timeline that was in with the materials in 2008, when the Downtown Dover Partnership was created. He noted that there were some entities that were folded into the Downtown Dover Partnership, and that Dover Parking Authority was one (1) of them. He also explained that because the role of the Downtown Dover Partnership was more than just overseeing the parking facilities, the Dover Parking Authority was supposedly dissolved at that time.

Responding to Dr. Sudler, Mr. Griffith stated that, to his understanding, the Dover Parking Authority essentially maintained, operated, and oversaw the parking facilities, employed personnel who would issue parking passes, parking cards, and collect fees for that purpose.

Responding to Dr. Sudler, Mayor Christiansen stated that the Dover Parking Authority originally managed the parking lot and managed all the metered parking downtown. He noted that two (2) technicians went around and collected the money out of the meters, as well as enforced fire lanes, handicap parking, and the parking near the fire hydrants, etc. That had disappeared when it was folded into the Downtown Dover Partnership, which was a precursor to the Downtown Development Authority. He added that the Main Street Program, the Parking Authority, and Main Street all combined into the Downtown Dover Partnership.

Responding to Dr. Sudler, Mayor Christiansen clarified that when the Dover Parking Authority moved into the Downtown Dover Partnership, all those entities went together.

Dr. Sudler moved for approval of the Staff's recommendation, seconded by Mr. Rocha and carried by a unanimous roll call vote.

FIRST READING REFERRAL – REZONING REQUEST FOR PROPERTY LOCATED AT 1600 NORTH LITTLE CREEK ROAD AND AN ADJACENT PARCEL AT 0.509 AC NORTH LITTLE CREEK ROAD – FIRST READING OF PROPOSED ORDINANCE #2026-07

Council President Neil reminded the public that copies of the proposed ordinance were available on the City's website at www.cityofdover.gov under "Government," or by contacting the City Clerk's Office at 302-736-7008 or cityclerk@dover.de.us. Staff recommended referral to the Planning Commission for a public hearing on February 17, 2026, and that a Public Hearing before City Council be set for March 9, 2026, at 6:30 p.m., at which time the Final Reading and Council action will take place.

Ms. Dawn Melson-Williams, Principal Planner, reviewed the Proposed Ordinance #2026-07 – Rezoning Request for property located at 1600 North Little Creek Road and an adjacent parcel at 0.509 AC North Little Creek Road.

Responding to Dr. Sudler, Ms. Melson-Williams stated that the uses in the Industrial Park Manufacturing Zone (IPM) do not incorporate any airport-type uses. She explained that there was an Industrial Park Manufacturing Zone Three (IPM-3) that would allow for airport-related functions. The Airport Environment Overlay Zone (AEOZ) was a zoning classification related to flight activities at the Dover Air Force Base and that included areas of accident potential zones and noise zones. She noted that there were some land use compatibility tests for properties that fall into those areas, but for the specific use of developing any kind of airport facility, the IPM Zone would be the appropriate one (1) based on their current zoning.

Responding to Dr. Sudler, Ms. Melson-Williams clarified that there was an IPM-3 Zone and that they currently do not have any property zoned, and that it was developed several years ago in anticipation of rezoning areas at the Horsepond Road area to the north of the base, where they find Kent County AeroPark and the adjacent Civil Air Terminal. That zoning classification of IPM-3 has uses that were related to airport functions, most clearly in their code.

Ms. Arndt moved to refer the request to the Planning Commission for a public hearing on February 17, 2026, and to set a public hearing before City Council on March 9, 2026, at 6:30 p.m. The motion was seconded by Dr. Pillsbury and unanimously carried.

In accordance with Section 1-9 of the Dover Code, Council acknowledged the First Reading of the proposed Ordinance #2026-07 as read by the City Clerk, by title only, as follows:

ORDINANCE #2026-07 – AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF DOVER BY CHANGING THE ZONING DESIGNATION OF PROPERTY LOCATED AT 1600 NORTH LITTLE CREEK ROAD AND AN ADJACENT PARCEL AT 0.509 AC NORTH LITTLE CREEK ROAD.

FINAL READING OF PROPOSED ORDINANCE #2025-21 – AMENDING CHAPTER 106 – TRAFFIC AND VEHICLES, ARTICLE I – IN GENERAL, BY ADDING SEC. 106-18 – STRICTLY ENFORCED (COUNCILMAN ANDERSON, CHIEF JOHNSON)

The First Reading of the Proposed Ordinance #2025-21 was accomplished during the Council Meeting of December 8, 2025. The ordinances are available at the entrance of the Council Chambers or on the City’s website at www.cityofdover.gov under “Government.”

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

Councilman David Anderson reviewed the Proposed Ordinance #2025-21 – Amending Chapter 106 – Traffic and Vehicles, Article I – In General, By Adding Sec. 106-18 – Strictly Enforced.

Responding to Mr. Neil, Mr. Anderson stated that the proposed ordinance improved public safety on several levels. He explained that it created a status offense related to individuals approaching vehicles, including walking into roadways, knocking on vehicle windows, or otherwise engaging drivers, which he described as a safety hazard that needed to be addressed. He further stated that the ordinance also addressed obstructions in medians. He noted that Delaware considered medians to be sensitive areas where certain activities, such as placing political signs, were restricted due to safety concerns. The proposed ordinance specifically targeted narrow medians where limited space created a risk of injury for individuals attempting to cross while medians were occupied. He stated that the ordinance was tailored to address those specific safety concerns and noted that similar ordinances have been upheld in multiple court cases and adopted in numerous jurisdictions across the country. He stated that the model had been tested nationally and that he had spoken with officials in jurisdictions where similar ordinances have been implemented, who reported positive outcomes. He concluded that the ordinance would reduce driver distraction, improve pedestrian safety, and address multiple safety concerns through a comprehensive approach rather than focusing on a single issue.

Dr. Sudler stated that he was in agreement with the conceptual model of needing safety regarding the medians. He noted that he had a difference of opinion. He expressed concerns about the recent modifications or amendments. He mentioned that it would be a good idea to send back to the committee, in conjunction with additional dialogue, what the constituents have been asking from

the Attorney General's Office regarding some clarity needed. He also added that formally having the Council President and/or Mr. Anderson as the sponsor of the ordinance has the Attorney General's Office come out and answer questions that the community has, in conjunction with allowing them to review the recent modifications. He stated that the ordinance needed to go back to the committee for approval and their input on the recent changes. He noted that the changes were good, and he expressed appreciation for making the changes, but he was at the point where he would not be able to support the ordinance.

Responding to Dr. Sudler, Mr. Anderson stated that whether he wanted to delay the ordinance or not, it was a matter for him to know the body to decide, or when it comes to the amendments, they were not changing the substance of it. He does not believe that the ordinance needed to be referred back to the committee, but if he wanted more time to digest the information, if the five (5) members wanted that, he would not be hurt by that. He explained that when it came to the Attorney General, that had never been done before, and that the Attorney General does not weigh in on city ordinances, because there were two (2) doctrines involved. First was the doctrine of the home rule and if they look at state law, it gave the cities a certain amount of a certain level of authority over certain areas. He noted that it has nothing to do with the Attorney General. To go here would be compromising their view of home rule, and anymore, and that was something that he would be cautious about doing, and that was why they have their own legal counsel. He cited Article Two, Section 18 of the Charter of the City of Dover, which was state law:

“The council is hereby vested with the authority to adopt ordinances of every kind relating to any subject coming within the powers and functions of the city, or relating to the government of the city, its peace and order, its sanitation, appearance and beauty, the health, safety, convenience and comfort of its population, and the protection and preservation of property, to include regulation of rental properties, safe communities, and land rentals, and to fix and impose and enforce the payment of, fines and penalties for the violation of any such ordinance; such penalties will be provided by the Dover Code of Ordinances and no provision in this Charter as to ordinances on any particular subject shall be deemed or held to be restrictive of the power to adopt ordinances on any subject not specifically enumerated.”

Mr. Anderson stated that if they look at the ordinances and the bodies of the ordinances, what was being proposed fits exactly within them because it has to do with when it comes to the city powers, and that the city powers were in maximal negligence. After all, it has to do with the city street, the population of the city of safety, and has to do with public order. Basically, the city authority was at its height when it was dealing with public streets in the public realm and dealing with safety issues. He stated that the Attorney General would not particularly come in and make public comments and that it would be inappropriate because that would violate the second area of doctrine, which was the separation of powers.

Responding to Mr. Rocha, Ms. Bennett clarified that the Proposed Ordinance #2025-21 was displayed on the screen, but the amendments were not in the packet.

Mr. Rocha concurred with Dr. Sudler that the proposed ordinance needed to go back to the committee. He noted that he did not have a chance to review the amendments, and the public

should be aware of the amendments as well. He added that since there were amendments, regardless of just for transparency, they needed to take another review of the proposed ordinance.

Dr. Sudler stated that he recognized and acknowledged that there was a distinction in the charter, and although the Attorney General's Office does not have any legal standing in how they govern their municipalities, he believed that it was best practice to partner with the state and with the county on different issues that affect Dover. He believed that it would allow them to display that they were adhering to not only individuals on council who have concerns for clarity of what could be enforced now and what was not, but also the constituents whom they represent and serve at their will.

Mr. Boggerty concurred with Dr. Sudler and Mr. Rocha that even minor matters require full information to properly support or oppose them. He questioned the prior argument regarding separation, clarifying that he was challenging the reasoning rather than the individual. He noted a limited connection in the argument and requested input from the City Solicitor. He referenced reviewing the issue using AI tools and discussed concepts of span of control and area of responsibility. He argued that the severability clause and the potential for future state action, similar to the Daughterling Act, could override or repeal the local measure, which they felt conflicted with the original position.

Mr. Griffith explained that there was the legal preemption doctrine, which meant that federal law preempts state law, state law preempts municipal law, so that although Dover was a home charter rule municipality, they were restricted from enacting any ordinance which was either contrary to state law or where the General Assembly has expressed its intention to occupy that entire field of in its own. He added that it was not out of bounds for the Attorney General's Office to weigh in on an ordinance that a municipality was contemplating, but the likelihood of getting a deputy attorney general to show and express the state's position would be unlikely. They could not subpoena a deputy attorney general to be there and ask them to voluntarily come and weigh in on the state's position on the matter.

Mr. Boggerty stated that they should let the state finish the work so that they could focus on other issues to move their city forward. He argued that this was not against homelessness, and that it was not coming from a point of sensitivity, but coming from a point of information and what they need to do to move their city with efficiency, effectiveness, and as harmoniously as possible. He noted that they do not have to embarrass individuals at their lowest moments because many of those individuals are one (1) paycheck away, one (1) mental health crisis away, and one (1) furlough away from being homeless. He emphasized that they need to stop embarrassing and humiliating individuals and stick to what they need to stick to, and make their city better. He suggested that he would supersede his colleagues if they were amenable to waiting for the state to make a decision.

Mr. Neil stated that the City Council has compassion for individuals who were homeless or who panhandle, noting that panhandling was legal in Dover. He explained that some individuals who panhandle struggle with addiction or mental illness, while others have chosen panhandling as a way of life. He emphasized that while individuals have the right to panhandle, accidents involving panhandlers can result in serious injury or death, creating significant emotional, mental, and financial consequences for drivers. He referenced an article written by Ms. LaChelle Paul on

January 21, 2026, regarding commentary on all state laws that were available, as well as his prior op-ed, *“Wheels of Justice or Crushing Cities,”* which discussed the lack of enforcement of existing laws. He stated that the City Clerk’s Office was asked to share Ms. Paul’s two (2) page article with Council members and noted that the document was available to the public upon request through the City Clerk’s Office. He cited Title 21, Section 4147 of the Delaware Code regarding soliciting on highways and stated that the statute was currently unenforceable, noting that in 202, the Delaware Attorney General directed law enforcement agencies to cease enforcement due to constitutional concerns, including free-speech issues. He reiterated that panhandling was legal in Dover. He stated that residents have expressed concerns through petitions and emails and indicated that documentation of those communications existed. He concluded that he would support the matter because saving lives was important, but emphasized that the issue was a statewide problem and should not place the full burden on the City of Dover and its residents.

Dr. Sudler made a motion to have the City Solicitor contact the Attorney General’s Office to invite Ms. Kathy Jennings to appear before Council and provide feedback on Ordinance #2025-21, regardless of whether the ordinance passed or failed. He stated that they still owed it to their constituents and council members to gather additional information and knowledge, which would benefit both groups. He emphasized that knowledge was power and that one (1) can never have too much of it.

Dr. Sudler made a motion to have the City Solicitor contact the Attorney General’s Office to invite Ms. Kathy Jennings to appear before council and provide feedback on Ordinance #2025-21, regardless of whether the ordinance passed or failed. The motion was seconded by Mr. Lewis.

Responding to Mr. Neil, Mr. Griffith stated that if council directed him to contact the Attorney General’s Office, he would do that.

Mr. Rocha asked to have the motion read again for clarity.

Dr. Sudler stated that the motion on the floor was that they have the City Solicitor contact the Attorney General’s Office, Ms. Kathy Jennings, to come before the city council and the constituents of Dover to give feedback on the Ordinance #2025-21 within 30 days.

Responding to Dr. Sudler, Mr. Griffith suggested that it would be more appropriate to act on the ordinance before considering contacting Ms. Jennings and then doing that. He noted that they should move to postpone consideration of the ordinance first, and then once the ordinance has been postponed.

Responding to Mr. Griffith, Dr. Sudler stated that he did mention in his motion whether or not the ordinance passed, he wanted to have the general information, and referenced Mr. Boggerty’s comment that the state legislature’s general assembly says this was not going to be permissible, and then they could challenge it, so either way, they need to gain the knowledge.

Responding to Dr. Sudler, Mr. Lewis suggested that he put in his motion that the ordinance be brought back to the committee to review the amendments. To his understanding, he stated that the

ordinance should have gone back to the committee. He referenced Mr. Rocha's comment that the ordinance should be sent back to the committee for review.

Dr. Sudler amended his motion for further review due to the amendments and that the City Solicitor contact the Attorney General's Office, Ms. Kathy Jennings, to come before council and address the constituents and council members concerns for clarity in what was enforceable and not enforceable. The motion was seconded by Mr. Lewis.

Mr. Anderson stated that the question should be divided between the Attorney General and the referral to the Council Committee of the Whole and that he had no issue with council reviewing the amendment, noting that there had been no change in substance. However, he emphasized the need to clearly distinguish between the two (2), explaining that one (1) of the reasons for pursuing the ordinance stemmed from the October 28, 2025, meeting, when the Chief Deputy appeared before the Council Committee of the Whole. At that time, the Chief Deputy stated that if additional prosecutors were hired, they would not focus on enforcing minor offenses. As Mayor Hutchison stated, that was one (1) of the reasons the city needed to take matters into its own hands, as the Department of Justice was not addressing those types of issues. Regarding the state, he noted that preemption was always a possibility, as the state can preempt any city action at any time. However, he stated that if Majority Leader Townson was leaning toward the city's position, preemption was unlikely, as he would not bring such a matter to the floor.

Mr. Anderson made a motion to divide the question so that each part would be voted on separately: the Attorney General portion and the referral to the committee. The motion was seconded by Ms. Arndt.

Responding to Dr. Sudler, Mr. Griffith clarified that dividing the question was not legally necessary to separate the issues. He stated that he believed his motion had been seconded, noting that Mr. Anderson commented after the motion was made. However, he did not believe it was appropriate for Mr. Anderson to make a second motion while his motion was still pending.

Mr. Anderson called for a point of order. He stated that, upon reviewing the division of the question, such a motion is intended for circumstances in which a matter contains two (2) distinct portions. In those cases, any member may move to divide the question so that each portion would be voted on separately. He noted that not only was the motion made, but it was also seconded, although a second was not required to bring the division to a vote.

Mr. Griffith stated that, while they agreed conceptually, procedurally, the motion as presented should be voted down. He explained that the reason for voting against it would be to allow the motion to be divided and considered separately.

Responding to Mr. Griffith, Mr. Anderson asked that the division of the question be reviewed, stating that he believed it would show that a separate motion was not required.

Dr. Sudler called for a point of order. He stated that only the Council President could instruct the City Solicitor to look something up and that the Council President should intervene and authorize such action. He emphasized that matters should be handled properly and not based on personal advantage when outcomes were not going in one's favor.

Mr. Griffith stated that Mr. Anderson was correct, noting that while a multi-part motion is pending, a motion may be made to divide it.

Mr. Anderson raised a point of information, stating that now that a ruling had been made that the question was in process, the vote would be conducted in two (2) parts.

Responding to Mr. Anderson, Mr. Griffith clarified that the vote would be conducted on two (2) parts for the motion, and that typically the mover would identify what each question entailed.

Ms. Bennett, City Clerk, read back each question for clarification. She stated that the first part was to refer the matter back to the committee for further review. The second part was, regardless of whether the ordinance passed, to request that the City Solicitor contact the Attorney General's Office and ask that the Attorney General attend a Regular Council Meeting regarding the ordinance to provide feedback within 30 days on whether it was enforceable or not enforceable.

Ms. Arndt voted no because they have debated and discussed enough and felt that she had enough information to move forward.

Dr. Sudler moved to refer Ordinance No. 2025-21 back to the committee for further review. The motion was seconded by Mr. Lewis, and carried with a roll call vote of six (6) yes (Hall, Boggerty, Pillsbury, Rocha, Sudler, and Lewis), two (2) no (Arndt and Neil), and one (1) abstention (Anderson).

Dr. Sudler made a motion that, regardless of whether Ordinance No. 2025-21 passed, the City Solicitor be requested to contact the Attorney General's Office and ask that the Attorney General attend a Regular Council Meeting regarding the ordinance to provide feedback within 30 days on whether it was enforceable or not enforceable. The motion was seconded by Mr. Lewis, and carried with a roll call vote of seven (7) yes (Hall, Boggerty, Pillsbury, Rocha, Sudler, Lewis, and Neil), two (2) no (Anderson and Arndt).

Responding to Mr. Neil, Mr. Anderson stated that because Dr. Sudler's motion had passed, his motion to amend the ordinance would return to committee along with the underlying ordinance for consideration.

FINAL READING OF PROPOSED ORDINANCE #2025-25 – AMENDING APPENDIX F – FEES AND FINES, CHAPTER 46 – FIRE PREVENTION AND PROTECTION

The First Reading of the Proposed Ordinance #2025-25 was accomplished during the Council Meeting of December 8, 2025. The ordinances are available at the entrance of the Council Chambers or on the City's website at www.cityofdover.gov under "Government."

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

Mr. Jason Osika, Deputy Fire Marshal, reviewed the Proposed Ordinance #2025-25 – Amending Appendix F – Fees and Fines, Chapter 46 – Fire Prevention and Protection.

By motion of Ms. Arndt, seconded by Ms. Hall, Council, by a unanimous roll vote, adopted Ordinance #2025-25 as follows:

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

That Appendix F – Fees and Fines, Chapter 46 -Fire Prevention and Protection, be amended to read as follows:

Chapter 46. Fire Prevention and Protection

Chapter 46. Fire Prevention and Protection	Fees and Fines
<i>Article I. In General</i>	
Sec. 46-1. Means of egress	
Subsec. (f) Penalties	
Any exit access, exit, or exit discharge, with the exception of a locked exit door, found to be in violation of this section	\$100.00 first offense \$200.00 second or subsequent offense
Any required exit door found to be locked against egress	\$100.00 each locked exit first offense, \$200.00 subsequent offense
Sec. 46-3. Impairment of fire protection equipment	
Subsec. (f) Fines	\$100.00 per device, first offense; \$200.00 per device, second and subsequent offenses
Sec. 46-7. Preventable and malfunctioning alarms to the fire company	
Subsec. (a)(1) Responsibility for malfunctioning and preventable alarms, owner response, and corrective action; generally	Should the person notified fail to appear at said premises within 30 minutes after being notified to do so, the city may charge the owner of the premises a fine of \$100.00
Subsec. (a)(2) Responsibility for malfunctioning and preventable alarms, owner response, and corrective action; malfunction	Failure to return documentation of service/repair within the period of time stated on the notice of violation, which is satisfactory to the fire

	marshal, will result in assessment against the owner of a fine of \$100.00 for the fire alarm malfunction
Subsec. (b)(1) Fine charges; multiple fire alarm malfunctions or preventable alarms; amount of fine	
Number of preventable or malfunctioning fire alarms	Fine per preventable or malfunctioning fire alarm
Third alarm	\$100.00
Fourth alarm	\$200.00
Fifth alarm	\$250.00
All over fifth alarm, each alarm	\$250.00
Subsec. (b)(2) Fine charges; multiple fire alarm malfunctions or preventable alarms; panel reset	A \$50.00 fine may be assessed to the owner of a premises where the fire alarm has been reset before the fire department or assisting fire department arrives. \$100.00 for second and subsequent offenses
Sec. 46-8. Maintaining a known violation or hazard	
Subsec. (c)(1) Penalties; Any fines issued for violation of this section	
Minor deficiency	\$500.00
Major deficiency	\$1,000.00
<i>Article II. Fire Department</i>	
<i>Article III. Fire Codes</i>	
Fees established in subsection (b) of this section shall be doubled in the event that a permit is applied for after construction has commenced without the permission of the fire marshal. The fire marshal shall waive the doubling of fees in cases where the permit applicant is not a professional contractor and the work is not being done by a professional contractor.	
Sec. 46-126. Fire prevention permit	
Subsec. (b) Fee; each applicant	\$25.00 for each \$1,000.00 of costs or multiple thereof of the fire protection system; provided that a minimum fee for each permit shall be \$150.00

Subsec. (c) Reinspection	
First reinspection	No charge
Second reinspection	\$100.00
Third reinspection	\$200.00
Any subsequent reinspection	\$250.00
Subsec. (d) Fire alarm system inspection fee	
Certificate of inspection	\$25.00 per fire alarm system
Subsec. (e) Fire suppression system inspection fee	
Certificate of inspection	\$25.00 per fire suppression system
Sec. 46-127 Smoke detection devices	
Subsec. (g) Violations; penalties	Revocation of any existing license to do business in the city, or a fine of not more than \$150.00 per violation, or both such penalties
<i>Article IV. Public Occupancies</i>	
Sec. 46-164. Fees	
Assembly	No charge for an occupant load less than 75; \$100.00 for an occupant load of 75 or greater
Assembly—Fixed Seating	\$100.00 for first 200 seats and \$10.00 each additional 50 seats
Educational	\$100.00
Day Care	\$50.00 for Day Cares as defined by Appendix B—Zoning, Article 5, Sections 14.22, 14.23 and 22.1; \$100.00 for other day cares
Health Care	\$100.00 first 25 rooms and \$5.00 for each additional room
Ambulatory Health Care	\$100.00
Residential	\$100.00 per building
Residential Board and Care	\$100.00
Mercantile over 10,000 sq. ft.	\$100.00
Business over 10,000 sq. ft.	\$100.00

Industrial	\$100.00
Storage over 10,000 sq. ft.	\$100.00
Assembly special provisions 1	\$25.00
Assembly special provisions 2	\$100.00
Sec. 46-168. Reinspection fee	
Subsec. (a) Amount	\$25.00 for any repeated violation cited by the fire marshal, determined to be a violation and which requires a follow up inspection to confirm the correction of the violation
Subsec. (b) Fee attached	A fee may be attached to any summons written for any violation found to be uncorrected upon reinspection
<i>Article V. Fire Lanes</i>	
Sec. 46-202. Violations; penalties	
Subsec. (c) Other obstructions	Any property owner or tenant found to be in violation; \$50.00
Subsec. (d) Failure to mark	Any property owner found to be in violation; \$50.00
Sec. 46-205. Responsibility of owner or tenant	Any property owner found to be in violation; \$50.00

ADOPTED: January 28, 2026

CITY MANAGER'S ANNOUNCEMENTS

Mr. Hugg announced that the upcoming Council Workshop will be on Friday, January 30, 2026, located in the Council Chambers.

Responding to Dr. Sudler, Mr. Hugg stated that the Council Workshop was open to the public. Dr. Sudler stated that he would be asking questions referring to where they could reappropriate, non-restricted funds to give their constituents some kind of relief with their utility user fees.

MAYOR'S ANNOUNCEMENTS

Mayor Christiansen expressed his gratitude to the city crews for their dedicated service during the snowstorm over the past weekend. He also thanked residents for their patience and understanding as the city worked through challenging conditions, including responding to emergencies and continuing snow removal efforts. He announced that the St. Patrick's Day Parade will take place on March 14, 2026, and emphasized the need for volunteers to help make the event a success. He encouraged anyone interested in volunteering to contact his office so they can be connected with the Irish Society of Delaware.

COUNCIL MEMBERS' ANNOUNCEMENTS

Mr. Rocha expressed his gratitude to the staff who participated in snow removal efforts.

Dr. Sudler echoed Mr. Rocha's appreciation and shared the same sentiments toward the staff.

Mr. Anderson announced that on February 3, 2026, the Teen Town Hall hosted by Culture Creator Cohort 11, located at 20 East Division Street between 5:00 p.m. and 7:00 p.m. He also announced on February 7, 2026, Black History Month, located at the Sankofa Cultural Arts Center, starting at 12:00 p.m. He expressed gratitude towards the individuals of the city who have supported the pedestrian safety ordinance and noted that 90% of the individuals who had made contact were supportive of the ordinance. He appreciated those individuals for making an effort.

Mr. Anderson announced that on February 3, 2026, the Teen Town Hall hosted by Culture Creator Cohort 11 will take place at 20 East Division Street from 5:00 p.m. to 7:00 p.m. He also announced a Black History Month event scheduled for February 7, 2026, at the Sankofa Cultural Arts Center, beginning at 12:00 p.m. He expressed his gratitude to community members who supported the pedestrian safety ordinance, noting that approximately 90% of those who provided feedback were in favor of the measure. He thanked them for their efforts.

Mr. Neil expressed gratitude towards the staff who have been phenomenal during the cold weather streak they were in.

The meeting adjourned at 8:24 p.m.

ANDRIA L. BENNETT
CITY CLERK

All ordinances, resolutions, motions, and orders adopted by the City Council during their Regular Meeting of January 28, 2026, are hereby approved.

ROBIN R. CHRISTIANSEN
MAYOR