

COUNCIL COMMITTEE OF THE WHOLE

The Council Committee of the Whole was held by video conference on June 23, 2020 at 6:00 p.m., with Council President Hare presiding. Council members present via video or telephone were Mr. Anderson, Mr. Sudler, Mr. Neil, Mr. Slavin, Mr. Cole, Mr. Polce, Mr. Taylor, and Mr. Lindell. Civilian members present via video or telephone for their Committee meetings were Ms. Maucher (*Utility*), Mr. Contant and Mr. Shevock (*Legislative, Finance, and Administration*), and Mr. Shelton (*Safety Advisory and Transportation*). Mr. Wagner was absent (*Safety Advisory and Transportation*).

UTILITY COMMITTEE

The Utility Committee met with Chairman Cole presiding.

ADOPTION OF AGENDA

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

Evaluation of Bids - Meeting House Branch Sewer Replacement

Mr. Jason Lyon, Water and Wastewater Director, reviewed the background and analysis regarding the Meeting House Branch Sewer Replacement.

Staff recommended awarding the contract to Teal Construction, Inc. for the City of Dover Meeting House Branch Sewer Replacement Project, Bid #20-0027PW, for \$205,665.00.

Responding to Ms. Maucher, Mr. Lyon stated that the amount of bids depends on the type of project and the economic climate that they are in. He noted that he has seen where they have about three or four bids, but it is really tough to predict especially with everything going on with the COVID pandemic. Mr. Lyon stated that a large majority of these contractors have been working throughout the pandemic, so they have been busy. One of the economic drivers that is going on, at least in the area is not atypical, but it just depends on a lot of factors.

Responding to Mr. Taylor, Mr. Lyon stated that he would need to double check with Procurement, but that they did submit a list of qualified vendors, which included minority business owners and disadvantaged business owners. He noted that they submitted that out with the advertisement to bid, which is publicly advertised for newspapers and on the City's website. Mr. Lyon stated that there were no pre-bid meetings, it is not a requirement of the procurement policy. He stated that it is an avenue that they can go if the project is complex or if they feel that there needs to be clarity provided at that meeting.

Mr. Taylor stated that puts the minority business owners at a grave disadvantage and does not give them a level playing field. He stated in the future, he would like if they go through the pre-bid meeting process and that tells everyone exactly what the expectations are and how to bid on these jobs. He stated that is one of the failures that they have, that they are not teaching people how to do it properly. Mr. Lyon noted that typically when they have a pre-bid meeting, it is mandatory that the people that bid on it attend those meetings. He stated if they cannot make the meeting, then they are ruled out of the bidding process.

Mr. Neil moved to recommend awarding the contract to Teal Construction, Inc. for the City of Dover Meeting House Branch Sewer Replacement Project, Bid #20-0027PW, for \$205,665.00, as recommended by Staff. The motion was seconded by Mr. Slavin and unanimously carried.

Extension of NAES (North American Energy Services) Contract through June 30, 2021

Mrs. Donna Mitchell, City Manager, reviewed the background information regarding the extension of NAES (North American Energy Services) Contract through June 30, 2021.

Staff recommended approval of the Second and Amended Restated Operation and Maintenance Agreement between NAES Corporation and the City of Dover, a one-year extension through June 30, 2021.

Mr. Neil stated that this is the second time they have had a bid that could be lower than what they have actually approved. He stated that they should have less cost with this, as well as with the bids for the Meeting House Branch Sewer Replacement. Responding, Mrs. Mitchell stated that this is not truly a bid, it is a contract extension. She noted that NAES has been under contract with the City for some time and they are just extending this contract through the final year of running McKee. She stated that they will be doing an RFP for future operation and maintenance on Vansant and they will be bidding that out.

Responding to Mr. Neil, Mrs. Mitchell stated that the cost this year on this contract is less.

Mr. Neil moved to recommend approval of the Second and Amended Restated Operation and Maintenance Agreement between NAES Corporation and the City of Dover, a one-year extension through June 30, 2021, as recommended by Staff. The motion was seconded by Mr. Lindell and unanimously carried.

Mr. Neil moved for adjournment of the Utility Committee meeting, seconded by Mr. Lindell and was unanimously carried.

Meeting adjourned at 6:10 p.m.

LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE

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

ADOPTION OF AGENDA

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

Motor Vehicle Record Review Policy

Mrs. Kim Hawkins, Human Resources Director, reviewed the Motor Vehicle Record Review Policy.

Staff recommended approval of the Motor Vehicle Record Review Policy.

Responding to Mr. Contant, Mrs. Hawkins stated that they do require all of the employees that drive a City vehicle to take defensive driving. She noted that they do it every three years and it is actually due this year, a member of Human Resources is coordinating that for hopefully September or October depending on COVID and when they all can get together.

Mr. Neil asked if a DUI is automatically a 12-point offense if convicted. Mrs. Hawkins stated that on page three of the policy, it talks about a DUI. She noted that they have had situations in the past where they have

had employees with DUIs and they really have to wait and see what the court system does with them, whether it is actually an offense or if they go through the First Offenders' Program.

Responding to Mr. Slavin, Mrs. Hawkins stated that the policy may be in conflict with the Police Officer's Bill of Rights, and Police Chief Johnson would apply the provisions of this policy separately for the Police Department.

Responding to Mr. Slavin, Mrs. Hawkins stated that she did not vet that issue at all with legal counsel to determine that the conflict was or if the conflict has been tested to be proven.

Mr. Slavin requested the City Clerk to see if the City has a legal opinion about this and if they have not, then request one. He noted that these are the very issues about policing that they are hearing about, about transparency. He stated he cannot sit by and approve another policy that exempts one class of employees in the City but applies it to another class of employees and that they need fairness, evenness, and transparency when they are applying these things. Mr. Slavin stated if the issue is that the Police Officer's Bill of Rights does not allow them to do this, they need to communicate to their legislators that as a municipality, they are bumping into these issues. He noted that it is preventing them from having fair policies for all employees.

Mr. Anderson asked if they should do this before they negotiate with unions, because it cannot really be effective. He requested to hear more about the employee owned vehicle scenarios where an employee is driving their own vehicle. He noted that seemed to be more problematic.

Responding to Mr. Anderson, Mrs. Hawkins stated regarding employee owned vehicles, that the reason that they have included that is because they would bear some of the responsibility if the individual was in a vehicle accident, they could have insufficient limits on their auto insurance and then the claim would fall back on the City of Dover. She noted they want to make sure that they are a safe driver as well. Mrs. Hawkins stated regarding union issues, that they are actively engaged with two of the unions right now in contract negotiations. She noted that the DOE unit, she has emailed the policy to the president and advised them of it. She is hoping he will, in essence, come to the table and talk about it so they can get it implemented.

Mr. Anderson stated that he understood the law enforcement Officer's Bill of Rights deals with the personnel issues that they have to deal with internally, but his concern is if they pass this before the unions sign on, then are they not just binding only one small group of employees, the non-bargaining, until the unions come on board. Mrs. Hawkins stated that the City has the ability to implement any policy that it wishes to, but based upon labor law they have to negotiate the impact that it has on it. She stated if City Council passes the policy, the policy is the policy and they are going to adhere the unions to it. Mrs. Hawkins strongly encourages them to come to the table and talk about it so they can make it work for everybody.

Mr. Neil moved to recommend referring the item back to Staff until the questions are answered and they come back to the Committee at that point. The motion was seconded by Mr. Anderson.

Mr. Casey Jaywork, 14 South Bradford Street, expressed his support for what Mr. Slavin stated against exempting certain City employees from policies that apply to other employees.

Mr. Sudler asked if they could use a timeframe between 7:30 a.m. to 5:30 p.m., be covered through the City's insurance and then anything after 5:30 p.m. would not be covered. He noted that it could steer them away from major issues like DUIs or accidents. Responding to Mrs. Hawkins, Mr. Sudler clarified that he was suggesting that if a driver obtains any points from the hours of 8:00 a.m. to 5:00 p.m., whatever the time frame is, would be considered but if the driver earns any points from 5:00 p.m. until 8:00 a.m. they would disregard those. He asked if there is a process available in the insurance plan that they would consider that. Responding, Mrs. Hawkins stated she would have to go out on a limb and say that Travelers is not going to support that. She stated they are going to look at the entire history of the driver.

Mr. Sudler requested Mrs. Hawkins to get an official statement from Travelers stating that they are not interested in that.

Mr. Hare stated he agreed with Mr. Slavin and addressed Mr. Sudler's concerns. Mr. Hare noted that he could not provide details, but with his position on the Accident Board, if the City is aware of an employee's driving record after 5:30 p.m. and before the employee comes back to work and they have multiple points and a DUI and the City takes no action, during that day that employee is in an accident, it is going to come back to the City. Mr. Hare stated that it will still be the City's and the insurance company's responsibility. He noted if the employee is hurt, it is going to be the City's responsibility for a Workers' comp issue plus any liability or damage. Mr. Hare stated that he did think it should apply to all personnel and their records should be checked. Mr. Lindell agreed with Mr. Hare and Mr. Slavin.

Mr. Sudler stated that he is just inquiring if there is a time zone or just something that could be worked out where the City will not be liable. Mrs. Hawkins stated that if they were going to consider the timeline, to consider an example of an employee losing their license after work. She stated it just gets very convoluted as to what time frame and she did not know if the time frame is captured at the Delaware Department of Motor Vehicles (DMV).

Mr. Contant stated he agreed that they should have one set of policies that apply to everyone so they are not elevating one class of citizen over another. He noted that he did not think that they should look at separating the timeframes. He noted that whether it is working hours or non-working hours, the City is going to be liable for anything that happens during working hours. He stated that this is mostly centering around Traveler's suggestion and whether or not it happens on the City clock or not, an insurance policy in their formulas are going to come down to the probability that they are going to have to pay out a claim. Mr. Contant stated he did not think they should necessarily try to consider a policy that only looks at their driving record while an employee is working, especially as it concerns the City and liability and the fact that insurance companies are all based on probability. Mr. Contant noted that driving is not a right, it is a privilege and the City should be very careful who they give that privilege to, since they will be ultimately liable for any action that an employee takes, or any crash or injury sustained during that time on the clock.

Mr. Neil moved to recommend referring the item back to Staff until the questions are answered and have them come back to the Committee at that point. The motion was seconded by Mr. Anderson and unanimously carried.

Discussion - Fiscal Year 2021 Audit Program

Ms. Lori Peddicord, Controller/Treasurer, reviewed the Fiscal Year 2021 Audit Program.

Staff recommended acceptance of the audit program.

Mr. Neil stated that the report says recommend summary of the findings and he suggested that it show some sort of a capsule of what their recommendations are or their findings are at the front of it. He stated that it is so as they go through the audit, they have an idea of what they are looking for, just so if there is a problem, they have seen it. Ms. Peddicord took note of Mr. Neil's suggestion and stated they are continuously back and forth with the auditors. She stated this year will obviously be a little different because she thinks they are planning to do a lot of the preliminary work and the internal controls remotely unless some of the COVID social distancing and travel restrictions are lifted.

Mr. Anderson moved to recommend accepting the audit program with Mr. Neil's additions. The motion was seconded by Mr. Cole and unanimously carried.

Mr. Neil moved for adjournment of the Legislative, Finance, and Administration Committee meeting, seconded by Mr. Cole and unanimously carried.

Meeting adjourned at 6:45 p.m.

SAFETY ADVISORY AND TRANSPORTATION COMMITTEE

The Safety Advisory and Transportation Committee met with Chairman Taylor presiding.

ADOPTION OF AGENDA

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

Update on Code Enforcement and Division Goals

Mr. Ron Coburn, Code Enforcement Officer, reviewed a presentation titled "Code Enforcement - Overview, goals and objectives" (**Attachment #1**).

Mr. Anderson, referring to downtown, stated that there are a lot of people who feel like that is targeting them when there are problems all over the City. Responding, Mr. Coburn stated that when he says focus on downtown, it is basically on the Loockerman Street area. He noted that they want to try to get the businesses occupied on that street. Mr. Coburn stated it seemed like that has been an ongoing goal of the City of the 19 years he has been with them, to try to get new businesses downtown occupied.

Mr. Anderson asked, regarding repeat drug places, have they thought about pursuing civil forfeiture or if there were mechanisms for the multiple places that are empty, abandoned and or with issues. Responding, Mr. Hugg stated that the cooperation between the Police Department and the Code and Fire Inspectors is outstanding. He noted they have a protocol and that there are a lot of situations where if one of the inspectors believes there is a problem or feels uncomfortable, they will call a police officer to join them and vice versa. Mr. Hugg noted that they have been called by the Dover Police Department from time-to-time to send a Code Enforcement Officer along the way. He stated that one of their goals is for them to get to small enough areas where the inspectors know the buildings, owners, renters and are increasing more responsive.

Over the years they have kind of bounced around the City and not necessarily built that relationship and that is really important. He stated that they have heard from the Downtown Dover Partnership (DDP) and downtown business owners that when they are able to concentrate on a block like Queen Street, when the inspector is visible and out of the car in the neighborhood, they get a lot of cooperation, support, and appreciation for that effort.

Mr. Neil stated he did not realize the department was as shorthanded as they are, but that they have been absolutely terrific in terms of responses when he has had constituent complaints. He expressed his appreciation that the code inspectors show up for Homeowner's Association (HOA) meetings.

Responding to Mr. Taylor, Mr. Hugg stated that 52% of the City are renters was reported from 2017 or 2018. He noted that it is a little outdated, but that is the number that is both in the housing plan and in the census data. He noted that it is over 50% of dwelling units in the City that are rental occupant and it is as high as 70 or 80% in certain sections downtown.

Responding to Mr. Taylor, Mr. Coburn stated that most of the vacant buildings are either owned by banks that have been in foreclosure or they are owned by people that live in Delaware. Mr. Taylor asked if there was anything they knew of that they could do to push the banks to start taking care of those properties. Mr. Coburn stated that the banks were overwhelmed for the longest time and that several of the banks are starting to get a lot of them. He stated they were not just dealing with foreclosures in Dover, but nationwide. The banks are starting to get their plate cleaned off. Mr. Coburn stated when he took over the vacant building program five years ago, there were as many as 400 vacancies, but is down to 180. He noted that a couple of the problematic properties that they deal with live right in Dover and do not want to do anything or they play the system.

Responding to Mr. Lindell, Mr. Hugg stated they have not done any research on looking at comparable communities about their size and with similar percentage of rentals versus homeownership or others code enforcement. He noted that it is a good suggestion. Mr. Hugg stated as they move through monthly reports they will see if they can get a better handle on the numbers, distribution, and how that compares to other areas.

Mr. Lindell stated those were most of the complaints he receives especially from homeowners who have invested in the community. He stated a part of the issue, if they are trying to turn around home ownership in this community, is that people are not going to invest in owning a home if they do not clean up the messes that are around them. Now there is a place for rentals in the community, but they need to make sure they have invested significantly in enforcing the code.

Mr. Sudler, regarding staffing concerns, asked if the department conducts an exit survey interview to try and predict and be proactive with key and core issues that are affecting the turnover rate or tension of the employees. He stated that they might want to look into that and can do it simply online. Responding, Mr. Coburn stated that the Human Resource Department does an exit interview when people leave. Mr. Hugg stated that Code Enforcement generally is an area where people come to work for the City of Dover. In many cases stay with the City of Dover, but move into another department. He noted that has happened a number of times. Mr. Hugg stated they are just sitting in kind of a weird situation right now with medical injuries that are not job related necessarily.

Mr. Hugg stated that they also have a Chief Building Inspector, two building inspectors, and a Fire Marshal and three deputies, all of whom are also inspectors. He noted they have a flexibility at least to reach out into another department, another division, the same department from time to time, to help them fill in.

Responding to Mr. Taylor, Mr. Coburn stated that he did not know how well interns would work. He noted the code is very in-depth and that it takes somebody about a year to get comfortable doing a job.

Mr. Casey Jaywork, 14 South Bradford Street, asked if there had been any talk about trying to use vacant buildings to create shelter housing for unhoused people. Responding, Mr. Coburn stated that they would have to have the property owners' permission in order to house people there. Mr. Hugg noted that they have been working with NCALL and Habitat for Humanity for housing. He stated that the reduction in the number of vacant buildings is in part because they are either working with one of those entities to have that building removed and a new building erected, or where there has been efforts to rehabilitate buildings. They have also had cooperation of at least some large land or property owners who have realized that maybe they could have gotten away with not fixing their buildings in the past. That situation has changed, and they become much more interested in fixing their building up and getting it ready. Mr. Hugg stated they still have ways to go there, but they have made some progress with some landlords who otherwise had not taken necessary care of their properties.

Mr. Hugg stated that all of the Council and Committee members were welcome to call the Planning and Inspections Department. He noted that they welcome them coming to the department and raising an issue. He stated the sooner they know about a problem, the more responsive they can be. Mr. Hugg stated that all of the Code Officers are committed to responding as quickly and efficiently as possible.

Police Chief Thomas Johnson concurred with Mr. Hugg's assessment about the working relationship between Planning and Inspections and the Police Department. He stated it works to compliment each other in moments where they can both achieve their goals. They are going to do everything they can to maintain that good relationship and keep those lines of communication going back and forth.

Community Announcement Regarding Actions and Initiatives Designed to Increase the Accountability of the Dover Police Department to Our Residents and Visitors

Dover Police Chief Thomas Johnson reviewed the Community Announcement regarding actions and initiatives designed to increase the accountability of the Dover Police Department to our residents and visitors.

Mr. Cole stated that they have been talking about transparency and building trust and asked who would determine the right training that is needed. Mr. Cole noted that he was not sure if that is a budget issue as well. Mr. Taylor noted that Chief Johnson was only the new Chief of the Dover Police Department, but he has been a law enforcement officer for decades. Responding to Mr. Cole, Chief Johnson stated he was trying to work to identify the training that he believes is connected to the issues that are facing them right now in their policing profession. Chief Johnson stated however, he has a boss, a Council, and a community, that is hopefully going to help inform him in the selection and delivery of training. He stated he wanted to try and get to all of it and that he needs to do it in a cost effective, efficient manner, because he respects the fact that the budget piece of this is important. Chief Johnson noted that if it turns out that he does not need all the money for the training budget and this upcoming fiscal year to accomplish goals that he thinks everybody will be proud of, he is going to return the excess.

Responding to Mr. Sudler, Chief Johnson provided the following information:

- They have two separate standalone training mechanisms to help recognize and acknowledge prejudice thoughts or impulses. One is on implicit bias that is delivered on a regular schedule and other is a bias-based policing training, which is obviously a similar topic, but has different things that are more specific to the craft of law enforcement.
- They have been having some discussions internally about trying to retain the professional services of perhaps, for lack of a better term, the department psychologist. He needs someone that understands some of the issues that are in play, but this psychology resource that he is trying to identify and see how it would fit inside the organization could also be an aid in that process.
- Regarding training based on the Diversity Inclusion report, he has not had a chance to read it all the way through. The report is going to be one of the things that informs. He also asked a higher-ranking member of the regional National Association for the Advancement of Color People (NAACP) to be a part of the strategic planning process this fall and into the winter.

Mr. Sudler stated he was initially concerned about no elected officials on the Community Advisory Board. He stated sometimes it is not easy for a grouped spirit from the community to interact with police relations. He offered that Chief Johnson consider having a Dover Human Relations Commissioner on that board to help foster amicable communication and relations among the diverse community advisory. Mr. Sudler stated that it also allows Council to have their own update on how things are going, how things are being facilitated and the strengths human relations have are able to assist with in the dialogue. He asked Chief Johnson to consider the Chair of the Dover Human Relations Commission, or a designated person as a liaison between that committee and City Council.

Responding to Mr. Sudler, Chief Johnson stated that he is open to just about anything and clarified that he is trying to have a manageable number that can get this done. He stated he is trying to have an advisory committee that is a great cross section and he is trying to consider age, gender, and cultural representation. Chief Johnson noted that he needs to make sure the young people and seniors have a voice and a great representation of individuals of color. He stated that he did not want it to get so big unless they find out after they get into it a little bit that they actually have a capacity to expand. Chief Johnson stated that if they all look around in the first meeting and they identify that there is a stakeholder group that is unrepresented, then they are going to have to go back, revisit, and try to fill that void. He noted that it is probably not wise to move forward if there is an under represented piece of the Dover community.

Mr. Slavin stated that when he hears about policies that are going to be put in place or that are already in place, it is heartening to hear, however, it stops suddenly because they, as a public, never know when policies have been violated. He stated they will never be able to get to that information unless they make fundamental changes about this. Mr. Slavin asked how do they increase the transparency and how do they police themselves in the community. He noted that if they have policies that they implement, but never have any kind of reporting out, even an aggregate form of how effective those policies have been. Chief Johnson agreed with Mr. Slavin.

Chief Johnson noted that he has had this conversation over the last couple of days regarding how do they actually go about proving that they are doing some of these things without subjecting an employee to additional embarrassment over and above their personal failure and the consequences that have come out of it. He stated that they have had some recent departures from the organization, but is trying to reconcile the ability to be transparent and show that they have the capacity to either effectively discipline or move on from an employee without doing something that goes against dignity. Chief Johnson stated that it requires a process that perhaps they could probably look towards and that may be having some strict guidelines where rather than talking about individuals, they can talk about mechanisms of how the agency functioned and leaving the item nameless and try and give some amount of privacy to the individuals that might be involved. He noted that until it crosses a line and then they have to take a different approach.

Chief Johnson stated that it is going to be one of his challenges going forward to try and create that connectivity to a feedback loop so that Council can see outcomes of the policy and procedures being applied. He noted that some of that has to do with making sure that he is developing good leaders inside the organization at middle management levels and junior executive levels and to make sure that they do and make the kinds of decisions that Council was talking about and show that policy and procedures are not just words on a page.

Mr. Polce noted that the Dover Police Department has refitted their uniforms and made strategic investments in the vest that allows officers to carry less weight around their waist. He noted it also positions them well to integrate body-worn cameras when the time is appropriate. Responding to Mr. Polce, Chief Johnson stated that it absolutely the goal of some of the strategic decisions of wanting to prepare for the future implementation of body cameras, but it is also a concern about officer safety and reduction of weight around their waist. Chief Johnson noted that it is an officer wellness exercise and an exercise on better organizing the available equipment to the officer. He also stated that it is also practical due to how much an officer's belt can tear up the inside of a police car which is City property. Chief Johnson stated that the new uniform with the overlay system also cuts down on response time issues and allows officers more often the chance to cool down in the warmer weather months.

Mr. Polce encouraged Chief Johnson to investigate Crisis Intervention Training (CIT), specific to individuals with chronic and persistent mental illnesses or individuals who are in an active addiction. He noted that he was sure many of the officers have gone through CIT because it is kind of a staple with the State police and other municipal policing agencies. Mr. Polce also encouraged them to think about inclusion and to look at their communities, specifically their most vulnerable communities and how their officers are going to be met in the community, specific to individuals in active addiction. He stated that he did not think it is necessarily a police officer's role to play social worker, and he was not asking their police officers to be social workers. He stated he was asking the Police Department to take innovative steps. Mr. Polce noted that he was fortunate enough to lead a program, about a year and half ago, that would have allowed the Dover Police Department to pilot an evidence-based program with an embedded social worker with their officers, at the time that program was turned away. Mr. Polce stated that he redirected the money to Smyrna and stated they could talk to the Smyrna Police Department on how the program has not only done very well for the other officers, but they have actually seen quite a great community response.

Responding to Mr. Polce, Chief Johnson stated that he was interested in following through and investigating that possibility. He noted that he reached out to former Police Chief Marvin Mailey to understand his time

with the Dover Police Department. He noted that he has to go and take that assessment up against the current landscapes as it informs that decision.

Mr. Polce requested that when Chief Johnson chooses to go down that direction or have a greater presence with a partnership with clinical behavioral health specialists or social workers to let him know. He stated he would work tooth and nail to find the proper funding for them. He noted that he believes that it is critically important to meet that community. Mr. Polce stated that not everyone had the same opportunity that he did when he entered a life of recovery, so it is all about elevation and providing opportunity for individuals.

Mr. Casey Jaywork, 14 South Bradford Street, echoed what Mr. Polce stated regarding an embedded social worker program as an alternative to police that could divert people who do not need to be arrested into more helpful services. He stated it can also expand the bandwidth of the police by giving them less work that is not police work. Mr. Jaywork, regarding the advisory committee, stated he is a member of the Camden 22, who were arrested a couple of weeks ago, marching. He asked Chief Johnson if he would be willing to put one of the 22 people who were arrested and potentially also a second person who was not arrested, but participated in the recent protest.

Chief Johnson stated that he has had email resumes sent to him from the local health system. He noted that he would have to make sure to cover all the stakeholder groups, but that he is not afraid of having a tough critic sitting in the same meeting with him. He stated that it probably would produce better outcomes when they have a fully vetted meeting process for anything that they might be considering. He stated he is not opposed at all to considering somebody from the Camden 22 group, but noted that he is not committing to anybody other than one right now, who was helping him figure this out and planning. He noted that she is from a group that could cover a lot of stakeholder perspectives and has a doctorate, but that does not necessarily mean that they have to have a doctorate to be functioning on this group. He stated he needs people from every walk of life and every socioeconomic status and a reflection of all of Dover. He stated he could not give Mr. Jaywork a point answer yet, but that it is clearly a possibility. Chief Johnson clarified that he is looking for Dover citizens.

Mr. Anderson noted that there are a lot of people who are high functioning on the autism spectrum, but they react many times under stress quite differently than they would normally expect. He noted that it seems that is subject that is rarely covered, that most of the time, people do not even have an hour of training to recognize signs and how to deal with it.

Responding to Mr. Anderson, Chief Johnson stated they have training regarding all behavioral health challenges, the autism spectrum, people suffering from life trauma, PTSD, military veterans, and that subgroup of the population that sometimes find themselves in a bad way up to the point where special courts are designated to address their issues. Chief Johnson stated the issue of trauma and psychological trauma that they are discovering crosses more population groups and winds its way into police training. He stated that things are identified, trauma-informed responses, people that might have developmental or intellectual disabilities across the entire spectrum, all are incorporated into updated training. Chief Johnson stated that all things are incorporated into the Academy curriculum and from time to time, when they find good, efficient, compact training by a subject matter expert, they will send people to seminars to get the experience to bring back and share with their peers or bring them here.

Mr. Anderson stated it seems they have a robust system about citizen complains and being able to investigate those. He stated when they get reports, they do not seem to have any clue of how many complaints are being filed, how many are valid, and what type of complains they are. He noted that it is something that they need to understand with customer service. Mr. Anderson requested an overview on a somewhat regular basis or semiannual basis just in the regular report numbers and if complaints were resolved, pending, or unfounded. He stated he did not think it should just be applied to the Police Department, but citywide.

Chief Johnson stated internally, they will take complaints from any source point and anonymous complaints. He noted they have to be able to investigate those complaints as far as they can take them based on the amount of information that they have available to them and come up with a categorical illustration. Chief Johnson stated it should not be too hard to put a report together for Council on a schedule, that way they have some eyesight into that.

Responding to Mr. Anderson, regarding body-worn cameras, Chief Johnson provided the following information:

- He is tuning into the State level conversations as often as possible and thought the State level is the best level solution for, not only dollars and cents, which is six-figures. Dover will have to engaged to get them down to something more manageable, particularly referring to video storage and perhaps share of cost talks regarding devices and other hardware issues.
- He understands that people have been waiting for a while, so if time has run out and they have got to go and do a solution on their own dollar, okay, but he will continue to report back on other movements and other areas, that way if City officials feel that is the best way for a State level solution, which has a lot of energy behind it.
- There is potential for some grant funding that he is hearing now that might be coming available at the federal level, perhaps just a little bit of a pause to see how much develops and how fast.
- If they, again, become dissatisfied, they will try and identify the best combination of effectiveness against the price and delivery of that service and the acquisition of that technology and do it themselves.

Responding to Mr. Lindell, Chief Johnson stated he did have a similar committee in his previous employment, that he is proposing in this plan. Chief Johnson stated that the superintendent had different mechanisms that he used, very active and very visible in the City. Chief Johnson stated the superintendent got many invitations to many stakeholder groups and went on a regular recurring schedule. Chief Johnson stated that he is trying to do it more formally just to make sure that it takes some of the element of randomness out of that connection to the community by having a sitting committee with an agenda and topics that need to be vetted and discussed. He noted that it was more of his own preference of making sure that in addition to making those visits to community organizations and accepting invitations as they come in to the degree that he could accommodate, but he also would have a formal process of making sure that he is in touch with stakeholder groups.

Mr. Lindell asked how transparent will Chief Johnson's side of the aisle be with members of his committee, and how far does that transparency go. Mr. Lindell also asked, compared to laws in Pennsylvania, did Chief Johnson feel like he might be limited with transparency under Delaware law. Responding, Chief Johnson stated that he might be able to answer that a little bit better once he finds out how far he dares to go without crossing a line. He stated that Pennsylvania is a Commonwealth and not structured the same way as most of the other States as far as what legal principles apply in what places, so it is not a 100% comparable. Chief Johnson stated in a general sense, he is going to say that every topic that he can bring to bare and get a community engagement on, it will be his inclination to do that, because it will be more pieces of information.

Chief Johnson noted that even if someone does not agree with him or with the outcome that they arrive at, at the basic minimum, if he was ever challenged as to what topics he was willing to broach in an advisory committee meeting, that disagreeing member could at least say that they did not agree on it, but he did bring it up. He noted that if he can get that validation, hopefully that will feed into the highest degree of transparency possible, a standard that he thinks Council is looking for.

Mr. Taylor stated that when he was hired in 1990, all officers were mandated to live in the City of Dover and were forced to be apart of the community. He stated they were totally invested in Dover. Mr. Taylor asked if that was a future consideration to mandate officers upon hiring, to live in the City and invest in the community. Responding, Chief Johnson stated it is something that is desirable, but it became a legal issue in Pennsylvania where several court cases began to strike down residency requirements and became a rights issue. Chief Johnson stated he thought they actually have an incentive program to a certain degree for Dover residency.

Chief Johnson stated that if they put a residency requirement in place, that will dissuade some individuals where they look at that they have to plant roots and those roots are nonnegotiable for at least 20 years. He noted that he did not know exactly how they reconcile that to try and get the best of both worlds, but he has seen legal and recruitment issues come into play with that, unless it was worked out a different way with the bargaining unit.

Mr. Taylor stated that for years African Americans have felt disenfranchised, somebody even used the word, victimized, by the Dover police. He stated that a question came up tonight by a downtown merchant who had some dealings with the police a few years ago and managed to not only recover from it, but maintains a great relationship with the police. Mr. Taylor stated the person's comment was to "please train your officers to deescalate situations by speaking to black men, as it is a clear and obvious difference the way a white person is addressed versus the way black persons are addressed in the exact same situation."

Chief Johnson stated that culture is what they are talking about ultimately, which is something that builds up over time and has to be built within. He noted that he has a good group at 400 Queen Street, doing a hard job and making giant strides every day. He noted that adaptability and transformation is a 21st century topic in police executive leadership and trying to create an internal system of standards starts with attitude. He stated that not only is it something that is a leadership concept, through the investment that they put in them and become better leaders as they move up, and then informal leaders of the organization. Chief Johnson stated that when people think about their community, a lot of times, the first thought is the reflection of the police force in the community. He stated if they can start taking what is an already good mix of individuals with a high professional drive and kick that into overdrive, he is hoping that those moments that Mr. Taylor described will continue to trend down and they will start to not only

get the look of what they are trying to get to and that all citizens stakeholders are satisfied to the same degree.

Mr. Sudler asked if they have thought about using an on-site counselor or psychologist to help them deal with the stress officers may encounter, whether it is stress with work or family. Mr. Sudler noted that he thought that counseling or supervision to help them talk about what they are going through or what they are seeing may help them in how they serve the community. Responding Chief Johnson stated that there is an employee assistance program package that is already a part of the resources available for the officer. He stated they need to seek out support for something that might not be recognized on the scanning for this type of thing. Chief Johnson stated that in addition to that being a part of the supervisory mission of every ranking officer, they have a victim's advocate and in addition to her fighting tooth and nail every day for the victims of crime in Dover and people that end up in tragic circumstances, she is also cross trained in that issue. He stated that she scans for the type of things that Mr. Sudler described. Chief Johnson stated if they need something and they did not like the other mechanisms, she would do something privately and confidentially give them access to that. He noted that they are looking for a psychologic resource to help them with training and operations.

Mr. Anderson stated one of the things they get in life more of are the things that they praise. He stated that he would love to see something on their site, easily searchable, of great stories that happened or quarterly or annual commendations. Mr. Anderson stated it helps moral a lot when people are not just praised internally, but when the public understands what work is being done by so many officers that is so praise worthy. Chief Johnson stated that one of the forces he is working against is that people that do this job are really not looking for the public praise or the pat on the back. He noted that they sometimes are embarrassed by it. He stated there is just a natural tendency to shy away from that kind of public praise, but whether they like it or not he is going to find a mechanism to do just exactly what Mr. Anderson asked, probably after the summer.

Mr. Neil moved for adjournment of the Safety Advisory and Transportation Committee meeting, seconded by Mr. Lindell and unanimously carried.

Meeting adjourned at 9:18 p.m.

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

Meeting adjourned at 9:18 p.m.

William F. Hare
Council President

WFH/TM/jt

S:\AGENDAS-MINUTES-PACKETS-PRESENTATIONS-ATT&EXH\Committee-Minutes\2020\06-23-2020 CCW Minutes - MR.wpd

Attachments

Attachment #1 - Presentation entitled "Code Enforcement - Overview, goals and objectives"

CODE ENFORCEMENT

Overview, goals and objectives

STAFF

- ▶ Supervisor-Tim Taraila, 20 years with division, ICC Certified Property Maintenance Inspector (Leave of absence)
- ▶ Inspector II- Ron Coburn, 19 years with division, ICC Certified
- ▶ Inspector II-Velvet Bowen, 5.5 years with division, ICC Certified
- ▶ Inspector I- Eddie Kopp, 1.5 years with division (medical leave)
- ▶ Inspector I - Jonathan Gibson, 6 months with division
- ▶ Inspector I- Vacant



- ▶ Be more proactive and less reactive
- ▶ Focus on the downtown area
- ▶ Staffing levels need to be consistent

GOALS AND OBJECTIVES



Each Code enforcement officer is to send out 20 notices monthly to conduct rental inspection



AHI should be done by street and neighborhoods



New rentals inspections to be done upon application for rental permit

AHI (ANNUAL HOUSING INSPECTIONS)

RENTAL UNITS BY THE NUMBERS

- ▶ Apartments-425
- ▶ Condos-254
- ▶ Duplexes- 376
- ▶ Townhouses- 1040
- ▶ Single Family Homes- 1005



These are the things that people see in our City



Minimum of five violation pick ups by staff daily

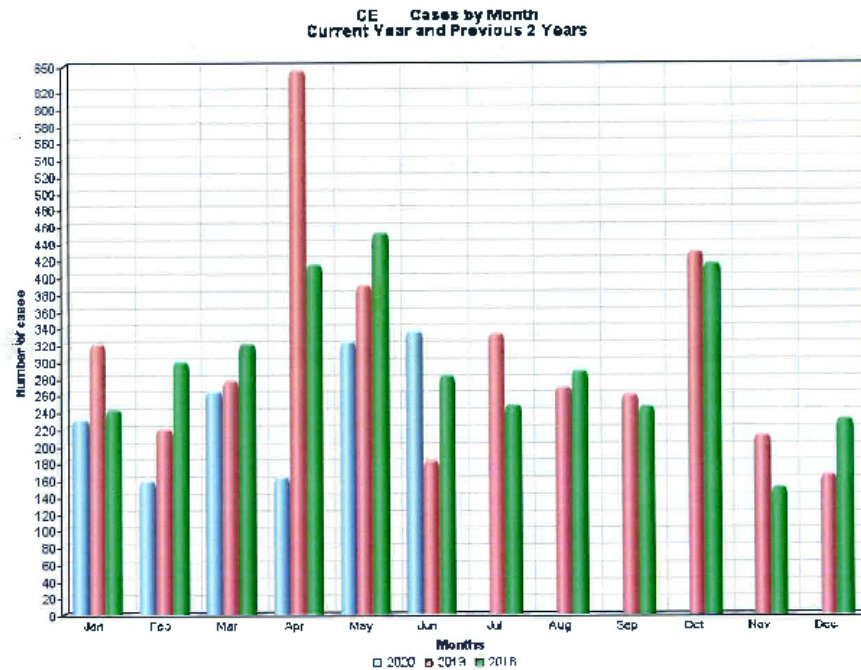


Pick-ups should focus on items that the citizens, visitors and council notice, the items that really stand out and say “Hi! I am here”



Get out of vehicles walk the sidewalks and alleys

PROPERTY MAINTENANCE



MONTHLY CASE STATS



Citizen
568



Elected Officials
15



Routine Inspections
231



Pick Up by Staff
1,158



All Other Agency or Departments
629

COMPLAINTS BY THE NUMBERS

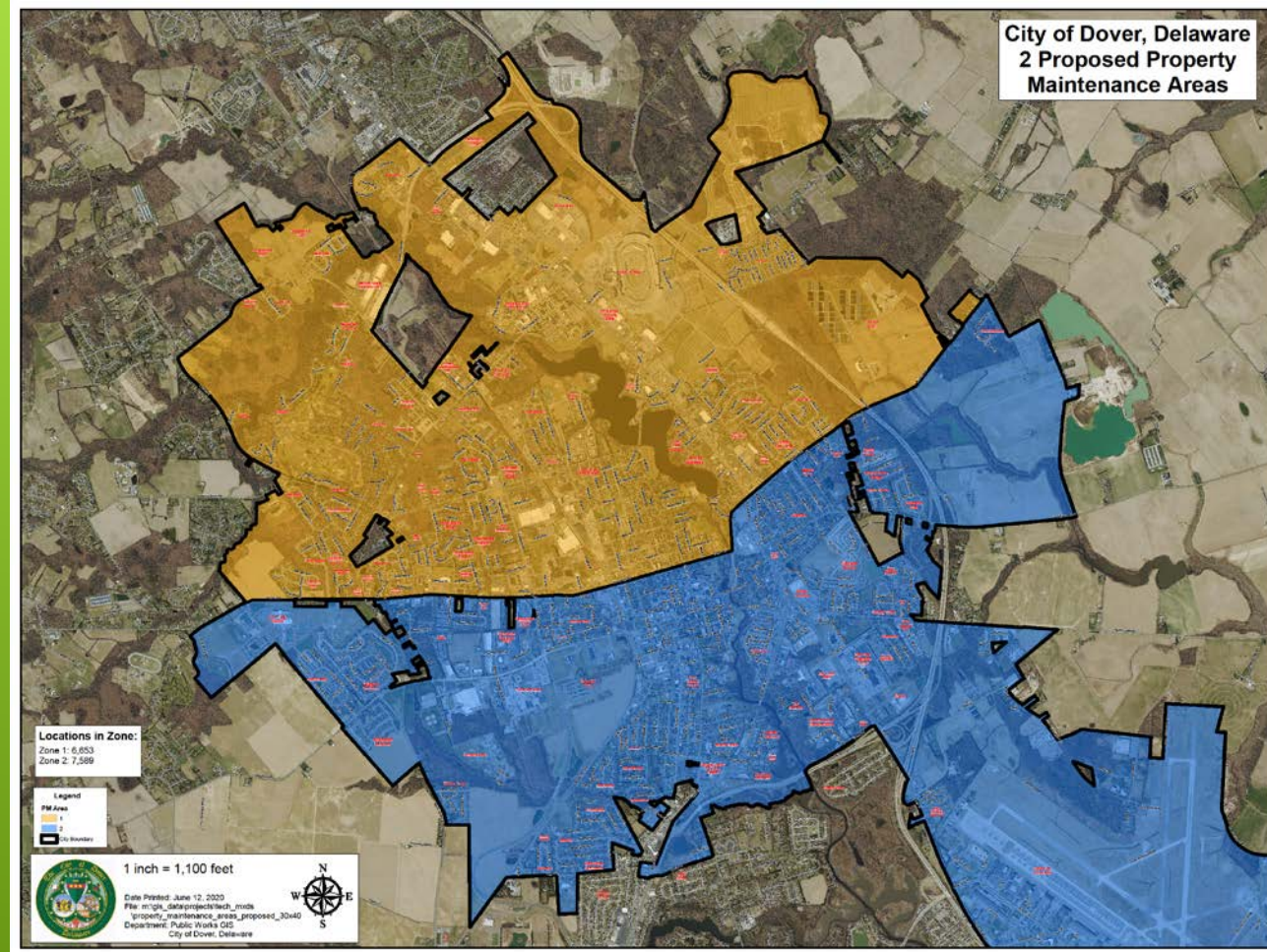
CASE TYPES BY THE NUMBERS

Several thin, white, parallel diagonal lines are positioned in the bottom right corner of the slide, extending from the bottom edge towards the right edge.

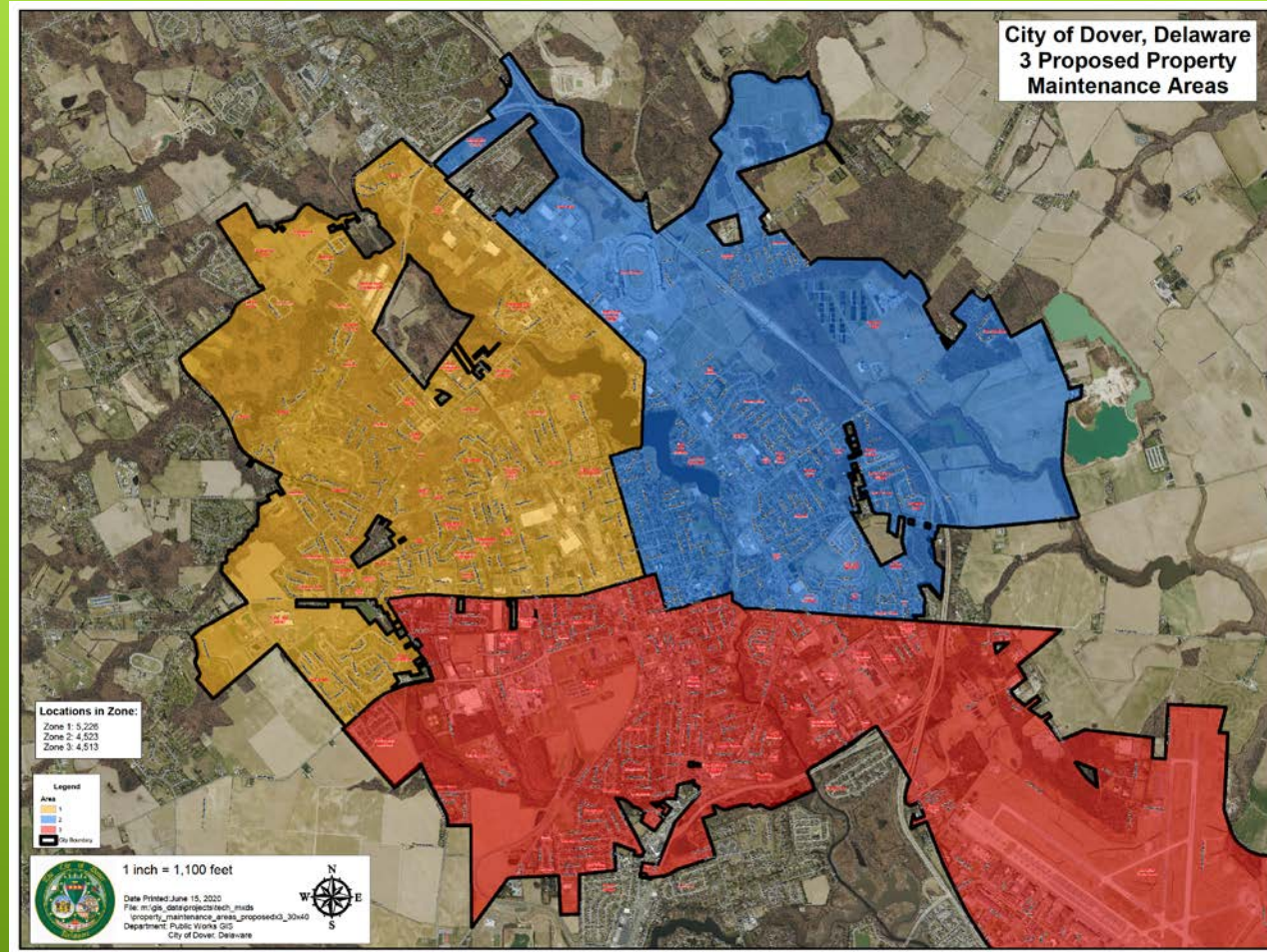
Tall grass/weeds	609
Annual Housing Inspections (rental)	319
Dangerous/Condemnation	58
Dover Code of Ordinances	499
License/Permits	514
Property Maintenance	490
Vehicles Unregistered/Inoperable	91
Zoning	20

PRIORITY ITEMS

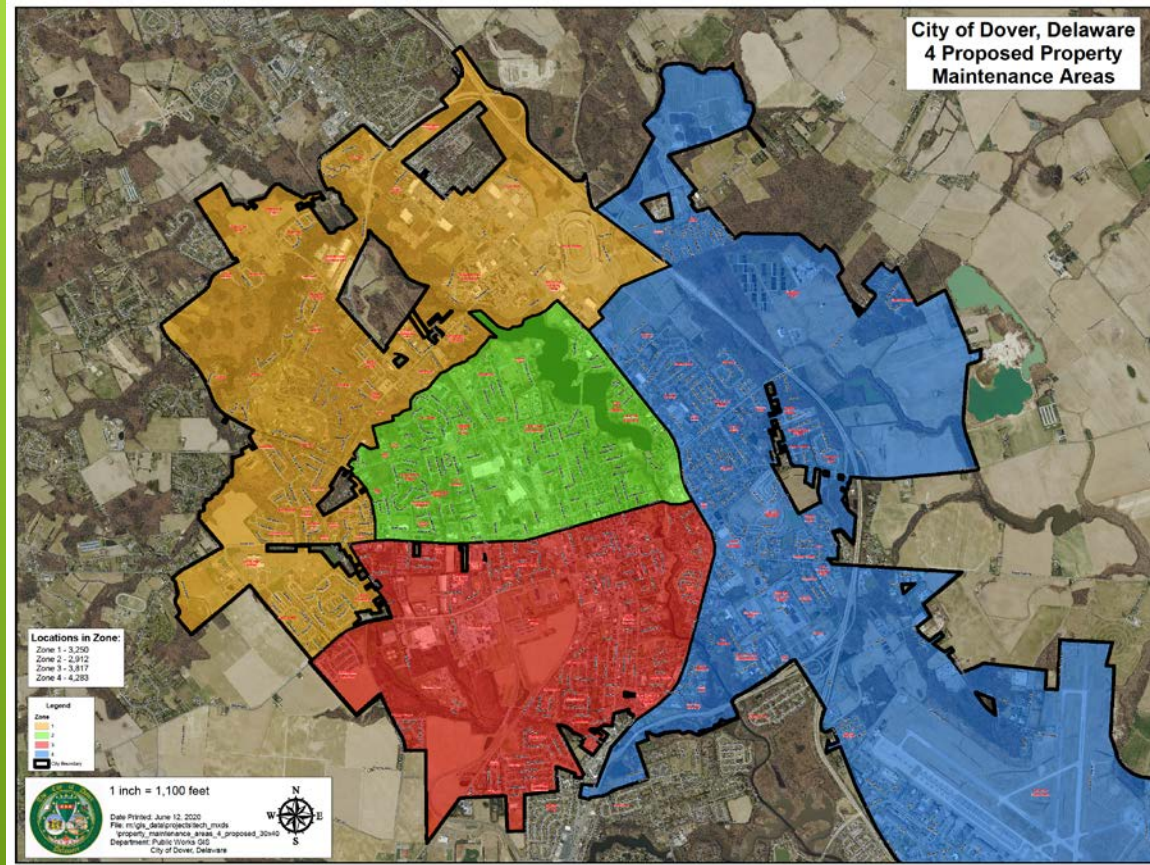
- ▶ Overgrowth to include tall grass, underbrush and lack of maintenance
- ▶ Untagged and or disabled vehicles
- ▶ Parking or evidence of parking in the yard, request that bare soil be seeded to stabilize the soil
- ▶ Overhanging branches or bushes extending into the public walk ways and alleys
- ▶ Trash, litter, junk and debris
- ▶ Graffiti
- ▶ Buildings in need of major repairs (roofs, siding, windows and exterior paint)



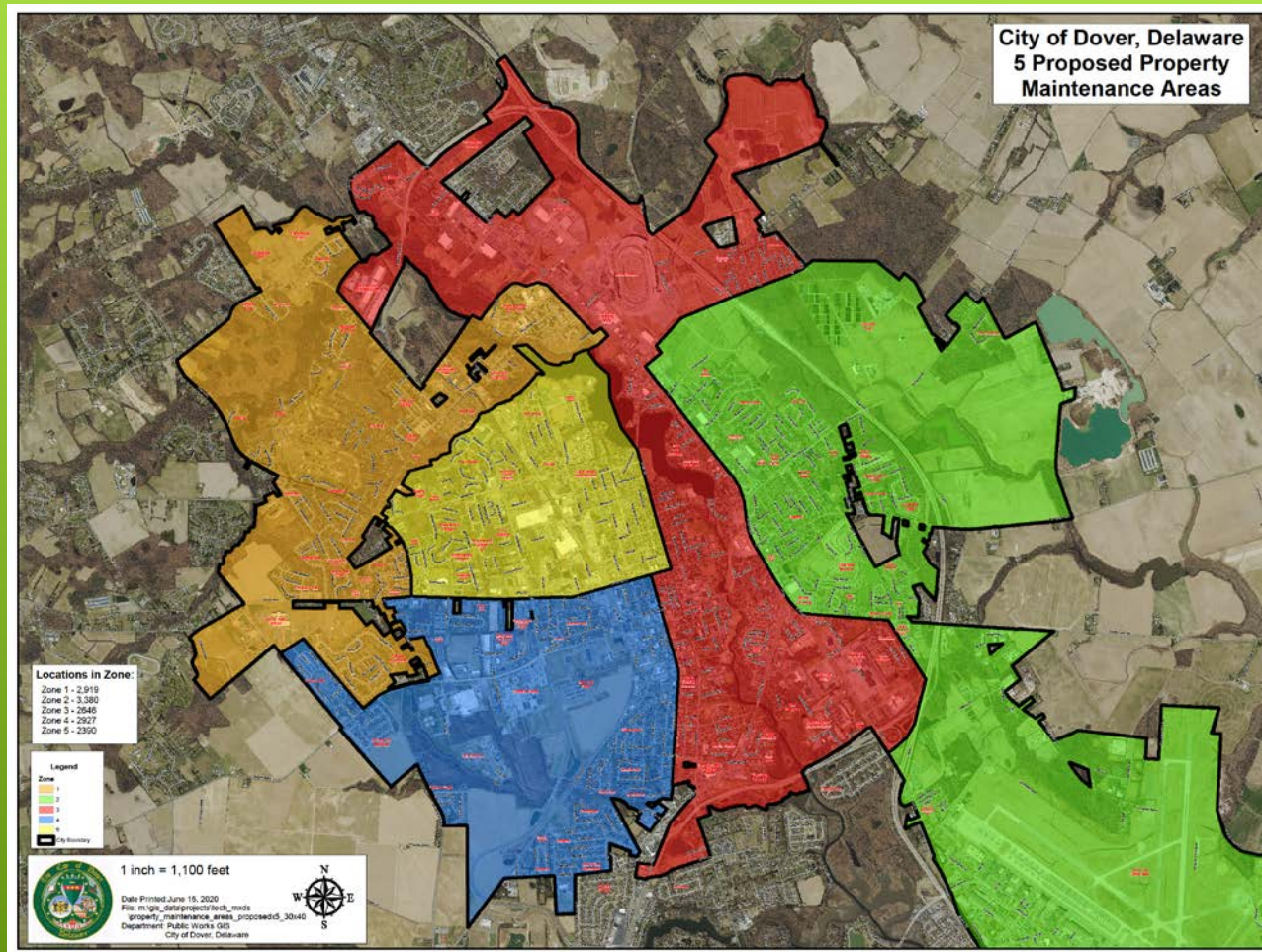
TWO AREAS



THREE AREAS



FOUR AREAS



FIVE AREAS

VACANT BUILDINGS

- ▶ Numbers are trending downward
- ▶ Economy was doing better
- ▶ Investors flipping homes or converting to rental properties
- ▶ Commercial buildings finding new uses or new investors
- ▶ Covid-19 short and long term effect unknown at this point
- ▶ Presently 180 known vacant buildings

Council District 1



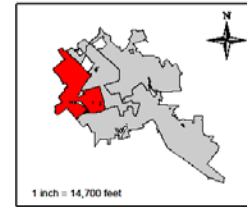
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Legend

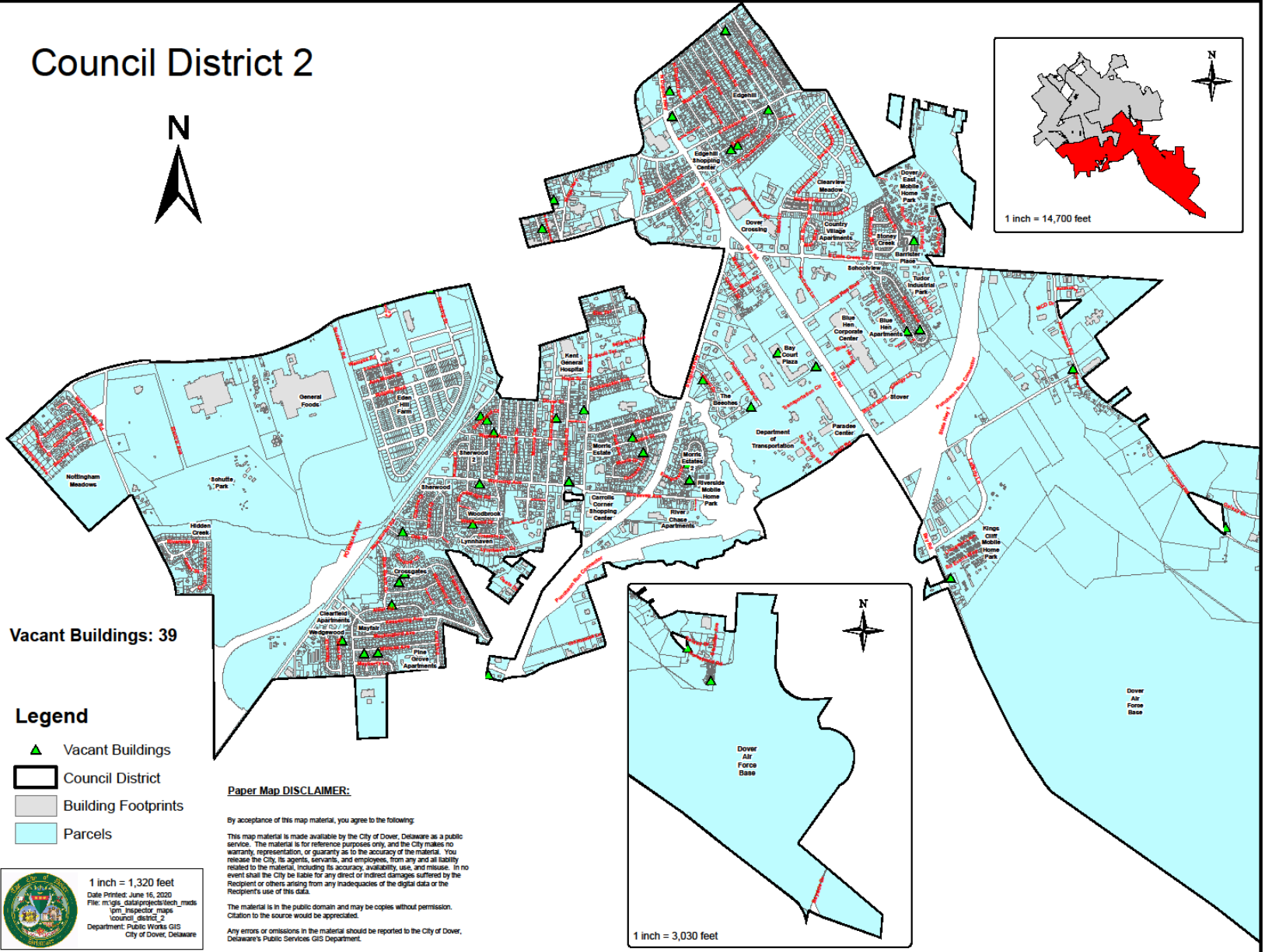
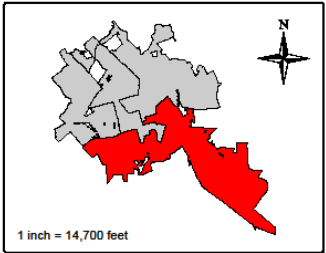
- Vacant Buildings
- Council District
- Building Footprints
- Parcels



1 inch = 910 feet

Vacant Buildings: 20

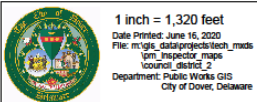
Council District 2



Vacant Buildings: 39

Legend

- Vacant Buildings
- Council District
- Building Footprints
- Parcels



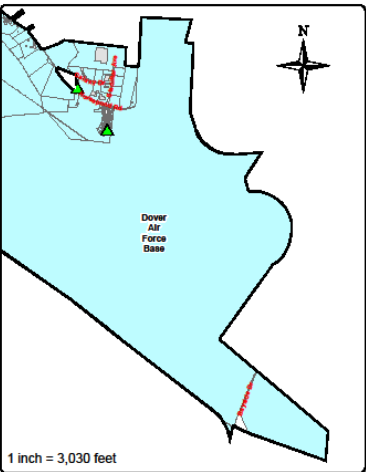
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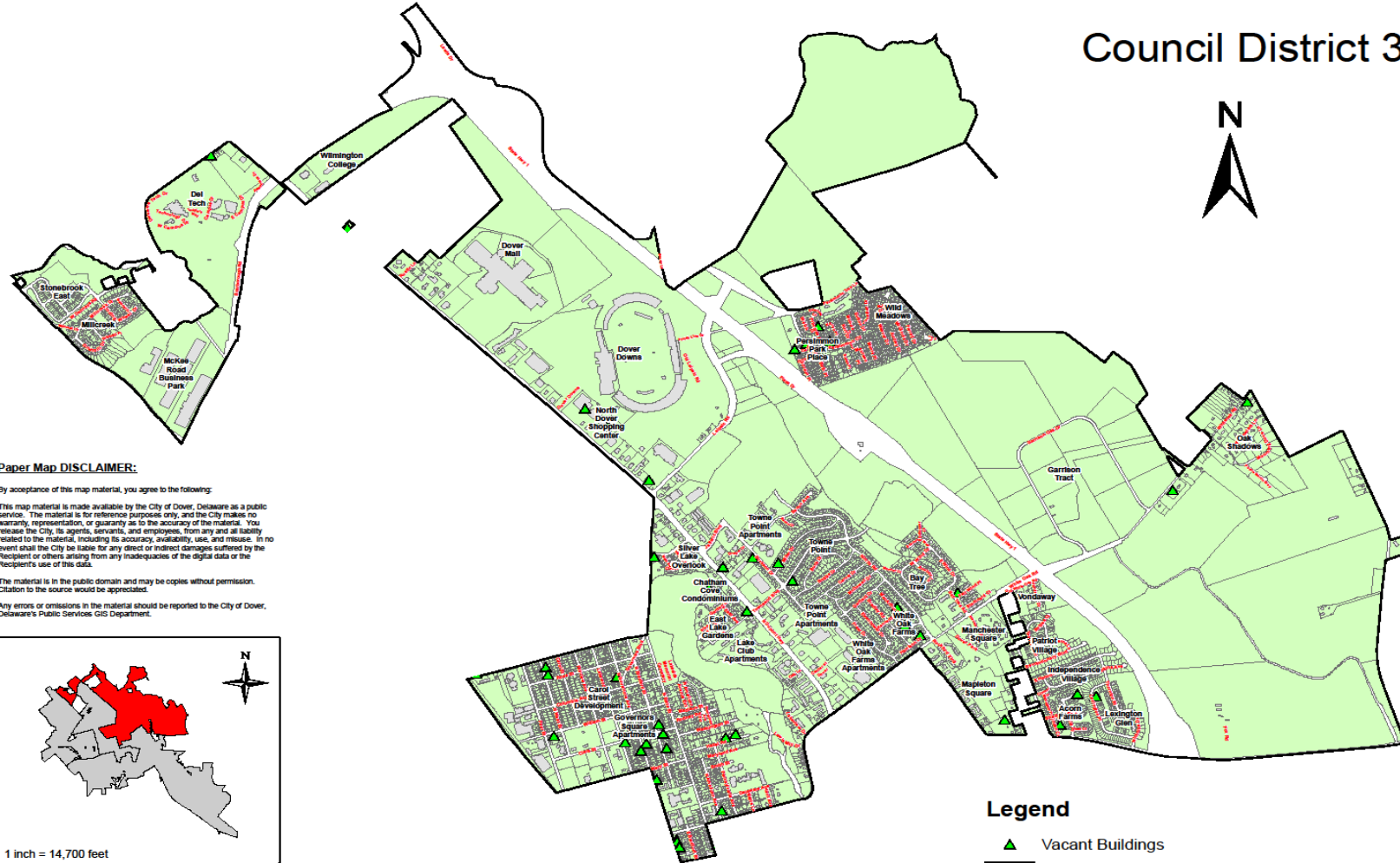
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Council District 3



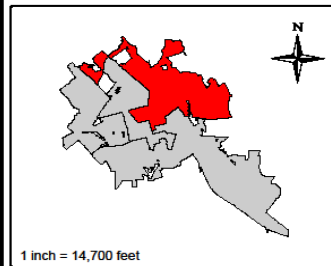
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Date Printed: June 16, 2020
File: m:\gis_data\project\tech_mxds\ipm_inspector_maps\council_district_3
Department: Public Works GIS
City of Dover, Delaware

Vacant Buildings: 44

Legend

- Vacant Buildings
- Council Districts
- Building Footprints
- Parcels

1 inch = 1,400 feet

Council District 4

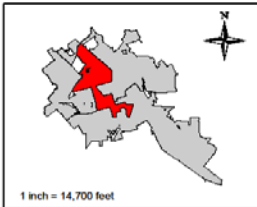


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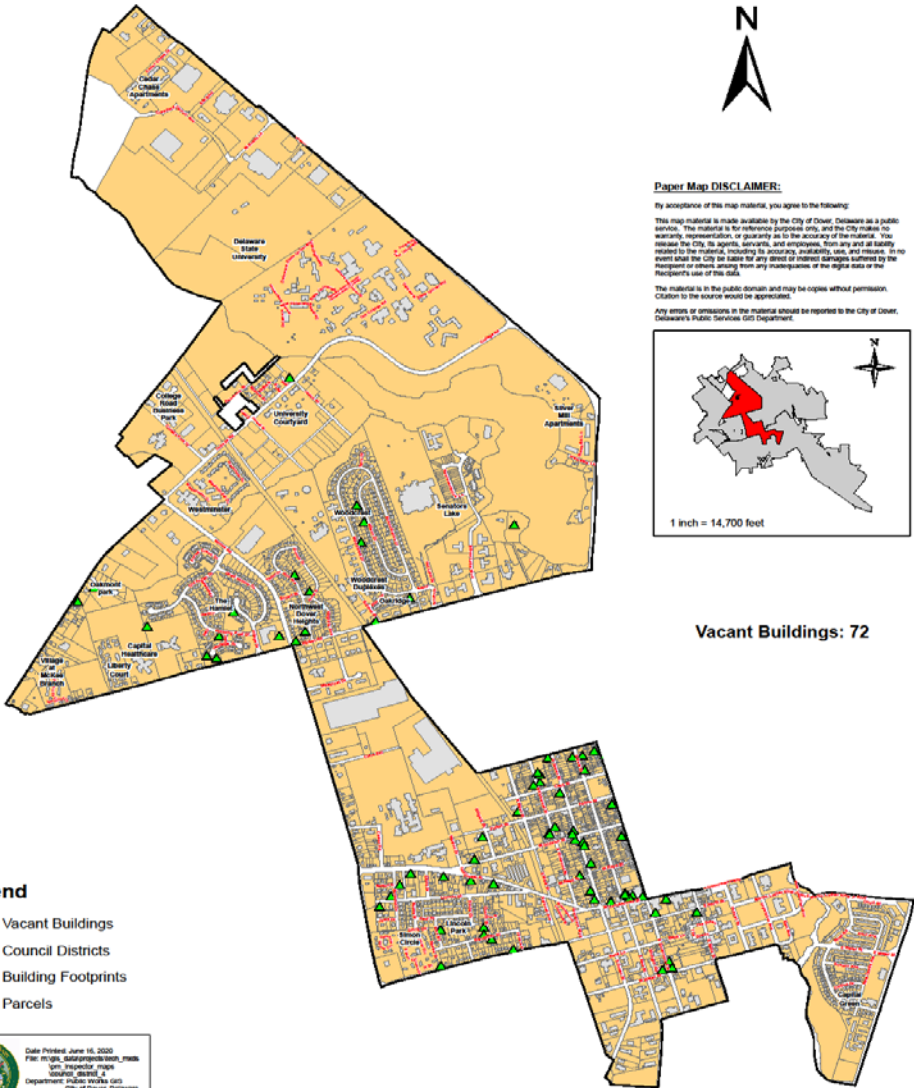
Vacant Buildings: 72

Legend

- ▲ Vacant Buildings
- ▭ Council Districts
- Building Footprints
- Parcels



1 inch = 1,000 feet





Currently nine properties identified
as potential dangerous



Department needs to be more focus
on abating dangerous buildings

DANGEROUS BUILDINGS



451 BARRISTER PLACE



23 S
GOVERNORS
AVENUE



25 S
GOVERNORS
AVENUE



674
ROBERTA
AVENUE



16 S
KIRKWOOD
STREET



133 S QUEEN
STREET



209 N NEW
STREET



749
SLAUGHTER
STREET



411 W REED
STREET