COUNCIL COMMITTEE OF THE WHOLE

The Council Committee of the Whole was held by video conference on October 13, 2020 at 6:00 p.m., with Council President Hare presiding. Council members present via video or telephone were Mr. Anderson, Mr. Sudler (arrived at 6:03 p.m.), Mr. Neil, Mr. Slavin, Mr. Cole, Mr. Rocha, Mr. Taylor, and Mr. Lindell (arrived at 6:26 p.m.). Civilian members present via video or telephone for their Committee meetings were Mr. Caldwell and Col. Dix (Ret.) (*Parks, Recreation, and Community Enhancement*), Mr. Shevock (departed at 8:16 p.m.) and Mr. Contant (*Legislative, Finance, and Enhancement*).

PARKS, RECREATION, AND COMMUNITY ENHANCEMENT COMMITTEE

The Parks, Recreation, and Community Enhancement Committee met with Chairman Anderson presiding.

Adoption of Agenda
Mr. Neil moved for approval of the agenda, seconded by Mr. Taylor and unanimously carried.

Update on Innovative Readiness Training (IRT) (Captain Brooks of the Delaware Army National Guard)
Captain James Brooks, Delaware Army National Guard, provided an update on Innovative Readiness Training (IRT).

Responding to Mr. Neil, Mr. Harline stated that they have been planning for this project to move forward and that they had the money budgeted years ago to lay the fields. Mr. Robin Eaton, Parks and Recreation Director, stated that two fields would be added as a result of the project.

Responding to Committee members' questions, Capt. Brooks provided the following information:

- It would take 24 hours to turn the eyeglasses around and, at the very start, up to 48 hours for NOSTRA (Naval Ophthalmic Support and Training Activity) to take the prescriptions, manufacture the glasses, and get them back to them.

- Once the glasses are delivered to the care site, they would contact the person to have them come in for the glasses.

- They probably would not have a component where citizens could turn in old glasses for recycling because they manufacture glasses to specific sizes.

- Regarding medical services, they were going to offer an annual physical and a chance to speak to a doctor.

- They would not be providing any services that would create a blood product or more of a paper trail for them to have to follow up on.

- Capt. Brooks would need to check to see if they would be doing COVID testing. If the tests were something that require a 24-hour or 48-hour turnaround time, as of right now, they are not set up to do that and they do not have the supplies in the supply line. If that was something that could be added, that would be a question back to the providers that would have more input in their services.

- If there was a vaccine for COVID, he would hope that they would be able to provide that, but he was unsure. They have not been able to provide vaccines for things like zika, malaria, or even the common flu.

- All three sites made available to them are from the Capital School District. Towne Point and South Dover Elementary are still going to be primary points of care. They have an unknown element to the mission at this point and that is where the third care site is going to be. The third care site was originally slated for Booker T. Washington School, but the damage it received during the tornado has possibly prevented them from being able to utilize that site.

- Their portion of this was to craft the military specific messaging that goes out to the community, how the community wants to market it is completely up to them. They will answer any public relations or affairs questions that come their way and they provide very specific messaging.

Presentation - Wilmington Hope Commission and Bobby Wilson

Ms. Rachel Notten, Vice President of Booted and Suited Construction Academy, presented information regarding their program. Ms. Notten stated that Booted and Suited Construction Academy was a professional academy with a sensitivity to the unique needs that citizens returning from prison have in finding and retaining quality employment.

Responding to Mr. Slavin, Mr. Anderson stated that the Wilmington Hope Commission and Booted and Suited were connected organizations. Ms. Notten noted that they would be working carefully and closely with the Wilmington Hope Commission. Mr. Slavin stated that he did not have a problem with the message that was delivered, but that they had Wilmington Hope Commission on the agenda and that they should talk about the Wilmington Hope Commission. Ms. Notten stated that they were going to emulate the programs of the Wilmington Hope Commission.

Responding to Mr. Anderson, Ms. Notten stated that they have a space in downtown Dover on Loockerman Street. She advised that they were looking at a national curriculum and that they have clients who were ready to take people in after they were trained.

Mr. Anderson stated that the idea that was communicated to him was that this was essentially from the people of the Wilmington Hope Commission and that this was their local effort in Dover. Mr. Anderson stated that he was not aware that they actually spun off of the organization, which was not the original plan. It was originally going to work through the Wilmington Hope Commission.

Responding to Mr. Rocha, Ms. Notten advised that Booted and Suited was in the process of completing their 501c3 and that the academy program would be six weeks. Ms. Notten stated that there would be a process of placement once individuals were trained.

Responding to Mr. Cole, Ms. Notten stated that they were working on a budget for 2021 and would provide them with where the funds would go.

Responding to Mr. Lindell regarding the purpose of this item, Mr. Anderson stated that the first time the Wilmington Hope Commission came, they presented their overall vision and wanted to see if there was an interest in Dover. He advised that this particular time, they arranged for someone to start in Dover with community organizations and this was progress of something happening in Dover. Mr. Anderson advised that if they came before the Committee again, he would want specifics.

Responding to Mr. Lindell, Mr. Anderson stated that his vision would be talking about funding and that it may be other partnerships. He stated that other partnerships and resources are available that have less to do with funding.

Mr. Taylor stated that he introduced a company called Intermold Corporation to the Hope Commission with Mr. Wilson. He noted that they are a company that makes plastic parts and that they were willing to train people to make parts and fix machinery and that they were willing to arrange transportation.

Responding to Mr. Sudler, Ms. Notten stated that mental health would also be a part of the program. She advised that the City of Wilmington currently has programs for mental health, but it was semi-related to the workforce development. She stated that their current program just trains and employs participants and does not have the mental health aspect of their organization. Ms. Notten noted that they wanted to have the resources readily available if there was a need because it was highly important, especially for someone that had been incarcerated.

Library Reopening Plan

Mr. Matthew Harline, Assistant City Manager, and Mr. Brian Sylvester, Library Director, reviewed the Library Reopening Plan. (*City Clerk's Office Note: During the Regular City Council meeting of September 28, 2020, Council members approved the Committee's recommendation to refer this item back to Staff until a clear vision of guidelines and protocols are in place.*)

Staff recommended a partial capacity reopening the week of November 1st. If the Committee is in agreement the Committee should provide direction on sanitation requirements and no contact entry, then direct staff to proceed.

Mr. Neil expressed his concerns regarding book pickup and asked if orders could be placed at the checkout desk to reduce the number of patrons searching for books on the shelves and their amount of time in the library. Mr. Sylvester stated that he thought it could be done and that it would not be meaningfully different from the way they manage the holds desk. He noted that from a physical building security standpoint, they would want to block off the stacks if they were to do that kind of a model, so the patrons did not browse, because that would eliminate the point of doing it. Mr. Sylvester stated that it was something they could consider.

Responding to Mr. Harline, Mr. Neil stated that it was different from the current holds process, which is providing books through curb service. If they were going to eliminate curb service, he was suggesting that pick up be offered at the desk. Mr. Sylvester stated that it would work exactly the same as it has in the past and it would be treated the same as a hold.

Mr. Cole stated that his concern was that the protocols would be visible to Staff and patrons so that everybody was on the same page. He asked what the vision was for enforcement, which he felt was going to be the hardest part. Responding, Mr. Sylvester stated that they have seven different signs on display in the building and that each pertains to a different element of the protocols. There was also signage about hand washing, social distancing, and mask requirements and obtaining assistance if the patron was not able to wear a mask. Mr. Sylvester noted there might be slightly different signage in the children's room and they were looking at decals that go on the floor to mark off the six-foot distances. They thought they would do something a little more child-friendly in that area. He advised that one of the main things that they were treating as a prerequisite for opening was to have security back onsite for enforcement of the requirements.

Mr. Sylvester advised that they talked internally about initially having a Staff person at the front entrance to ensure that masks were being worn, that people understood what rules needed to be followed, and possibly enforcing building occupancy limits. He noted that Sunstate Security would come back in if people had already entered the building and were not observing the protocols. Mr. Sylvester stated that they would give a warning first and make sure that they understood the rules for compliance.

Mr. Harline stated they budgeted for slightly more than 66 hours per week for Sunstate Security for all 52 weeks of the year. He advised that it was possible to enable one guard to continue the sweeps of the floors, which was part of the contract, and if they had numerous violations they could ask Sunstate to have a second guard onsite. Mr. Harline stated that if they gave Sunstate Security enough lead time, it might be possibile. He noted that eventually it would become trespassing if people did not follow the rules and the next step would be to call the Dover Police Department.

Mr. Lindell stated that he wanted to make sure that if it was determined that the library should close due to unforeseen circumstances, it would be in coordination with Mr. Sylvester and the City Manager. Responding, Mr. Harline stated that he would have no hesitation closing the library if they saw that there was a real risk to public health.

Mr. Hare asked how Staff would know what to sanitize if someone who tested positive for COVID-19 went into the library. He expressed concern with Staff being exposed. Responding, Mr. Sylvester stated that they had no way of knowing whether or not somebody was positive and asymptomatic. He advised that the Governor's guidelines indicated that they should clean surfaces that are touched by customers at least every two hours. Mr. Sylvester noted that they could do that and have the custodial service team have a day porter onsite, it was a little bit less than $2,000 a month. He advised that they have saved enough on the security detail that they could afford to do that for the foreseeable future.

Mr. Harline noted that he was aware of situations where people have worked in offices together with someone who tested positive and, because mask restrictions were required and enforced strongly, the disease was not passed to other employees. He stated that there would be a re-evaluation on November 16th with a report back to Council on November 24th, at which time they would report any such situations. Mr. Harline stated that there was no 100% risk-free process to provide the service to the citizens of Dover, but they were going to be cleaning surfaces, working hard, and enforcing the mask requirement very stringently for exactly that reason.

Responding to Mr. Hare, Mr. Sylvester stated that they had not planned to ask people to show their library cards. He noted that the library is a public facility, similar to a park, and they cannot really bar access on those grounds.

Responding to Mr. Hare regarding security prior to the pandemic, Mr. Harline stated that they have had some guards that did not work out. He noted that they have removed many people from the library for sleeping and actually had the incident reports to show it, but they did not catch everyone. Mr. Harline advised that just before the pandemic hit, they were coordinating on reducing the number of warnings. He stated it was especially important now to make sure that the people in the library were there to use the library because of the increased of spreading the virus.

Responding to Mr. Cole, Mrs. Donna Mitchell, City Manager, stated that all department heads were reporting to Mrs. Kim Hawkins, Human Resources Director, to follow all Centers for Disease Control and Prevention (CDC) and the Division of Public Health (DPH) guidelines. She advised that Staff does temperature checks every morning and asks the four or five COVID-related questions and they document it each day, which are submitted to Mrs. Kay Sass, Public Affairs and Emergency Management Coordinator.

Mr. Cole stated that he was supportive of a limited opening and that if there were any miscommunications with any of the safety protocols, he was also in support of shutting the library down immediately for the safety of the Staff and anyone involved.

Mr. Sudler stated that he was not confident that it was the right time. He stated that he knew Staff had done a tremendous job in trying to put together a plan of action to meet their satisfaction in regard to their concerns. Mr. Sudler stated that until they had some form of vaccine or close to it, he thought that the library was too much of a hotspot and that it could be the host of a major outbreak in downtown Dover because of the element of individuals that are attracted there. He advised that he would be voting against it.

Mr. Neil asked how much it cost for the temperature checks. He stated if there were several units that would be made available to Staff to check people as they come in, he thought it would be a step in the right direction to opening the library. Responding, Mr. Harline stated that the original proposal was not to do the temperature checks because they did not want large groups of people at the door, but if it was a matter of not opening without the temperature check, then they would do them, noting that 99.5 degrees would be the cutoff point. He noted that if they are going to do temperature checks, they are going to have to carefully calibrate the instrument. Mr. Sylvester stated that they have two handheld, infrared, no contact, thermometers onsite that are being used for Staff as they are checked in the morning.

Responding to Mr. Taylor regarding the 60% capacity, Mr. Sylvester stated that they had not discussed any means of prioritizing who would get access. Mr. Taylor stated that at 60% capacity they were going to have the homeless population loitering there. He noted that they have students who want to get in and asked who was going to be the one to tell the homeless population that they have to leave. Responding, Mr. Sylvester stated that in a situation where the building was at capacity at that level, it would be both security and Staff. He advised that if the security guard was available to do it, they would ask them to, if not, Staff would. Mr. Sylvester noted that they have an Acceptable Behavior Policy which prohibits loitering, so on those grounds, they could ask somebody to leave. Internally, they define loitering as not using the library for its intended purpose. Mr. Taylor stated that he firmly believed that someone needs to make sure there is a priority list.

Responding to Mr. Taylor regarding the sanitation process, Mr. Sylvester stated that it was a quarantine process. He advised that, for library returns, they come in through the book drop and are placed onto either a cart or in a transit bin, then they are marked with the day they were packed. Staff wears masks and gloves and frequently sanitizes their hands. He stated that those items are left for at least 72 hours, sometimes longer depending on whether it was a transit from another library or returned from a member of the public. Once that time period has passed, then they open it up and check the books.

Responding to Mr. Taylor, Mr. Harline stated that the police department had a deep clean after they had an exposure. He advised that there are companies that provide a special clean based on a square footage. Mr. Harline noted that if they knew a Staff member was sick or if they found through contact tracing that somebody was positive, they would hire that service. Mr. Taylor stated that the police department knew of the exposure but there would be no tracing with the transient population. Mrs. Mitchell advised that when they do the temperature checks at City Hall they write down who the person is, what their temperature was, and ask them to answer the questions. If they do not know who is coming and going and writing that down, they cannot do any contact tracing.

Responding to Mr. Taylor, Mr. Sylvester stated that they looked into other types of sanitation, specifically UV lighting. Mr. Sylvester advised that there are a couple of types of UV lighting that can be used, one is being used at Kent County Public Library. It is a sanitizer designed specifically for books and another one is an overhead sanitizer that can be installed. It is meant to be installed in a classroom but could also be an option for their meeting rooms. Mr. Sylvester stated that the problem with the one that goes into a room is that they would need to have the room empty of people for a full hour while it was being sanitized. He noted that it meant that they could use it in some of their spaces, but it would not be a viable option in all of their spaces unless they ran it overnight. Mr. Sylvester stated that it might not be a cost-effective cleaning measure if they were only doing a single deep clean with it.

Mr. Sylvester stated that the primary objection he had to the book sanitizer was the volume of books that they would need to run through it. He stated that the one that the Kent County Public Library is using can only hold six titles at a time and it has to run for a minute. Mr. Sylvester noted the Kent County Public Library is a smaller library than the Dover Public Library and they have had to dedicate a staff person just to sanitizing items. The Dover Public Library would end up needing probably multiple units and end up having to dedicate multiple staff people to operate the units.

Mr. Taylor asked if it would be beneficial if he introduced a company to the Committee and have them do a presentation about UV lighting. Responding, Mr. Harline stated they would certainly be willing to look at that option. He noted when it comes to the books, however, there was good evidence that a 72-hour wait was enough to eliminate the risk of transmission of corona viruses, particularly COVID-19. Mr. Harline stated that they have filtration units in the HVAC system that meet the recommendations of the CDC and the cost to do the meeting rooms was not prohibitive. He noted that he would be interested to see if there was a solution for the general area, which is very large. Mr. Harline advised that 60% capacity for the library, not counting the multipurpose rooms, was 348 people. He stated that, counting in and out, they should be able to know when they are approaching 348 people in the library. Mr. Harline noted that the overwhelming opinion of Staff was that without special programming, they rarely have 348 patrons in the library at once. He stated that if it turns out that they were wrong, they will hold people at the door, and they can develop a protocol. Mr. Harline stated that the trouble with the protocol to remove people is, if Staff does not know when they came in, they are put in a situation of trying to evaluate how important somebody's purposes of being there and it would be difficult to do that just by looking at the age and the activity of the people.

Mr. Taylor stated that the downtown merchants have been experiencing a huge recovery over the last few months and the merchants have noted that the City had taken on a whole new personality. Mr. Taylor stated that he was extremely reluctant to open the library, knowing that possibility exists.

Mr. Cole stated that the library Staff and City of Dover Staff have, working with CDC and DPH, come up with safety guidelines. He advised that if they could be met, then they could start to open up just as they are opening up in his school districts. Mr. Cole stated that if they could move forward with a limited opening working with CDC guidelines, then they should move forward. If those guidelines cannot be met, then he suggested shutting it down.

Mrs. Mitchell stated that the more she listened to the discussion, the more she was concerned with Staff because if contact tracing was part of the CDC guidelines and Staff comes in contact with a COVID positive person, there was no way of knowing because no one is reporting it to the Staff. She noted that she agreed that Staff was there to serve the public, but also agreed that they should not put them in harm's way. Mrs. Mitchell stated that in the City, they have appointments.

Responding to Mrs. Mitchell, Mr. Harline advised that when someone goes into Customer Service, they usually go to the counter and they can trace them that way. He noted that both in the library and in Customer Service they have cameras and if they ask somebody for their name, they do not request an ID. Regarding temperature checks, Mr. Harline stated that they were consistent, but he would be very surprised if it was accurate. Mrs. Mitchell stated that her concern with contact tracing was if the employees were not notified.

Mr. Anderson stated that if somebody was getting contact traced with Public Health, they retrace their steps and they would tell them that they were at the library. Mrs. Mitchell stated that they would hope that they would tell them that they were at the library.

Mr. Lindell moved to recommend that the library partially reopen the week of November 1st, as recommended by Staff, with additional details in the plan which include extra cleaning protocols, even if there was an additional cost involved, and no contact entry, and allow Staff to proceed with those instructions with the understanding that if there was a problem, they could close the library immediately. The motion was seconded by Mr. Cole.

Mr. Neil stated he wanted to include to mandate that Staff had a calibrated no-touch thermometer reading for everyone coming into the library. Mr. Cole seconded the amendment to the motion.

Mr. Slavin stated that he was of the belief that they hire people in the City to do jobs for them, and they build trust in their ability to do that job. He stated that they have great trust in Mrs. Mitchell, Chief Johnson, Mr. Harline, and Mr. Sylvester and they have done those jobs. Mr. Slavin stated that he found that the discussions where now they were addressing what kinds of thermometers would be used at the library was really a recipe for bogging City government down if they were going to have Council be involved in the day-to-day operations at this level. He stated to just get these things done and that they have pitched this idea of safety to the library and they have said exactly what the point was and that was they cannot eliminate the risk, they could only reduce the risk and know what the risk was.

Mr. Hare agreed with Mr. Taylor and Mr. Sudler. He stated that he knew it was going to be one way in and one way out. He asked when people come into the library have someone there that was going to write their name and check their ID, and the time they came in. Mr. Hare stated that it would be another control that could help because someone could come in at 9:00 a.m., not sign in or anything, and just be there all day.

Mr. Neil moved to amend the motion to recommend the library partially reopen the week of November 1st, as recommended by Staff, with additional details in the plan which include extra cleaning protocols, even if there is an additional cost involved, and no contact entry, and allow Staff to proceed with those instructions with the understanding that if there is a problem, they can close the library immediately, and to mandate that Staff have a calibrated, no-touch thermometer reading for everyone coming into the library. The motion was seconded by Mr. Cole and carried by a roll call vote of six (6) yes (Neil, Cole, Rocha, Lindell, Caldwell, and Dix), three (3) no (Sudler, Taylor, and Hare), one (1) abstention (Anderson), and one (1) absent (Slavin).

The motion to recommend the library partially reopen the week of November 1st, as recommended by Staff, with additional details in the plan which include extra cleaning protocols, even if there is an additional cost involved, and no contact entry, and allow Staff to proceed with those instructions with the understanding that if there is a problem, they can close the library immediately, and to mandate that Staff have a calibrated, no-touch thermometer reading for everyone coming into the library was carried by a roll call vote of seven (7) yes (Neil, Cole, Rocha, Lindell, Caldwell, and Dix), three (3) no (Sudler, Taylor, and Hare), and one (1) absent (Slavin).

Updates on the Progress of the Master Plans for Each of the Major Parks

Mr. Matthew Harline, Assistant City Manager, and Mr. Robin Eaton, Parks and Recreation Director, provided and update regarding the progress of the Master Plans for each of the Major Parks.

Responding to Mr. Neil regarding Mallard Pond Park, Mr. Eaton stated that they have a path and lighting that goes through that park and the tree limbs were starting to block some of the lighting, so they trimmed them from around the lighting.

Responding to Col. Dix, Mr. Harline stated that there were many general notices. He noted that they are still in an early process and that more public input will be sought.

Mr. Neil moved to recommend acceptance of the report, seconded by Mr. Taylor and carried with Colonel Dix voting no.

Gate/Park Security (Schutte Park)

Mr. Matthew Harline, Assistant City Manager, reviewed the background information regarding the gate and park security at Schutte Park.

Staff recommended 1. Create signage that specifies the hours for Schutte Park. 2. Proceed with a gate at the entrance to the main parking lot to the John W. Pitts Recreation Center. 3. Pursue options for a second gate across Electric Avenue directly south of the main entrance to the Pitts Center. 4. Look into installing security cameras in the Pitts Center Parking lot and near the skate park/dog park/playground areas.

Mr. Neil stated that it seemed a little bit premature and that he would like to have more of the details.

Col. Dix stated that he could leave the road at virtually the full length of the park and bypass any obstacle that they put at the intersection. Mr. Harline stated that was an accurate statement if someone was coming off of Hazlettville North Street. Mr. Harline stated that this would be a very good deterrent effect, but agreed with Mr. Neil that there were a lot of details they needed to work out. He noted that if they do not put up proper fencing to go along with the gates, they would be easily defeated.

Mr. Harline advised that they were looking into the possibility of making it a requirement for people to register the space if they were going to have a party over a certain size. He noted that late night spontaneous parties in the hundreds have been seen in parks. Mr. Harline stated that they have almost always seen a huge mess left behind for Staff. He advised that there may be a constitutional issue and that may be impossible, but they would like to purse that option.

Mr. Hare stated that Staff knew what they needed to do and it was up to them to put the plan together and state what they were going to do and do it. He noted that he did not know if they had to approve it to put a gate up to stop this.

Mr. Slavin stated there was a reason why the Council Committee structure was set up to be a recommendation to Council and then two weeks later, Council took the matter up. He noted that it was meant for items that deserve a level of debate and time to take an involvement from the public to make critical decisions about the vision and strategy for the City. Mr. Slavin stated that it was absurd to think that they were requiring Staff to come to the Committee for a gate replacement that would take four weeks to get approved from Council before they could even begin the process of procuring and putting the solution in place. He noted that this was a recipe for slowing the City down to a crawl and that it has to stop.

Responding to Col. Dix, Mr. Anderson stated that there is a certain dollar limit where the Committee gets involved in these decisions. Mr. Anderson stated that it was just the gate, but the whole security goes beyond that particular dollar limit. He noted that security was going to be fundamental to the master plan. Mr. Anderson stated that the security vision had to be addressed, which they see was a lot more than the gate in the report because if they were going to add amenities such as dog park and skate park in the back, there had to be an idea of the security that they were going to have in the future.

Mr. Neil stated that he did not disagree with Mr. Slavin, but that they have to be informed so they are not blind sided.

Mr. Hare moved for adjournment of the Parks, Recreation, and Community Enhancement Committee meeting. The motion was seconded by Mr. Neil and unanimously carried.

Meeting adjourned at 8:33 p.m.

LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE

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

Adoption of Agenda

Mr. Neil moved that item #3 - Pay for Performance Evaluation System be postponed to another meeting, seconded by Mr. Sudler.

Responding to Mr. Lindell, Mr. Harline advised that there were a couple of presenters from Siegel on the meeting who were ready to go. Mr. Lindell stated that he would like to hear at least the findings from the presenters tonight and perhaps not take any action on it to allow further digestion of the information.

Mr. Slavin stated they could listen to the presentation and pass it onto Council with no recommendation and then be prepared to rehear it again at the Council meeting to take action in two weeks so there was no delay in the process.

Mr. Neil withdrew his motion. Mr. Sudler withdrew his second.

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

Downtown Dover Partnership Parking Solutions

During the Regular City Council meeting of June 22, 2020, Council members approved the Legislative, Finance, and Administration Committee's recommendation approving continuation of the Memorandum of Understanding (MOU) with discussion to be brought back to Council, during the Regular City Council meeting of June 22, 2020.

Ms. Diane Laird, Executive Director of the Downtown Dover Partnership (DDP), Mr. Chris Robocker, DDP Parking Committee, and Mr. Jed Hatfield, President of Colonial Parking, Inc., reviewed the background information for the Downtown Dover Partnership (DDP) Parking Solutions.

Ms. Laird advised that proceeding with the signature of the MOU to design the parking solution included implementation of that solution. She advised that if the implementation does not take place, the DDP would be required to pay about $35,000 in planning fees for the solution.

Responding to Mr. Lindell, Ms. Laird stated that the ask was to proceed with the MOU to design and implement the solution that is derived.

Mr. Neil stated that they took the first step of the jigsaw during the Regular Council meeting of October 12, 2020, when Council approved the first reading of Ordinance 2020-12 - Amending Chapter 106 - Traffic and Vehicles, Article III - Stopping, Standing, and Parking, Division 2 - Metered Parking, Division 3 - Removal and Disposition of Illegally Parked or Abandoned Vehicles, Sec. 106-181 - Definitions, and Division 4 - Downtown Parking. Mr. Neil noted that ordinance was necessary to permit the DDP to enter into this agreement with Colonial. (*City Clerk's Office Note: Proposed Ordinance #2020-12 is scheduled for the Final Reading during the Regular City Council meeting on October 23, 2020.*)

Mr. Slavin reminded members that they only make a recommendation to Council. He stated that by the time the ordinance had passed, this would then follow.

Mr. Hatfield stated that the development phase was actually performed before the MOU was signed and executed and there was no financial commitment. He noted that it was not until the development work of the program, which is what is driving that fee.

Mr. Neil moved to recommend moving forward with the authorization pending the approval of proposed ordinance #2020-12 at the Regular City Council meeting on October 26, 2020. The motion was seconded by Mr. Cole and unanimously carried.

Grants - Fiscal Year 2020 Edward Byrne Justice Assistance Grant Program - Joint Grant with Smyrna Police Department & Kent County

Chief Johnson, Dover Police Department, reviewed the background and analysis regarding the Fiscal Year 2020 Edward Byrne Justice Assistance Grant Program - Joint Grant with Smyrna Police Department & Kent County.

Staff recommended approval of the grant project as requested.

Mr. Neil moved to recommend approval of Staff's recommendation, seconded by Mr. Taylor and unanimously carried.

Grants - Fiscal Year 2021 Fund to Combat Violent Crime

Chief Johnson, Dover Police Department, reviewed the background and analysis regarding the Fiscal Year 2021 Fund to Combat Violent Crime Grant.

Staff recommended approval of the grant and intended purchases.

Responding to Mr. Lindell, regarding vendors, Chief Johnson stated that most of this was recurring. Mr. Lindell stated that he knew the grants were different as far as they were getting them at random parts of the year. Chief Johnson stated that there was a challenge there when grants become available, the deadlines were instituted by the issuers of the particular grants. He advised that for the last 10 to 20 working days, he had been having active discussions with his staff to address assuring that their timing was appropriate. Chief Johnson stated that this was a regular recurring item that has great utility for them.

Mr. Sudler asked how they knew that other competitors were given the opportunity to compete for the bidding process. He stated that they needed to make sure that, across the board, uniform guidelines were being adhered to so that they could ensure they were representing the City in the best manner. Mr. Sudler noted that he thought they needed to focus on some of the bids that were being awarded to make sure that things were being done properly and in accordance with how they were supposed to be across the board.

Responding to Mr. Taylor, Chief Johnson advised that the education part was leaning into the preventative piece.

Responding to Mr. Lindell's questions, Chief Johnson provided the following information:

- The recurring grants were fairly predictable. There was a range of things that they could obtain in each of the state and federal level grants that were managed by the state. They would vary their requests based on the needs of the particular budget year.

- Regarding the recurring grants to help fund body cameras, they were having those discussions. There was a state level meeting and they discussed the Criminal Justice Council (CJC) and what they might be able to do for them.

Mr. Neil moved to recommend approval of the grant and intended purchases, as recommended by Staff, seconded by Mr. Taylor and unanimously carried.

Pay for Performance Evaluation System

Mrs. Kim Hawkins, Human Resources Director, and Ms. Paula Singer, Ms. Andrea Averill, and Ms. Katie Kiesel, Segal, reviewed the information located in the packet regarding Pay for Performance Evaluation System.

Staff recommended approval of the implementation of a Pay for Performance Evaluation system for non-bargaining employees with the following schedule: Pilot period to begin July 1, 2021 - June 30, 2022; Full implementation July 1, 2022; First pay for performance increase to be provided July 1, 2023.

Mr. Sudler stated that the City of Dover was moving towards a transformational leadership style and culture and asked how they felt it fit in and if they thought it was a great representation and component with their shared visions. Responding to Mr. Sudler, Ms. Averill stated that it does support transformational change. She advised that the process would begin to identify the goals that were needed to move that transformation forward and that would be included in the process.

Mr. Anderson stated he had some unease with recommendation #12 - Reevaluate the process for the Council to conduct performance evaluations. He stated that it should be looked at some where in the future. Mr. Anderson noted that if an employee works for everybody equally on the Council, to have one or a couple control whether or not they got a pay raise without input of everyone else was problematic.

Responding to Mr. Anderson, Ms. Averill stated the department heads reviewing every rating occur at the final rating. She advised that there would only be a rating applied at the year-end evaluation and the other quarterly reviews would just be a conversation about progress, work goals, feedback and other performance observation shared. Ms. Averill stated that there would be no rating until the end of the cycle.

Responding to Mr. Anderson, Ms. Singer stated for the quarterlies, it is the employee and the supervisor and the others occur only annually. Ms. Singer noted that the department heads would only look at the final ratings, they were not looking at every detail.

Mr. Sudler asked if there would be an opportunity for the employee to rate the supervisor, in regard to whether or not they were being supportive, giving accurate direction, or just one rating. Responding, Ms. Singer stated that it was only the supervisor rating the employee, but that was something they were recommending as an add-on after the process settled down. She noted that there were a number of forms and processes that could be used for employee rating supervisors, so they would have a multi-rater input which could be important, but they thought they would start with the recommendations, taking one step at a time. Mr. Sudler stated this was a great first step, but that it was equally important to have a pulse on the climate of the organization through the employees to have an opportunity to rate the supervisor's behavior and effectiveness.

Responding to Mr. Taylor, Ms. Averill stated that an appeal process would be part of the process. She stated there would be a limited window of time where employees could request an appeal to the human resources function and the City Manager could participate in that review.

Responding to Mr. Taylor, Mrs. Hawkins stated they do not currently have an appeal process in place. She advised that a process would have to be drafted and they had some of that discussion in internal meetings with Segal. Mr. Taylor stated that component would have to be a necessity for him to go forward with the process.

Mr. Neil stated that they were talking about so many factors, for instance, a constant increase in individuals for performance on a straight level or bonuses as a result of the work that they were doing. He stated that has to be part of this conversation. Responding to Mr. Hare, Ms. Averill stated that if a manager gave an employee an evaluation and they received a raise and they did not like it, they could appeal the rating. Ms. Singer stated that if they added the component, then the employee could then rate the manager. She advised that it would probably be at a different cycle.

Addressing Mr. Hare’s concerns regarding employees rating their managers, Ms. Averill stated that what many organizations do is gather feedback in terms of the employees to the manager. She stated that they would get the observations about performance and then aggregate those themes and provide that to the manager. Ms. Averill advised that it would be the manager's decision to report it to a department head and the department head would vet assigning that rating, which would then equate to a salary increase, or some type of reward.

Mr. Hare asked if the manager would be rated by the department head. Responding, Ms. Singer stated that was a second level sign off. She advised that the manager would sign off and then the department head would sign off.

Mrs. Hawkins stated that, in conversations with Segal, the idea of 360 feedback was discussed regarding evaluation by department heads’ direct reports or whoever their primary customers were. She stated that they could develop a 360 feedback program that was based on the competencies that were developed and that tie into the performance development program.

Mr. Anderson stated that he would like to see the definition of terms and how they were actually graded. He noted that there was also backup material that they had not seen. Ms. Singer stated that they were in the process of finalizing that information and that they would provide it. Ms. Singer noted that this was a pilot program at this stage.

Mr. Hare stated that he felt they needed to wait until they hire the new City Manager before taking action on this item.

Mr. Sudler stated he would be interested in seeing the instruments or criteria for the instruments, the composite scores, how they were going to score them, and what it actually measures.

Mr. Hare moved to table this item in Committee until a new City Manager is hired, or when it is brought back up again by the Committee. The motion was seconded by Mr. Anderson.

Mr. Slavin stated, for clarification, that they did not mean that they were telling Staff and the consultants to stop reflecting on the item. He stated that he would assume they were going to continue to refine it, to make it an actionable item for when it is considered for Council again. Mr. Hare and Mr. Anderson agreed with the clarification.

Mr. Harline stated that they had enough direction to put some finer points on it with the consultants. He noted that the consultants were winding down their work and if they wanted to bring them back, he would talk with Ms. Singer as to how flexible they were with their time within the scope of the contract.

Mr. Neil's call for the question was unanimously carried.

Mr. Hare moved to table this item in Committee until a new City Manager is hired, or when it is brought back up again by the Committee, and for Staff to continue to refine the Pay for Performance Evaluation System. The motion was seconded by Mr. Anderson and unanimously carried.

Proposed Ordinance #2020-14 - Project Carry-Forward Budget Balances/Proposed Budget Amendments

Mrs. Donna Mitchell, City Manager and Mr. Matthew Harline, Assistant City Manager, reviewed the proposed budget amendments and proposed Ordinance #2020-14.

Staff recommended approval of the proposed Budget Amendments totaling $8,420,300 for Fiscal Year 2021 and adoption of Ordinance #2020-14.

Mr. Hare moved to recommend approval of Staff's recommendation.

Responding to Mr. Anderson regarding street improvements, Mr. Harline stated that he could get him a list of whic streets were completed and which ones were being carried forward.

Mr. Hare moved to recommend approval of the proposed Budget Amendments totaling $8,420,300 for Fiscal Year 2021 and adoption of Ordinance #2020-14.

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

Meeting adjourned at 10:07 p.m.

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

Meeting adjourned at 10:07 p.m.

William F. Hare
Council President

WFH/TM/jt
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