

COUNCIL COMMITTEE OF THE WHOLE

The Council Committee of the Whole Meeting was held on August 10, 2021 at 6:00 p.m., with Council President Sudler presiding. Members of Council present were Mr. Anderson (departed at 7:58 p.m.), Mr. Boggerty, Mr. Neil, Mr. Hare, Mrs. Arndt, Mr. Rocha, Mr. Taylor, and Mr. Lindell. Civilian members present for their Committee meetings were Mr. McCutchen (*Utility*), and Mr. Contant and Mr. Shevock (*Legislative, Finance, and Administration*). Mr. Shelton (*Safety Advisory and Transportation*) was absent.

COUNCIL COMMITTEE OF THE WHOLE

Adoption of Agenda

Mr. Anderson requested the addition of an Update on the Partnership Between the Delaware National Guard Innovative Readiness Training (IRT) and the City of Dover to Provide Healthcare Delivery Services to the agenda.

Mr. Matt Harline, interim City Manager, requested the addition of Presentation of New Staff to the agenda.

Mr. Anderson moved for adoption of the agenda, as amended, seconded by Mr. Neil and unanimously carried.

Mr. Anderson stated that as the final day of the Innovative Readiness Training (IRT) wrapped up, approximately 3,200 patients had been seen which met the goal, most of them being Delawareans and people from the area. He noted that there were 1,217 dental patients, over 2,000 eyeglasses provided, 18,050 medical procedures averaging about 5.6 per patient, and over \$1.3 million in fair market value services provided. Mr. Anderson thanked everyone who took time to make the event a success.

Mr. Harline, Interim City Manager, introduced Mr. Chase Barnes, a Master's in Public Administration Student from the Biden School of Public Administration at the University of Delaware, as the City's summer intern. He explained that Mr. Barnes had worked on a number of projects in his time with the City, including the different ways to handle the Tax Assessor's Office.

Mr. Barnes thanked City staff and Council for the opportunities he had working with the City.

Responding to Mr. Taylor, Mr. Barnes stated that he felt the most impactful project he had worked on with the City was the water bill adjustment policy which he thought would be beneficial to both customers receiving water from the City of Dover but also for the City in terms of revenue.

Mr. Harline thanked Mrs. Patricia Marney, Customer Service Director, and Ms. Lori Peddicord, Controller/Treasurer, for mentoring and working directly with Mr. Barnes.

UTILITY COMMITTEE

The Utility Committee met with Chairman Rocha presiding.

Adoption of Agenda

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

Update to the City of Dover Water Master Plan (Jason Lyon, Water and Wastewater Director)

Mr. Jason Lyon, Water and Wastewater Director, reviewed the background and analysis regarding the City of Dover Water Master Plan.

Staff recommended acceptance of the Water Master Plan and to utilize as a guide for the future of the water utility.

Mr. Andy Cooper, Whitman, Requardt, & Associates introduced Mrs. Allyson Merola, Whitman, Requardt, & Associates.

Mrs. Merola reviewed the report provided by Whitman, Requardt, & Associates.

Responding to Mr. Anderson, Mrs. Merola stated that to clean the pipes, a large scrapper would be pulled through them to scrape off the tuberculation, then a cement or epoxy lining would be sprayed inside of the pipes. She explained that if the pipes were still in good working condition and structurally sound but have corrosion, essentially they would line it which would provide a barrier between the cast iron and the water.

Responding to Mr. Boggerty, Mrs. Merola stated that the lines they were suggesting for cleaning and lining were the ones that were adequately sized. She noted that the pipes that were undersized should be replaced. Mrs. Merola explained that an additional pipe could be added inside to reduce the diameter, but the cement, concrete spray, or epoxy would only provide a barrier, it would not reduce diameter.

Responding to Mr. Boggerty, Mrs. Merola stated that cement was less expensive than epoxy but the main savings would be on construction. She noted that while valves would still have to be replaced, pits would just have to be opened to access pipes versus having to dig up an entire street.

Responding to Mr. Taylor, Mr. Lyon stated that it was hard to define if the hydraulic modeling was cost-effective because it would require dumping some water which the City had paid to be treated, but he and the Whitman, Requardt, & Associates team were looking into different alternatives.

Responding to Mr. Taylor, Mr. Lyon stated that staff was currently in the process of replacing four inch lines. He noted that the current standard was eight inches. Mr. Lyon explained that it would be a fool's errand to clean the current lines. He stated that they would consider cleaning a larger pipe in the 20-year plan presented. Mr. Lyon noted that when a pipe was scraped clean it would be isolated, cleaned out, given a smooth receiving pipe, and realigned, it would not go into the distribution system.

Responding to Mr. Sudler, Mrs. Merola stated that they had not looked at chemical interactions, however, it was something that underneath water quality evaluations may be worth looking into. She noted that before moving into an analysis like that it would be good to monitor complaints once the water treatment plant was up and running on a daily normal basis to see if there was a change in complaints with the upgraded system.

Responding to Mr. Sudler, Mrs. Merola stated that chemical interactions had been a contributing factor in other municipalities but they had not specifically looked at it in this case, they had primarily looked at water age. She noted that was suggested that they look at chemical interaction as an evaluation for the future but she suggested seeing what happened once the treatment plant was running.

Responding to Mr. Rocha, Mrs. Merola stated that the current industry standard for pipes was either polyvinyl chloride (PVC) or ductile iron pipe which was cement lined. She noted that there were advantages and disadvantages to both materials.

Responding to Mr. Neil, Mrs. Merola stated that there was no danger to asbestos pipes if they were in good working condition and adequately sized. She noted that if they were to be replaced they would require typical asbestos requirements.

Responding to Mr. McCutchen, Mrs. Merola stated that the turnaround time for cleaning would depend on the length of the pipeline planned for cleaning. Mr. Cooper advised that a couple of hundred feet could be cleaned per day.

Responding to Mr. McCutchen, Mrs. Merola and Mr. Cooper stated that the water supply would be temporarily affected in areas being cleaned but temporary service connections could be provided for affected residents.

Responding to Mr. Anderson, Mr. Lyon stated that there was an itemized list of locations that needed to be replaced or cleaned, if they were given additional funding they would be able to shift those projects up. He noted that they would not be able to replace everything immediately if they were given unlimited funding due to lack of manpower and the disruption it would cause for residents, so the work would need to be balanced. Mr. Lyon explained that with more funding, optimally they could accomplish three miles a year, which was better than what they were currently doing.

Mr. Neil moved to recommend acceptance of the Water Master Plan and to utilize as a guide for the future of the water utility, as recommended by staff. The motion was seconded by Mr. Anderson and unanimously carried.

Mr. Anderson moved for adjournment of the Utility Committee meeting, seconded by Mr. Hare and unanimously carried.

Meeting adjourned at 6:53 p.m.

LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE

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

Adoption of Agenda

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

Review of Pension Equity Concerns between Deceased and Disabled Employees (Kim Hawkins, Human Resources Director)

Mrs. Kim Hawkins, Human Resources Director, reviewed the background and analysis regarding the review of pension equity concerns between deceased and disabled employees.

Staff recommended consideration of Councilman Anderson's recommendation.

Responding to Mr. Contant, Mrs. Hawkins stated that Mr. Robert Carson's was the first case of this kind.

Responding to Mr. Contant, Mrs. Hawkins stated that there would be some type of impact to the General Employee Pension Plan fund by making the proposed change but they did not know what kind of change it would be. She noted that Ms. Lori Peddicord, Controller/Treasurer, had stated that she did not know how an actuary would price it out. Mrs. Hawkins explained that the surviving spouse would be eligible to continue their healthcare so that would impact the Other Post-Employment Benefits (OPEB) fund as well but they were not able to determine what the impact was.

Responding to Mr. Lindell, Mrs. Hawkins stated that she had not researched how other municipalities treated this situation but she would say the City of Dover was a pioneer in this consideration.

Mr. Boggerty moved to recommend approval of staff's recommendation, seconded by Mr. Rocha and unanimously carried.

Elimination of the City Assessor's Position (Patricia Marney, Customer Service Director)

Mrs. Patricia Marney, Customer Service Director, reviewed the background and analysis regarding the elimination of the City Assessor's position.

Staff recommended not eliminating the Assessor's position but amending the City Ordinance Chapter 102 - Taxation, and leaving the Charter in tact as was currently written.

Responding to Mr. Rocha, Mrs. Marney stated that it was her recommendation not to eliminate the City Assessor's position because it would offer more flexibility in the future. She noted that the City would not hire a new Assessor at the present time, but instead would keep the position open and the Interim City Manager would be responsible for the duties or for delegating those duties.

Responding to Mr. Rocha, Mrs. Marney stated that Tyler Technologies would be the contractor that handles the assessments and the day-to-day operations would be under the City Manager's direction.

Responding to Mr. Boggerty, Mrs. Marney stated that staff would not be doing the assessment but would be handing the day-to-day administrative tasks. She noted that the majority of the tasks fell under the current Assessor's job duties. Mrs. Marney explained that there was an Assessor's assistant that handled a lot of the work, but some would fall on whomever the City Manager delegated it to.

Mr. Harline stated that the plan was for Ms. Annette Hart, Administrative Assistant to the Tax Assessor, to continue her job as usual but she would now report to Mrs. Marney. He noted that Mrs. Marney would be taking on a little more responsibility.

Mr. Boggerty questioned if Mrs. Marney was getting additional duties could or should she request additional compensation.

Responding to Mr. Boggerty, Mr. Harline stated that in the previous salary study Mrs. Marney was recommended for a pay increase but she was not trying to get more money for this presently. He noted that all of the licensed assessment work would still be done by a licensed assessor and the only added burden to Mrs. Marney would be administrative.

Responding to Mr. Contant, Mr. Harline stated that the Code changes had been submitted to Mr. Nicholas Rodriguez, City Solicitor, for review but he had not received a response prior to the meeting.

Mr. Lindell moved to recommend not eliminating the Assessor's position but amending the City Ordinance Chapter 102 - Taxation, and leaving the Charter in tact as was currently written, as recommended by staff, pending the outcome of the City Solicitor's report. The motion was seconded by Mr. Boggerty and unanimously carried.

City of Dover Impact and Permit Fees - Capital School District (Matt Harline, Interim City Manager)

Mr. Matt Harline, Interim City Manager, reviewed the background and analysis regarding the City of Dover Impact and Permit Fees for Capital School District.

Staff recommended that City Council charge the existing fees as prescribed in Code.

Responding to Mr. Sudler's concerns, Mr. Harline provided the following information:

- He believed the City should require an impact fee and building fee in concurrence with Title 14 of the Delaware Code Chapter 20 subsection 2006(b)(1).
- That building permits and the amount of money required to provide inspections and support, as well as the possibility of revenue collection were linked to the direct fees.
- They did not currently have a dollar-for-dollar/hour-for-hour analysis of the staff in the Planning and Inspections Department.

Mr. Adewunmi Kuforiji, Capital School District Interim Assistant Superintendent/Chief Financial Officer, reviewed Capital School District's request for more reasonable impact and permit fees based on Title 14 of the Delaware Code.

Responding to Mr. Sudler, Mr. Kuforiji stated that they had not received the cost breakdown from City staff yet. He stated that Capital School District did not have any formal documentation of an expert opinion that led them to the analysis that the fees should be much less than the figure provided to them.

Responding to Mr. Shevock, Mr. Kuforiji stated that Capital School District was working on their 10-15 year Facilities Master Plan. He noted that when the middle school was completed they planned to move students from Fairview Elementary and East Dover Elementary over to Central Middle School which would become an elementary school. He noted that it was his understanding of the Code that there should not be any additional fees because additional users were not being added, students were just being moved around.

Responding to Mr. Sudler, Mr. Kuforiji stated that they determine additional users by higher enrollment. He noted that in the past year enrollment had gone down due to COVID-19 but enrollment would come back up which was an easy calculation to make because it was a published number.

Responding to Mr. Contant, Mr. Harline confirmed that the City only had one chance to collect an impact fee for this project.

Responding to Mr. Contant, Mr. Kuforiji stated that Capital School District did not pay any property taxes to the City because it was a government entity.

Responding to Mr. Boggerty, Mr. Anderson stated that in order for City Staff to reduce any fees established by City Council it required permission of City Council.

Mr. Hare moved to recommend referring the item back to staff and allow a recommendation of negotiation based upon the maximum allowable fee by law to be brought back before the Committee on September 28, 2021. The motion was seconded by Mr. Neil and unanimously carried.

Fiscal Year 2022 Fund to Combat Violent Crime Grant (Thomas Johnson, Police Chief)

Mr. Thomas Johnson, Police Chief, reviewed the background regarding the Fiscal Year 2022 Fund to Combat Violent Crime Grant.

Staff recommended approval of the grant and intended purchases.

By unanimous consent, the Committee recommended approval of staff's recommendation.

Fiscal Year 2021 Edward Byrne Justice Assistance Grant Program - Joint Grant with Kent County (Thomas Johnson, Police Chief)

Mr. Thomas Johnson, Police Chief, reviewed the background regarding the Fiscal Year 2021 Edward Byrne Justice Assistance Grant Program.

Staff recommended approval of the grant project as requested.

Mr. Hare moved to recommend approval of staff's recommendation. The motion was seconded by Mr. Contant and unanimously carried.

Fiscal Year 2021 Body-Worn Camera Policy and Implementation Program to Support Law Enforcement Agencies Grant Program (Thomas Johnson, Police Chief)

Mr. Thomas Johnson, Police Chief, reviewed the background regarding the Fiscal Year 2021 Body-Worn Camera Policy and Implementation Program to Support Law Enforcement Agencies Grant Program.

Staff recommended approval of the grant project as requested.

Responding to Mr. Anderson, Chief Johnson stated that the Police Department would be under formal contract with Axon Enterprises, Inc. by the end of August. He noted that Axon had agreed to hold off on invoicing and shipping the product to allow the grant exercise in item #7 to take place. Chief Johnson explained that the early estimates were that the Police Department would receive notification by the first week of October. He stated that once the award was announced, they would be able to start the process of invoicing and shipping the product. Chief Johnson noted that after the product arrived it would be a matter of training, orientation, and transition to make sure they were ready for the data that the cameras would provide. He stated that sometime between Thanksgiving and Christmas the cameras would be 100% live.

Responding to Mr. Neil, Chief Johnson stated that by allowing the Police Department to follow the path of grants, the overall cost to City of Dover taxpayers over the lifetime of the contract had been cut by approximately under \$200,000.

Responding to Mr. Taylor, Chief Johnson stated that a separate grant would be coming before the Committee in the near future regarding clinicians.

Responding to Mr. Sudler, Chief Johnson stated that when the Police Department honed in on Axon, they saw an opportunity to move some responsibilities around to existing sworn staff, so they were only hiring one individual. He noted that Mr. Frank Grosso had been promoted to Evidence Manager at the beginning of the Fiscal Year and they planned to replace his previous position of Evidence Technician once they had a solid timeline on the grant award at the Federal level. Chief Johnson explained that the plan was to fill the position with a 30 to 40-day lead-in window before the program went live to allow time to train the individual.

Responding to Mr. Sudler, Chief Johnson stated that the single individual to be hired would be filling the vacant Evidence Technician position at the current rate under personnel policy which he believed included a five-year examination of salary, benefits, and post-employment benefits.

Mr. Hare moved to recommend approval of the grant project as requested, as recommended by staff. The motion was seconded by Mr. Neil and unanimously carried.

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

Meeting adjourned at 7:56 p.m.

SPECIAL SAFETY ADVISORY AND TRANSPORTATION COMMITTEE

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

Adoption of Agenda

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

Proposed Resolution No. 2021-21 - Establishing that the Safety Advisory and Transportation Committee Shall Serve as the Bicycle Pedestrian Committee for the City of Dover (Councilman Ralph Taylor, Jr.)

Mr. Matt Harline, Interim City Manager, reviewed proposed Resolution No. 2021-21 to Establish that the Safety Advisory and Transportation Committee Shall Serve as the Bicycle Pedestrian Committee for the City of Dover.

Responding to Mr. Neil, Mr. Harline stated that the proposed resolution referred to a subcommittee of the Safety Advisory and Transportation Committee which was a subcommittee of the Council Committee of the Whole.

Responding to Mr. Lindell, Mr. Harline stated that Councilman Taylor would be the subcommittee Chair and that if the Committee was to create ad hoc committees of the body, the Committee would give some type of designation for the Chair to create an ad hoc committee and would still have to approve it.

Mr. Hare moved to recommend adoption of Proposed Resolution No. 2021-21, seconded by Mr. Sudler and unanimously carried.

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

Meeting adjourned at 8:02 p.m.

Mr. Hare moved for adjournment of the Council Committee of the Whole meeting. The motion was seconded by Mrs. Arndt and unanimously carried.

Meeting adjourned at 8:03 p.m.

Roy Sudler Jr.
Council President

RS/JS/mr

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