

REGULAR COUNCIL MEETING

AGENDA



NOVEMBER 13, 2017 - 7:30 P.M.

CITY HALL COUNCIL CHAMBERS
15 LOOCKERMAN PLAZA
DOVER, DELAWARE

OPEN FORUM - 30 MINUTES PRIOR TO OFFICIAL MEETING (7:00 P.M.)

THE "OPEN FORUM" SEGMENT IS PROVIDED TO EXTEND THE OPPORTUNITY TO THE GENERAL PUBLIC TO SHARE THEIR QUESTIONS, THOUGHTS, COMMENTS, CONCERNS, AND COMPLAINTS. DISCUSSION OF ANY ITEM APPEARING ON THE AGENDA AS A PUBLIC HEARING IS PROHIBITED DURING THE OPEN FORUM AS AN OPPORTUNITY WILL BE PROVIDED DURING CONSIDERATION OF THAT ITEM. CITIZEN COMMENTS ARE LIMITED TO THREE (3) MINUTES. COUNCIL IS PROHIBITED FROM TAKING ACTION SINCE THEY ARE NOT IN OFFICIAL SESSION; HOWEVER, THEY MAY SCHEDULE SUCH ITEMS AS REGULAR AGENDA ITEMS AND ACT UPON THEM IN THE FUTURE.

INVOCATION BY BISHOP THOMAS L. HOLSEY

PLEDGE OF ALLEGIANCE LED BY COUNCILMAN ANDERSON

AGENDA ADDITIONS/DELETIONS

*** CONSENT AGENDA**

THOSE ITEMS ON THE COUNCIL AGENDA WHICH ARE CONSIDERED ROUTINE AND NON-CONTROVERSIAL SHALL BE MARKED WITH AN ASTERISK (*) AND WILL BE ACTED UPON BY A SINGLE ROLL CALL VOTE OF THE COUNCIL. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS A MEMBER OF COUNCIL SO REQUESTS, IN WHICH EVENT THE MATTER SHALL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED A SEPARATE ITEM.

- * 1. ADOPTION OF MINUTES**
- A. SPECIAL COUNCIL MEETING OF OCTOBER 23, 2017**
 - B. REGULAR COUNCIL MEETING OF OCTOBER 23, 2017**
- 2. PROCLAMATION - GEOGRAPHIC INFORMATION SYSTEMS (GIS) DAY AND GEOGRAPHY AWARENESS WEEK**
- 3. RESOLUTION NO. 2017-14 - DEDICATION OF THE CITY OF DOVER POLICE DEPARTMENT PUBLIC ASSEMBLY ROOM - JAMES L. HUTCHISON, SR.**
- * 4. SPECIAL DOVER HUMAN RELATIONS COMMISSION REPORT - SEPTEMBER 21, 2017**
- A. DHRC COMMITTEE UPDATES**
 - B. STATE HUMAN RELATIONS COMMISSION LIAISON REPORT (HERBERT)**
 - C. FUTURE MEETING DATES**
(COMMISSION RECOMMENDED THAT THE DHRC MEET ON THE THIRD THURSDAY OF THE MONTH AT 6:00 P.M.)

- * **5. SPECIAL DOVER HUMAN RELATIONS COMMISSION REPORT - OCTOBER 19, 2017**
 - A. DHRC COMMITTEE UPDATES**
 - B. STATE HUMAN RELATIONS COMMISSION LIAISON REPORT (HERBERT)**

- * **6. COUNCIL COMMITTEE OF THE WHOLE REPORT - OCTOBER 24, 2017**
 - A. SAFETY ADVISORY AND TRANSPORTATION COMMITTEE**
 - (1) UPDATE - ALTERNATIVE TO SPEED BUMPS - ANN AVENUE (SUDLER)**
(COMMITTEE ACTION NOT REQUIRED)
 - B. UTILITY COMMITTEE**
 - (1) AMERICANS WITH DISABILITIES ACT SIDEWALK COMPLIANCE - LINCOLN STREET**
(COMMITTEE RECOMMENDED APPROVAL OF THE PROPOSED SIDEWALK ORIENTATION TO COMPLY WITH THE AMERICANS WITH DISABILITIES ACT)
 - (2) CONWELL STREET DISCUSSION**
(COMMITTEE RECOMMENDED THAT THE CONCERNS OF RESIDENTS OF CONWELL STREET BE DIRECTED TO THE STATE LEGISLATORS FOR THAT DISTRICT AND REQUEST THAT THE STATE OF DELAWARE TAKE OWNERSHIP OF THAT STREET)
 - C. LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE**
 - (1) PROPOSED ORDINANCES**
 - (A) #2017-14 AMENDING CHAPTER 30 - CODE OF CONDUCT AND ETHICS COMMISSION, AND APPENDIX F - FEES AND FINES (CITY OF DOVER ETHICS INITIATIVE) (SPONSORS: LINDELL, POLCE, AND SLAVIN)(SEE ITEM #11-A)**
(COMMITTEE RECOMMENDED ADOPTION OF PROPOSED ORDINANCE #2017-14)
 - (B) #2017-15 AMENDING CHAPTER 34 - ELECTIONS, ARTICLE III - ABSENTEE VOTING (SPONSORS: ANDERSON AND LINDELL)(SEE ITEM #11-B)**
(COMMITTEE RECOMMENDED ADOPTION OF PROPOSED ORDINANCE #2017-15)
 - (2) UPDATE - RESOLUTION NO. 2017-10 - ESTABLISHING THE "MAKING DOVER PROSPER" INITIATIVE**
(COMMITTEE ACTION NOT REQUIRED)
 - (3) DISCUSSION - DEVELOPMENT OF POLICIES/PROCEDURES**
 - (A) LEGAL OPINIONS**
(COMMITTEE RECOMMENDED THAT MRS. DONNA MITCHELL, ACTING CITY MANAGER, COMPILE THE COSTS ASSOCIATED WITH LEGAL OPINIONS REQUESTED IN FY 17 AND YEAR-TO-DATE FY 18 CORRELATED BY REQUESTOR)
(COMMITTEE RECOMMENDED THAT THE CITY CLERK'S OFFICE DEVELOP A RECOMMENDED PROCEDURE FOR REQUESTING LEGAL OPINIONS)
 - (B) EXCUSED ABSENCES**
(COMMITTEE RECOMMENDED THAT THE CITY CLERK'S OFFICE DEVELOP A PROCEDURE FOR COUNCIL MEMBERS TO REQUEST BEING EXCUSED FOR ABSENCES, WITH THE LEVEL OF SPECIFICITY TO BE DETERMINED BY THE PERSON REQUESTING IT, AND THAT MEMBERS' REQUESTS BE PLACED ON THE CONSENT AGENDA FOR THE NEXT MEETING SO THAT AN ACTION OF COUNCIL GRANTS THE EXCUSE)

- * **7. MONTHLY REPORTS - SEPTEMBER 2017**
 - A. CITY ASSESSOR'S REPORT**
 - B. CITY COUNCIL'S COMMUNITY ENHANCEMENT FUND REPORT**
 - C. CITY MANAGER'S REPORT**
 - D. CITY PLANNER'S REPORT**
 - E. CONTROLLER/TREASURER'S BUDGET REPORT**
 - F. FIRE CHIEF'S REPORT**
 - G. POLICE CHIEF'S REPORT**
- * **8. QUARTERLY REVIEW OF OPERATIONS/REVENUES - PASSPORT ACCEPTANCE FACILITY**
- * **9. APPOINTMENT RECOMMENDED BY COUNCIL PRESIDENT SLAVIN - HUMAN RELATIONS COMMISSION - GERALD L. ROCHA, SR. - FIRST DISTRICT (TO FILL THE EXPIRED TERM OF S. RENEE SMITH - TERM TO EXPIRE FEBRUARY 2020)**
- 10. COUNCIL AND COMMITTEE MEETINGS - HOLIDAY SCHEDULE**
(CANCELLATION OF DECEMBER 25, 2017 CITY COUNCIL MEETING, DECEMBER 26, 2017 COUNCIL COMMITTEE OF THE WHOLE MEETING, AND DECEMBER 27, 2017 ECONOMIC DEVELOPMENT COMMITTEE MEETING)
- 11. FIRST READING - PROPOSED ORDINANCES**
THE FIRST READING IS OFFERED ON THE FOLLOWING PROPOSED ORDINANCES. FINAL ACTION BY COUNCIL WILL TAKE PLACE DURING THE SECOND READING ON NOVEMBER 27, 2017. THE ORDINANCES ARE AVAILABLE AT THE ENTRANCE OF THE COUNCIL CHAMBERS, ON THE CITY'S WEBSITE AT WWW.CITYOFDOVER.COM UNDER "GOVERNMENT," OR BY CONTACTING THE CITY CLERK'S OFFICE AT 736-7008 OR CITYCLERK@DOVER.DE.US.
 - A. #2017-14 AMENDING CHAPTER 30 - CODE OF CONDUCT AND ETHICS COMMISSION, AND APPENDIX F - FEES AND FINES (CITY OF DOVER ETHICS INITIATIVE)**
(LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE)
 - B. #2017-15 AMENDING CHAPTER 34 - ELECTIONS, ARTICLE III - ABSENTEE VOTING**
(LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE)
- 12. ACTING CITY MANAGER'S ANNOUNCEMENTS**
- 13. COUNCIL MEMBERS' ANNOUNCEMENTS**
- 14. ADJOURNMENT**

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EXECUTIVE SESSION PURSUANT TO:**29 DEL. C. §10004(B)(2) - PRELIMINARY DISCUSSIONS ON SITE ACQUISITIONS FOR ANY PUBLICLY FUNDED CAPITAL IMPROVEMENTS, OR SALES OR LEASES OF REAL PROPERTY;****29 DEL. C. §10004(B)(4) - STRATEGY SESSIONS, INCLUDING THOSE INVOLVING LEGAL ADVICE OR OPINION FROM AN ATTORNEY-AT-LAW, WITH RESPECT TO COLLECTIVE BARGAINING OR PENDING OR POTENTIAL LITIGATION, BUT ONLY WHEN AN OPEN MEETING WOULD HAVE AN ADVERSE EFFECT ON THE BARGAINING OR LITIGATION POSITION OF THE PUBLIC BODY;**

29 DEL. C. §10004(B)(6) - DISCUSSION OF THE CONTENT OF DOCUMENTS, EXCLUDED FROM THE DEFINITION OF "PUBLIC RECORD" IN §10002 OF THIS TITLE WHERE SUCH DISCUSSION MAY DISCLOSE THE CONTENTS OF SUCH DOCUMENTS;

29 DEL. C. §10004(B)(9) - PERSONNEL MATTERS IN WHICH THE NAMES, COMPETENCY AND ABILITIES OF INDIVIDUAL EMPLOYEES ARE DISCUSSED, UNLESS THE EMPLOYEE REQUESTS THAT SUCH A MEETING BE OPEN

THE AGENDA ITEMS AS LISTED MAY NOT BE CONSIDERED IN SEQUENCE. PURSUANT TO 29 DEL. C. §10004(E)(2), THIS AGENDA IS SUBJECT TO CHANGE TO INCLUDE THE ADDITION OR THE DELETION OF ITEMS, INCLUDING EXECUTIVE SESSIONS, WHICH ARISE AT THE TIME OF THE MEETING.

SPECIAL COUNCIL MEETING

A Special Council Meeting was held on October 23, 2017 at 6:45 p.m. with Council President Slavin presiding. Members present were Mr. Anderson, Mr. Sudler, Mr. Neil, Mr. Lewis, Mr. Cole, Mr. Polce (arrived at 6:46 p.m.), Mr. Hare, and Mr. Lindell. Mayor Christiansen was also present.

Council staff members present were Deputy City Solicitor Pepper, Mrs. Mitchell, and Mrs. McDowell. Police Chief Marvin Mailey was also present (departed at 6:49 p.m.).

ADOPTION OF AGENDA

Mr. Hare moved for approval of the agenda, seconded by Mr. Lindell and unanimously carried.

Mr. Sudler moved to recess into Executive Session pursuant to 29 Del. C. §10004 (b)(6) - Discussion of the content of documents, excluded from the definition of "public record" in §10002 of this title where such discussion may disclose the contents of such documents (§10002 (l)(1) Any personnel, medical or pupil file, the disclosure of which would constitute an invasion of personal privacy, under this legislation or under any State or federal law as it relates to personal privacy); and 29 Del. C. §10004 (b)(4) - Strategy sessions, including those involving legal advice or opinion from an attorney-at-law, with respect to collective bargaining or pending or potential litigation, but only when an open meeting would have an adverse effect on the bargaining or litigation position of the public body. The motion was seconded by Mr. Neil and unanimously carried.

The Special Council Meeting recessed into Executive Session at 6:46 p.m.

The Executive Session adjourned at 7:19 p.m.

ACTION RESULTING FROM THE EXECUTIVE SESSION

Request for Extension of Benefits

During the Executive Session, members of Council considered a request for approval of an extension of pay benefits.

Mr. Hare moved to extend the pay benefits for the individual discussed during the Executive Session for another 90 days. The motion was seconded by Mr. Lindell and unanimously carried.

Mr. Sudler moved for adjournment, seconded by Mr. Neil and unanimously carried.

The Special Council Meeting adjourned at 7:19 p.m.

TRACI A. McDOWELL
CITY CLERK

All ordinances, resolutions, motions, and orders adopted by City Council during their Special Meeting of October 23, 2017 are hereby approved.

ROBIN R. CHRISTIANSEN
MAYOR

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REGULAR COUNCIL MEETING

The Regular Council Meeting was held on October 23, 2017 at 7:30 p.m. with Council President Slavin presiding. Council members present were Mr. Anderson, Mr. Sudler, Mr. Neil, Mr. Lewis, Mr. Cole, Mr. Polce, Mr. Hare, and Mr. Lindell.

Staff members present were Police Chief Mailey, Ms. Peddicord, Mrs. Mitchell, Mr. Hugg, Fire Chief Carey, City Solicitor Rodriguez, and Mrs. McDowell. Mayor Christiansen was also present (departed at 7:36 p.m.).

OPEN FORUM

Due to a scheduling conflict, the Open Forum was not held.

The invocation was given by Pastor Mark Walter, followed by the Pledge of Allegiance.

AGENDA ADDITIONS/DELETIONS

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

Mr. Neil moved for approval of the Consent Agenda, seconded by Mr. Anderson and carried by a unanimous roll call vote.

ADOPTION OF MINUTES - SPECIAL COUNCIL MEETING OF OCTOBER 9, 2017

The Minutes of the Special Council Meeting of October 9, 2017 were unanimously approved by motion of Mr. Neil, seconded by Mr. Anderson and bore the written approval of Mayor Christiansen.

ADOPTION OF MINUTES - REGULAR COUNCIL MEETING OF OCTOBER 9, 2017

The Minutes of the Regular Council Meeting of October 9, 2017 were unanimously approved by motion of Mr. Neil, seconded by Mr. Anderson and bore the written approval of Mayor Christiansen.

PRESENTATION - APPRECIATION AND CONGRATULATIONS - JOHN C. BLANCHFIELD

The City Clerk read the following Certificate of Appreciation and Congratulations into the record:

MAYOR AND COUNCIL

Be It Hereby Known To All that the Mayor and Council Commend

JOHN C. BLANCHFIELD

for Dedicated Service to the City of Dover

***September 1989 - October 2017
28 Years of Service***

The Mayor and Council Extend Sincere Appreciation and Congratulations

On behalf of the Mayor, Council, and the citizens of Dover, Mayor Christiansen and Mrs. Sharon Duca, Public Works Director, presented Mr. John C. Blanchfield with a City of Dover Certificate of Appreciation and Congratulations, Plaque, and Dover Cup in recognition of his 28 years of service to the City from September 1989 to October 2017.

Mr. Blanchfield thanked his family and friends for their support and the City of Dover for letting him serve the community for 28 years.

COUNCIL COMMITTEE OF THE WHOLE REPORT - OCTOBER 10, 2017

The Council Committee of the Whole met on October 10, 2017 at 6:00 p.m., with Mr. Hare presiding in the absence of Council President Slavin. Members of Council present were Mr. Sudler, Mr. Neil, Mr. Lewis, Mr. Polce, and Mr. Lindell. Mr. Anderson and Mr. Cole were absent. Mayor Christiansen was also absent. Civilian members present for their Committee meetings were Mr. Caldwell (*Parks, Recreation, and Community Enhancement*), Ms. Arndt (*Utility*), and Mr. Shevock and Dr. Stewart (*Legislative, Finance, and Administration*). Dr. Warfield (*Parks, Recreation, and Community Enhancement*) was absent.

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

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

Proposed Resolution No. 2017-12 Naming of the Bicentennial Playground

During the Regular City Council meeting of August 14, 2017, members considered Continental Park's Workshop Update and accepted the July 2017 Chair's Report.

Mr. Dave Hugg, Acting Director of Planning and Community Development, reminded members that a meeting was held a number of months ago with residents in Bicentennial Village, to discuss some of the park opportunities and issues in that neighborhood, particularly related to Continental Park. He explained that, as a result of that meeting, everyone was in favor of building a small playground in a different location than Continental Park. Mr. Hugg indicated that the George Washington Drive area was selected. He advised that funds had been secured for this project from the Parks and Recreation Capital Investment Plan (CIP), and equipment had been ordered for a tot lot, primarily for children aged two (2) to six (6) years old. Mr. Hugg stated that, in order to avoid confusion and give the park some recognition, staff believed that it needed a name, and the name that had been suggested to staff was Bicentennial Playground. Mr. Hugg advised that Proposed Resolution No. 2017-12 would authorize naming the park as Bicentennial Playground and putting up a sign, and it would also allow for noting the playground on maps, etc.

Staff recommended adoption of Proposed Resolution No. 2017-12.

Responding to Mr. Sudler, Mr. Hugg advised that the name of the development was Bicentennial Village. Mr. Sudler asked if Mr. Hugg thought that some may feel that all of the playgrounds should be named Bicentennial Village rather than Continental Park. Responding, Mr. Hugg explained that the original name in the approved subdivision plan was Continental Park, and this area had been known as Continental Park for some time. He noted that it was planned to leave Continental Park as a passive recreation area with a couple of benches and do some improvements to the adjoining woodland edge. Mr. Hugg indicated that he did not think there would be any confusion or issues, noting that this was consistent with what had been done previously for other parks. He stated, for example, that Mayfair Park was named after the Mayfair subdivision.

In response to Mr. Sudler, Mr. Hugg stated that no other recommendations were received from constituents or residents in that community for other possible names, although an extensive survey was not done. He advised that, at this point, staff was trying to differentiate the park from Continental Park.

The Committee recommended adoption of Resolution No. 2017-12, as recommended by staff.

By consent agenda, Mr. Neil moved for adoption of Resolution No. 2017-12 (Exhibit #1). The motion was seconded by Mr. Anderson and carried by a unanimous roll call vote.

UTILITY COMMITTEE

The Utility Committee met with Mr. Hare presiding in the absence of Chairman Cole.

AGENDA ADDITIONS/DELETIONS

Mrs. Donna Mitchell, Acting City Manager, requested that item #3 - Agreement for Establishment of Wastewater Service - Winding Creek, be deferred for further review.

Mr. Lindell moved for the deletion of item #3, Agreement for Establishment of Wastewater Service - Winding Creek, seconded by Mr. Neil and unanimously carried.

Mr. Neil moved for adoption of the agenda, as amended. The motion was seconded by Mr. Lewis and unanimously carried.

Americans with Disabilities Act (ADA) Transition Plan: Pedestrian Facilities in the Public Right-of-Way

Mr. Jason Lyon, Water/Wastewater Manager, explained that the Americans with Disabilities Act (ADA) was enacted by the Federal Government on July 26, 1990, and one (1) of the requirements of this Act was for each government agency to

produce a Transition Plan to ensure reasonable, accessible paths of travel in the public right-of-way for everyone, including people with disabilities. Mr. Lyon stated that staff had worked with the University of Delaware T2 Center to develop a draft plan based on federal requirements. He reviewed a presentation, entitled "Americans with Disabilities Act Transition Plan: Pedestrian Facilities in the Public Right-of-Way," and indicated that the proposed Transition Plan would make the City of Dover compliant with the aforementioned regulation. Mr. Lyon noted that one (1) aspect of the Transition Plan was to allow for public comment on the document, and the City would publicly advertise the document and provide directions for the public to provide feedback. He indicated that it was recommended that the Transition Plan be advertised to the public for a minimum of thirty (30) days to obtain input from citizens and, once the public comment period is over, staff will assemble the comments, make alterations to the plan, if necessary, and present it to the Utility Committee for recommendation to Council.

Staff recommended approval to solicit public comment on the proposed Americans with Disabilities Act Transition Plan.

Mr. Polce asked how the City had historically dealt with ADA compliance issues within subdivisions of communities that do not have a homeowners' association (HOA). He stated, for example, that a constituent in Bicentennial Village had reached out to him several times with concerns and noted that this subdivision does not have a formalized or active HOA. Mr. Polce asked who is liable and responsible for ensuring that a sidewalk is up-to-standard and ADA compliant. Responding, Mr. Lyon advised that the analysis would be done by staff, who would check into the sidewalk, as it is in the right-of-way. He indicated that this constituent would have to reach out to staff so that they can go to the location, and analyze the sidewalk, document it, and put it on the list of things to be repaired.

Referring to the photos on page 11 of the presentation, Ms. Arndt noted that it looked like the street had been widened. Responding, Mr. Lyon explained that this was just the angle of the photo and the street had not been widened.

Ms. Arndt asked if the historic brick sidewalks downtown would be an issue. She stated that those sidewalks need repair; however, she would hate to see the bricks taken out completely and replaced with concrete, noting that this had happened in her neighborhood. Responding, Mr. Lyon stated that the State ADA Coordinator and many federal agencies do not like brick because bricks heave and pop up and down. He indicated that it is very difficult to install brick completely flat, and it is necessary to put a concrete base underneath the brick and a leveling feature below to make sure that it stays flat. Mr. Lyon stated that it was his best guess that it would be determined on a case-by-case basis whether or not bricks would be taken out. He noted that there had been situations when staff had reached out to constituents to see what their preference was. Mr. Lyon advised that brick sidewalks can be done; however, they are more difficult to complete. Ms. Arndt stated that, given Dover's

historic aspect, it would be worthwhile to look into maintaining brick sidewalks as much as possible.

Mr. Neil stated his understanding that when a street or something comes up that has a barrier, staff will automatically look into making it ADA accessible; however, if a complaint comes in, staff will look at that specific item to analyze it and begin taking action or put it in a priority status. In response, Mr. Lyon stated that this was correct. He explained that currently the work order process for complaints received is to map them into the Geographic Information System (GIS) and then put them in a queue of areas that need to be addressed. Mr. Neil stated that, having worked 20 years in vocational rehabilitation in Maryland, he thought this was terrific. He suggested getting the word out about accessibility, noting that this would help seniors who have walkers and wheelchairs, mothers with kids in strollers, and businesses who have carts, etc., to move items. Mr. Neil stated that accessibility is an overall benefit for the population.

Referring to Mr. Polce's comments regarding ADA compliance issues within subdivisions of communities that do not have HOAs, Mr. Neil stated that the State of Delaware Division of Vocational Rehabilitation has a lot of expertise and may be able to help in certain circumstances, for example, the installation of a walkway for a private home for a person who has a disability to be able to get into their home. He noted that for every inch of height, a foot is needed for a wheelchair to operate. Mr. Neil advised that a three-foot ramp is needed for a three-inch step; otherwise, a wheelchair could tilt over or an individual may not be able to maneuver it. He suggested that, if there is a problem that is not within staff's ability to take care of, they contact the Division of Vocational Rehabilitation to see if they have the expertise or are able to do some installations within the homes.

Mr. Sudler asked if a two-inch by four-inch brick size is currently used, and Mr. Lyon stated that nominal size brick is used. Mr. Sudler suggested using six-inch, by nine-inch, by two-and three-eighths-inch-thick brick, which is more sturdy and durable, and using stone dust instead of sand for the bed. He noted that he has a lot of experience with laying pavers and retaining walls as a contractor and mason.

Referring to Mr. Neil's remarks, Mr. Sudler stated that there is also funding for people in residential communities through the State of Delaware Division of Rehabilitation and Occupational Therapy, noting that he had done some work for them as a construction vendor. He explained that a resident has to qualify by saying that they are going to go back to work but need help or assistance, such as a handicapped ramp. Mr. Sudler advised that this agency will find a contractor who will build a ramp according to the City Code, noting that he had gone through this process. He stated that the Division of Rehabilitation and Occupational Therapy does not necessarily have the ADA requirements but just has a list of contractors, who would obtain the ADA requirement when they go to get a permit from the city in which they are providing the service. Mr. Sudler advised that the resident has to be

in the process of trying to get back to work, which is the occupational aspect. He stated that he thought that this program is worth looking at, and that staff could at least provide information to the community in regard to other ADA resources.

The Committee recommended approval to solicit public comment on the proposed Americans with Disabilities Act Transition Plan, as recommended by staff.

By consent agenda, Mr. Neil moved for approval of the Committee's recommendation, seconded by Mr. Anderson and carried by a unanimous roll call vote.

LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE

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

AGENDA ADDITIONS/DELETIONS

Mr. Polce moved for the deletion of item #3 - Proposed Ordinance #2017-14 - City of Dover Ethics Initiative, due to the absence of Council President Slavin, who was a sponsor of the ordinance, and due to Mr. Polce's conversations with Mrs. Traci McDowell, City Clerk, regarding tightening up some of the language. The motion was seconded by Mr. Lindell and unanimously carried.

Mr. Neil moved for approval of the agenda, as amended. The motion was seconded by Mr. Shevock and unanimously carried.

Annual Review of Investment Policy

Ms. Lori Peddicord, Acting Controller/Treasurer, advised that a few small changes were recommended for the City of Dover Investment Policy Statement. She explained that it was recommended to add "Fitch" to the minimum short-term rating requirements on page 7, the table on page 8, and the Policy Considerations section regarding securities downgrades on page 9. Ms. Peddicord noted that currently only Standard and Poor's, and Moody's were included in these sections of the Policy.

Staff recommended approval of the submitted changes.

The Committee recommended approval of the submitted changes to the City of Dover Investment Policy Statement, as recommended by staff.

By consent agenda, Mr. Neil moved for approval of the Revised City of Dover Investment Policy Statement (Exhibit #2). The motion was seconded by Mr. Anderson and carried by a unanimous roll call vote.

By consent agenda, Mr. Neil moved for acceptance of the Council Committee of the Whole Report, seconded by Mr. Anderson and carried by a unanimous roll call vote.

QUARTERLY REVENUE REPORT

Members were provided the Quarterly Revenue Report as of September 30, 2017.

By consent agenda, Mr. Neil moved for acceptance of the Quarterly Revenue Report as of September 30, 2017. The motion was seconded by Mr. Anderson and carried by a unanimous roll call vote.

SEMI-ANNUAL INSPECTION BY CITY MANAGER - ROBBINS HOSE COMPANY

In accordance with Chapter 46 - Fire Prevention and Protection, Article II - Fire Department, Division 1 - Generally, Section 46-43 - Semiannual Inspections, of the City Code, the Acting City Manager, Mrs. Donna Mitchell, met with the Fire Chief to discuss fire company issues. Mrs. Mitchell submitted a memorandum outlining the items discussed and noted that the Robbins Hose Company was extremely helpful with their assistance in her understanding of the operations.

By consent agenda, Mr. Neil moved for acceptance of the report of the Semi-Annual Robbins Hose Company Inspection, as submitted by the Acting City Manager. The motion was seconded by Mr. Anderson and carried by a unanimous roll call vote.

EVALUATION OF BIDS - SOUTH BRADFORD STREET AND WILLIAM STREET WATER MAIN REPLACEMENT PROJECT

Mrs. Donna Mitchell, Acting City Manager, reviewed the Background and Analysis for the South Bradford Street and William Street Water Main Replacement project.

Responding to Council President Slavin, Mrs. Mitchell stated that this is some of the oldest infrastructure in the City.

Staff recommended awarding the contract to Teal Construction, Inc., for the City of Dover South Bradford Street and William Street Water Main Replacement Project, Bid #18-0006PW, for the amount of \$682,682.

Mr. Anderson moved for approval of staff's recommendation, seconded by Mr. Sudler and carried by a unanimous roll call vote.

APPOINTMENT OF JUDGES - ROBBINS HOSE COMPANY ELECTION

The Robbins Hose Company election is scheduled for November 20, 2017. The following persons were recommended to serve as judges for the election:

1. Charlie Boyer
2. Carleton Carey, Sr.
3. James Hurley

By consent agenda, Mr. Neil moved for approval of the appointment of judges for the Robbins Hose Company election as recommended. The motion was seconded by Mr. Anderson and carried by a unanimous roll call vote.

ACTING CITY MANAGER'S ANNOUNCEMENTS

There were no announcements by the Acting City Manager.

COUNCIL MEMBERS' ANNOUNCEMENTS

Mr. Anderson advised that he and Mr. Sudler would be holding an event for the Woodcrest and Northwest Dover Heights residents in November and that announcements and flyers would be provided soon.

Mr. Anderson reminded everyone that it was Cyber Awareness Month and encouraged them to keep up their cyber awareness.

Mr. Sudler moved for adjournment, seconded by Mr. Hare and unanimously carried.

Meeting adjourned at 7:39 p.m.

TRACI A. McDOWELL
CITY CLERK

All ordinances, resolutions, motions, and orders adopted by City Council during their Regular Meeting of October 23, 2017, are hereby approved.

ROBIN R. CHRISTIANSEN
MAYOR

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Exhibits

Exhibit #1 - Resolution No. 2017-12

Exhibit #2 - Revised City of Dover Investment Policy Statement

**MAYOR AND COUNCIL****COUNCIL RESOLUTION NO. 2017-12****A RESOLUTION NAMING BICENTENNIAL PLAYGROUND**

WHEREAS: parks and playgrounds offer opportunities for relaxation, exercise, contemplation, and interaction with nature; and

WHEREAS: The City of Dover has an extensive system of park and recreation facilities that add to the quality of life in the community; and

WHEREAS: providing quality affordable recreation and leisure services that promote healthy lifestyles for residents of Dover is a goal of the Parks and Recreation Department; and

WHEREAS: City Staff engaged the Bicentennial Village community in assessing their recreational needs and opportunities; and

WHEREAS: as a result of that initiative plans were developed and funding was secured to create a playground facility for 2-5 year olds in the community; and

WHEREAS: this new facility deserves to have a proper identity linking it to the community it serves.

NOW, THEREFORE, BE IT RESOLVED:

The Dover City Council designates this facility the “BICENTENNIAL PLAYGROUND” and instructs the Department of Public Works in conjunction with the Department of Parks and Recreation to install a proper sign in recognition thereof.

ADOPTED: OCTOBER 23, 2017

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ROBIN R. CHRISTIANSEN
MAYOR

TIMOTHY A. SLAVIN
COUNCIL PRESIDENT

Actions History

10/10/2017 - Introduction – Council Committee of the Whole/Parks, Recreation, and Community Enhancement Committee

City of Dover, DE

Investment Policy Statement



Dated October 23, 2017

1.0 Governing Authority

It is the policy of the City of Dover to invest public funds under its control in a manner that will provide the highest investment return consistent with the maximum safety of principal, while meeting cash flow needs of the City. The investment program shall conform to all state and local statutes governing the investment of public funds.

2.0 Scope

This Investment Policy Statement (the “Policy”) applies to all financial assets of the City of Dover for which the City retains direct or indirect daily control. Funds for which the City has retained outside fund manager(s) shall also be governed by this Policy or, in the case of bond proceeds, related governing bond documents.

2.1 Accounts

2.1.1 Cash and Liquidity Accounts: The majority of the City’s cash balance available for investment is maintained in the cash and liquidity accounts. These accounts will be managed and invested by investment managers, selected by the City Council through competitive bid, in order to maximize the return to the City while, at the same time, providing for safety of principal and sufficient liquidity for the City to meet its cash needs. The City will manage its short-term investments to ensure sufficient liquidity and prevent their premature sale for the purpose of covering expenditures. Short-term investments should mature at face value in sufficient amounts to meet any liquidity needs.

2.1.2 Reserve Cash (Intermediate) Account: To the extent cash is not expected to be needed on short notice, the City shall invest such funds in the Reserve Cash Account. This fund shall be managed and invested by an investment manager or managers, selected by the City Council after a competitive bid, in order to maximize the return on said money to the City while providing for the safety of principal.

All of the City of Dover’s funds are accounted for in its Comprehensive Annual Financial Report. Those funds to which this Policy applies include (excluding the Deferred Compensation Plan and Pension Trusts):

2.2 Funds

2.2.1 General Fund

2.2.2 Capital Project Funds

2.2.3 Special Revenue Funds

2.2.4 Enterprise Funds

2.2.5 Internal Service Funds

2.2.6 Any new fund created by the City Council, unless specifically exempted

3.0 Objectives

The primary objectives of the City of Dover’s investment activities, in order of importance shall be:

3.1 Safety

Preservation of principal is the foremost objective of the investment program. To attain this objective, funds shall be diversified among securities of high credit quality and liquidity, so that risk of loss of principal is minimized.

3.2 Liquidity

The City's investments shall be made for such periods as to enable the City to meet all operating requirements that may be scheduled or reasonably anticipated.

3.3 Return on Investments

A goal of the investment program shall be to maximize investment return within the constraints of Sections 3.1 and 3.2.

4.0 Delegation of Authority

Authority to manage the City of Dover's investment program is derived from this Policy, which is approved by City Council, and "Dover Code, PART I, Subpart A, Article II, Section 17" (attachment B) which states in part that "The Controller/Treasurer shall be the custodian of all of the City funds."

The City's Controller/Treasurer shall:

- 1) Review this Policy annually and recommend changes, if any, to City Council;
- 2) Be charged with implementing the Policy, and may delegate authority to make investments to an investment advisor. The Controller/Treasurer shall be responsible for all investment transactions and shall establish controls to regulate the activities of the investment advisor, if any.
- 3) Ensure that records of the City's investment activities are kept for ten years.

5.0 Prudence, Ethics and Conflicts of Interest

Any official of the City or investment advisor/manager empowered to make investments on behalf of the City of Dover shall comply with the following:

5.1 "Prudent Person" Rule

Investment decisions shall be made with the judgment and care which persons of reasonable intelligence, under circumstances prevailing at the time the investment is made, would exercise in the management of their own investments assuming that their objectives are those shown in Section 3.0 of this policy.

5.2 Ethics and Conflict of Interest

The delegate authorized to make City investments shall act at all times in an ethical manner, and shall not engage in activity that could impair or be perceived to impair their ability to make impartial investment decisions. They shall disclose to the Mayor and City Council any material interests in financial institutions with which the City has financial dealings, and which may be related to the performance of the investment program. Employees and officers shall refrain from undertaking personal investment transactions with the same individual(s) with whom business is conducted on behalf of the City.

6.0 Authorized Institutions and Dealers

All broker/dealers that desire to become qualified for investment transactions with the City shall meet the following:

1. Primary dealers and regional dealers that qualify under Securities and Exchange Commission Rule 15C3-1 (uniform net capital rule)
2. Capital of at least \$25,000,000 or capital of \$5,000,000 for firms incorporated in the State of Delaware
3. Registered as a dealer under the Securities Exchange Act of 1934
4. Member of the Financial Industry Regulatory Authority (FINRA)
5. Registered to sell securities in the State of Delaware
6. Engaged in the business of effecting transactions in U.S. government, federal agency, and corporate securities for at least five (5) consecutive years

To the extent the City utilizes the services of an outside Investment Advisor, it shall be the responsibility of the Investment Advisor to maintain an approved list of brokers.

7.0 Safekeeping and Custody

To ensure that securities are deposited in an eligible financial institution prior to the release of funds, all trades of marketable securities will be executed by delivery vs. payment ("DVP").

Further, all securities will be held by an independent third-party custodian, in the name of the City, and evidenced by safekeeping receipts in the City's name. The custodian shall provide daily confirmation of held securities as well as a monthly transactions and holdings report.

8.0 Authorized Investments and Trading of Securities

The Controller/Treasurer or authorized delegate may invest only in the types of securities listed below. The maximum stated maturity of any security shall be limited to 10 years at settlement, unless otherwise stated. The maximum average maturity of the portfolio shall be seven years. For asset backed and Agency mortgage backed securities, the maximum maturity shall be defined as the weighted average life ("WAL"). WAL is a convention that estimates the expected weighted amount of time, in years, for the principal amount of an issue to be fully paid. For Agency mortgage backed securities, WAL shall be limited to 10 years, measured at the settlement date, provided by Bloomberg Financial Markets. For asset backed securities, the average life must not exceed two years, except for such securities that are subject to periodic reset of coupon or interest rate - - these may have an average life not to exceed three years.

8.1 United States Government Securities

Marketable securities issued by the U.S. Government and supported by the full faith and credit of the U. S. Treasury either by statute or an opinion of the attorney general of the United States. The maximum maturity shall be limited to 10 years. Up to 100% of the portfolio may be invested in this sector.

8.2 Government Agency Securities

Debt securities issued by government-sponsored enterprises ("GSE"), federal agencies, federal financing banks, and instrumentalities of the U.S. Government. The maximum maturity shall be limited to 10 years. Up to 50% of the portfolio may

be invested in this sector, with a maximum of 20% in any one issuer.

8.3 Certificates of Deposit and Time Deposits

8.3.1 Domestic Institutions: Issued or endorsed by a domestic bank, or a savings and loan association, organized and supervised under the laws of the United States and denominated in U.S. dollars; provided, however, that deposits are fully insured or guaranteed by the Federal Deposit Insurance Corporation (“FDIC”).

If not insured by the FDIC:

- The banking institution must have assets of not less than \$5 billion; and
- Issuers must have a short-term rating in the highest category by Standard & Poor’s, Moody’s, or Fitch and a long-term rating of at least the “A” category by Standard & Poor’s, Moody’s, or Fitch.

The maximum maturity of any investment in this sector shall be limited to 10 years at trade settlement. This sector shall not exceed 25% of the total portfolio. No single issuer shall exceed 5% of the City’s portfolio.

8.3.2 Delaware-Domiciled Institutions: Issued by or endorsed by any bank or savings association domiciled in the State of Delaware and organized and supervised under federal or State of Delaware banking laws which does not meet the requirements of Section 8.3.1 hereto; provided, however, that:

- For each of the latest two years, the bank or association has had a return on total average assets of 0.50% or greater and an average capital ratio (defined as total equity capital to total assets) of at least 1 to 20, or the instrument is secured as set forth in Section 9, “Collateralization of City Deposits,” hereto; and
- Not more than the lesser of \$10 million or 25% of an issuer’s total equity capital, may be invested in any one issuer. (Investments due to mature in one business day may be excluded from the computation of this percentage.)
- The Board expressly affirms that, consistent with these guidelines, Delaware banks and savings associations should be considered as a source of investment.
- The maximum stated maturity of any investment in this sector shall be limited to 10 years at time of purchase. This sector shall not exceed 20% of the total portfolio. No single issuer shall exceed 5% of the City’s portfolio.

8.4 Corporate Debt Instruments

Such instruments include commercial paper bankers’ acceptances, and non-convertible senior debt securities (bonds and debentures).

8.4.1 Corporate securities must be denominated/issued in US dollars. Many foreign corporations issue debt/securities in the US market, in US dollars.

8.4.2 No single issuer shall exceed 5% of the City’s portfolio.

8.4.3 Commercial Paper shall be limited to a final maturity of 270 days. This

sector shall not exceed 25% of the total portfolio. Issuers shall be rated in the highest short-term category by Standard & Poor's, Moody's, or Fitch.

8.4.4. Bankers' Acceptances shall be limited to a final maturity of 365 days. This sector shall not exceed 25% of the City's Portfolio. Issuers shall be rated in the highest short-term rating by Standard & Poor's, Moody's, or Fitch.

8.4.5 Corporate bonds and debentures shall be limited to a final maturity of 10 years. This sector shall not exceed 50% of the total portfolio. Issuers shall hold a long-term rating of at least the "A" category by Standard & Poor's, Moody's, or Fitch.

8.5 Repurchase Agreements

The underlying collateral shall consist of U.S. government and/or GSE securities provided, however, that:

8.5.1 All repurchase agreements must be governed by a written master repurchase agreement;

8.5.2 Agreements will be entered into only with respect to underlying securities in which the investment manager may otherwise invest as described above, and only with a recognized U.S. Government/broker or a bank which meets the requirements set out under paragraph Section 8.3.1 or 8.3.2 above;

8.5.3 In the case of repurchase collateral held in book-entry form in the Federal Reserve System, all deliveries of securities must be made, for the transfer thereof, through the Federal Reserve book-entry system to the account designated by the investment manager for such purpose. Securities held in certificated form must be delivered to the investment manager or a custodian as directed by the investment manager.

8.5.4 Any collateral employed under this paragraph shall be counted towards the applicable maximum limits set forth within these guidelines for such type of investment, and such collateral shall be valued at market at not less than 103 percent of the maturity value of the agreement and marked-to-the-market as requested by the investment manager.

8.5.5 Repurchase agreements shall be limited to a maximum maturity of 90 days from date of purchase. This sector shall not exceed 50% of the total portfolio. No single issuer shall exceed 25% of the City's portfolio.

8.6 Registered Investment Companies (Money Market Funds)

No single fund shall exceed 25% of the City's portfolio. Money market funds shall be rated AAA by Standard & Poor's. A current prospectus must be obtained before investing in any money market fund, and current holdings reports must be maintained at least each month.

8.7 Mortgage-Backed Securities

Mortgage-backed securities issued by the following: Government National Mortgage Association (GNMA), Federal National Mortgage Association (FNMA) or Federal Home Loan Mortgage Association (FHLMC). This sector, combined with the asset backed security sector, shall not exceed 10% of the total portfolio.

8.8 Asset Backed Securities

These investments include auto loan receivables, credit card receivables, home equity loans, and manufactured housing loans. These can be fixed or floating rate and must be rated in the highest long-term category by Standard & Poor's, Moody's, or Fitch. This sector, combined with the mortgage-backed security sector, shall not exceed 10% of the City's portfolio. No single issuer shall exceed 5% of the City's portfolio.

8.9 Municipal Obligations

Taxable and tax-exempt securities issued by state and local governments and public authorities in the United States. The maximum stated maturity of any investment in this sector shall be limited to 10 years at time of purchase. This sector shall not exceed 30% of the City's portfolio. No single issuer shall exceed 5% of the City's portfolio. Issuers shall be rated in at least the "A" category by Standard & Poor's, Moody's, or Fitch. Additionally, Issuers in the short term market (under one year) shall be rated at a minimum of "mig-1", "fl" or "sp-1" for Moody's, Fitch and Standard & Poor's.

8.10 State of Delaware Investments Pool

8.10.1 Delaware Local Government Investment Pool (DELGIP) -The investment in this pool is permitted in relation to the City's cash flow and the guidelines set forth by the State of Delaware. The investment in this pool will not exceed 25% of the total funds available and will be monitored by the City's Finance Department on a monthly basis.

8.10.2 Delaware Local Government Retirement Investment Pool (DEL RIP) The investment in this pool is permitted in relation to the City's Post-Retirement Benefits Fund. The investment in this pool will not exceed 25% of the total funds available and will be monitored by the City's Finance Department on a monthly basis.

8.11 Trading Securities

The Controller/Treasurer is hereby authorized to sell securities prior to their stated maturity date in the following circumstances:

1. A security with declining credit may be sold prior to its maturity to minimize loss of principal;
2. A security swap may be executed if it would improve the quality, yield, or target duration of the portfolio;
3. Securities may be sold to provide needed liquidity.

8.12 Internal Control on such transactions

8.12.1 An investment report will be provided to the Council on a quarterly basis.

8.12.2 All investment reporting documents will be provided to the independent auditors.

8.12.3 Investment records will be kept by the City for ten (10) years.

8.12.4 The trading shall not involve any hedge, derivatives and/or borrowing funds for trading purposes.

A summary of permitted investments is below:

Investment Type	Sector Limit	Issuer Limit	Maturity Limit	Credit Quality Minimum
United States Government Securities	100%	100%	10 Years	N/A
Government Agency Securities	50%	20%	10 Years	N/A
Mortgage-Backed Securities	Combined 10% limit	N/A	10 Year WAL	N/A
Asset Backed Securities		5%	2 Year WAL	Highest long-term rating by Fitch, Moody's or S&P
Municipal Obligations	30%	5%	10 Years	Long-term rating of at least "A" by S&P, Moody's, or Fitch For issuers in short term market, rating of at least "mig-1", "fl" or "sp-1" for Moody's, Fitch & S&P
FDIC-Insured Deposits	25%	5%	10 Years	N/A
Certificates of Deposit and Time Deposits (not insured by FDIC)	25%	5%	10 Years	Highest short-term rating by Fitch, Moody's or S&P. Long-term rating of at least "A" by S&P, Moody's, or Fitch
Delaware-Domiciled Institutions	20%	5%	10 Years	N/A
Commercial Paper	25%	5%	270 Days	Highest short-term rating by Fitch, Moody's or S&P
Bankers' Acceptances	25%	5%	365 Days	Highest short-term rating by Fitch, Moody's or S&P
Corporate Bonds and Debentures	50%	5%	10 Years	Long-term rating of at least "A" by S&P, Moody's, or Fitch
Repurchase Agreements	50%	25%	90 days	N/A
Registered Investment Companies (Money Market Funds)	100%	25%	N/A	AAAm by S&P
Delaware Local Government Investment Pool	25%	N/A	N/A	N/A
Delaware Local Government Retirement Investment Pool	25%	N/A	N/A	N/A

9.0 Collateralization of City Deposits

If the City deposits funds in any financial institution, those funds will be subject to the following collateralization requirements. The financial institution shall:

9.1 Collateralize the City's daily ledger balance(s) if, for any quarter during the most recent eight quarters the bank has not met both of the following two criteria:

- Return on total average assets of 0.50 percent or greater.
- Average capital ratio (total equity to total assets) of 5.00 percent or greater.

9.2 If either criterion in paragraph 9.1 is not satisfied collateral must be pledged and shall consist of one or more of the following securities:

- U.S. Government securities
- U.S. Government agency securities
- Federal Home Loan Board letters of credit
- State of Delaware securities
- Mortgage backed securities as referenced in Section 8.7
- Securities of a political subdivision of the State of Delaware with a Moody's rating of "A" or better

9.3 Ensure that the securities pledged as collateral (except for Federal Home Loan Board letters of credit) have a market value equal to or greater than 102 percent of the ledger balance(s) in the account(s) marked to market each day.

9.4 Ensure that securities pledged as collateral are housed at the Federal Reserve Bank or a mutually agreed upon third party depository. (The trust department of the winning vendor will not be acceptable.)

9.5 Provide reports on a monthly basis to the City Finance Department detailing the collateral pledged.

9.6 Provide a Call Report (Consolidated Report of Condition and Income, FFIEC 031) on a quarterly basis to the City Finance Department.

10.0 Policy Considerations

If securities owned by the City are downgraded by either Standard & Poor's, Fitch or Moody's to a level below the quality required by this Policy, it shall be the City's policy to review the credit situation and make a determination as to whether to sell or retain such securities in the portfolio.

If a security is downgraded two grades below the level required by the Policy, the security shall be sold immediately.

If a security is downgraded one grade below the level required by this Policy and matures within 6 months, the security may be held to maturity. The Controller/Treasurer may determine to sell the security if it is determined that there is a probability of default prior to maturity.

If a decision is made to retain a downgraded security in the portfolio, its presence in the portfolio will be monitored and reported monthly to the Controller/Treasurer.

11.0 Internal Controls

The Controller/Treasurer is responsible for establishing and maintaining an internal control structure designed to ensure that the assets of the City are protected from loss, theft, or misuse. The Controller/Treasurer shall also establish a process for an annual independent review by an external auditor to assure compliance with policies and procedures. The internal controls shall address the following:

- Control of collusion
- Separation of transaction authority from accounting and recordkeeping
- Custodial safekeeping
- Prohibition of physical delivery securities
- Clear, written delegation of authority to subordinate staff members
- Written confirmation of transactions for investments and wire transfers

12.0 Performance Standards

The City of Dover's investment decisions shall be made with the objective of obtaining a rate of return commensurate with the investment risk constraints and the cash flow needs. On a quarterly basis, the Controller/Treasurer shall compare the City's portfolio against the Merrill Lynch 0-5 Year U.S. Treasury Index, in terms of time-weighted total return and average duration for the period under review.

13.0 Reporting

At the end of each calendar quarter, the Controller/Treasurer will submit a report of all quarter-ending investments to the Mayor and City Council. Reports shall include the following:

- Listing of individual securities held as of last day of reporting period, sorted by sector
- Par, market, and amortized cost values of each security
- Coupon, current yield, and final stated maturity date of each security

14.0 Investment Policy Adoption

The City of Dover's investment policy will be adopted by the City Council after review and recommendation of the Legislative and Finance Committee. The policy will be reviewed at least once every year by the Legislative and Finance Committee, which is charged with considering the existing policy and any recommendations to modify the policy. Any modifications to the policy must be approved by the City Council.

LEGEND

1. Original approval by City Council - November 14, 1988
2. Revised policy approved by City Council - March 7, 2005
3. City Council Approved with No Changes – April 14, 2008
4. Revised policy approved by City Council – July 25, 2011
5. Revised policy approved by City Council – August 12, 2013.
6. Revised policy approved by City Council – September 8, 2014
7. Revised policy approved by City Council – October 10, 2016
8. Revised policy approved by City Council – October 23, 2017

ATTACHMENT A

GLOSSARY

AGENCIES: Federal agency securities, otherwise known as “Government Sponsored Enterprises.”

CERTIFICATE OF DEPOSIT (CD): A time deposit with a specific maturity evidenced by a certificate. Large denomination CD's are typically negotiable.

BANKERS ACCEPTANCE: A short-term credit investment which is created by a non-financial firm and whose payment is guaranteed by a bank.

COLLATERAL: Securities, evidence of deposit or other property which a borrower pledges to secure repayment of a loan. Also refers to securities pledged by a bank to secure deposits of public monies.

COMMERCIAL PAPER: An unsecured obligation issued by a corporation or bank to finance its short-term credit needs. Maturities typically range from one (1) to 270 days.

COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR): The official annual report for the City of Dover. It includes five combined statements for each individual fund and account group prepared in conformity with GAAP. It also includes supporting schedules necessary to demonstrate compliance with finance-related legal and contractual provisions, extensive introductory material, and a detailed Statistical Section.

CORPORATE BONDS: A debt security issued by a corporation based in the United States of America. Such bonds usually have a par value of \$1,000, have a term maturity, and are traded on a major exchange.

DEALER: A dealer, as opposed to a broker, acts as a principal in all transactions, buying and selling for his own account.

DIVERSIFICATION: Dividing investment funds among a variety of securities offering independent returns, in an attempt to limit risk.

FEDERAL CREDIT AGENCIES: Agencies of the Federal government set up to supply credit to various classes of institutions and individuals, e.g., S&L's, small business firms, students, farmers, farm cooperatives, and exporters.

FEDERAL DEPOSIT INSURANCE CORPORATION (FDIC): A federal agency that insures bank deposits, currently up to \$250,000 per deposit.

FEDERAL FUNDS RATE: The rate of interest at which Fed funds are traded. This rate is currently pegged by the Federal Reserve through open-market operations.

FEDERAL HOME LOAN BANKS (FHLB): The institutions that regulate and lend to savings and loan associations. The Federal Home Loan Banks play a role analogous to that played by the Federal Reserve Banks vis-a-vis member commercial banks.

FEDERAL NATIONAL MORTGAGE ASSOCIATION (FNMA): FNMA, like GNMA was chartered under the Federal National Mortgage Association Act in 1938. FNMA is a federal corporation working under the auspices of the Department of Housing and Urban Development (HUD). It is the largest single provider of residential mortgage funds in the United States. Fannie Mae, as the corporation is called, is a private stockholder-owned corporation. The corporation's purchases include a variety of adjustable mortgages and second loans, in addition to fixed-rate mortgages. FNMA's securities are also highly liquid and are widely accepted.

FEDERAL RESERVE SYSTEM: The central bank of the United States created by Congress and consisting of a seven member Board of Governors in Washington, D.C., 12 regional banks and about 5,700 commercial banks that are members of the system.

GOVERNMENT NATIONAL MORTGAGE ASSOCIATION (GNMA or Ginnie Mae): Securities influencing the volume of bank credit guaranteed by GNMA and issued by mortgage bankers, commercial banks, savings and loan associations, and other institutions. Security holder is protected by full faith and credit of the U.S. Government. Ginnie Mae securities are backed by the FHA, VA or FMHM mortgages. The term "passthroughs" is often used to describe Ginnie Mae's.

LIQUIDITY: A liquid asset is one that can be converted easily and rapidly into cash without a substantial loss of value. In the money market, a security is said to be liquid if the spread between bid and asked prices is narrow and reasonable size can be done at those quotes.

LOCAL GOVERNMENT INVESTMENT POOL (LGIP): The aggregate of all funds from political subdivisions that are placed in the custody of the State Treasurer for investment and reinvestment.

MARKET VALUE: The price at which a security is trading and could presumably be purchased or sold.

MATURITY: The date upon which the principal or stated value of an investment becomes due and payable.

MORTGAGE-BACKED SECURITIES (MBS): An investment instrument that represents ownership of, and is backed by, an individual interest in a pool of mortgages such as those issued by Ginnie Mae or Freddie Mac. Principal and interest from the individual mortgages is used to pay principal and interest on the MBS.

MUNICIPAL NOTES AND BONDS: Securities issued by a state, city, or local government to finance operations or special projects.

PRUDENT PERSON RULE: An investment standard. In some states the law requires that a fiduciary, such as a trustee, may invest money only in a list of securities selected by the custody state--the so-called legal list. In other states the trustee may invest in a security if it is one which

would be bought by a prudent person of discretion and intelligence who is seeking a reasonable income and preservation of capital.

QUALIFIED PUBLIC DEPOSITORIES: A financial institution which does not claim exemption from the payment of any sales or compensating use or ad valorem taxes under the laws of this state, which has segregated for the benefit of the commission eligible collateral having a value of not less than its maximum liability and which has been approved by the Public Deposit Protection Commission to hold public deposits.

RATE OF RETURN: A measure of worth, either at security or aggregate portfolio level, over a period of time. There are many return conventions, including but not limited to yield to maturity at cost, yield to maturity at market, yield to worst, time weighted total return, dollar weighted total return.

REPURCHASE AGREEMENT (RP OR REPO): A holder of securities sells these securities to an investor with an agreement to repurchase them at a fixed price on a fixed date. The security "buyer" in effect lends the "seller" money for the period of the agreement, and the terms of the agreement are structured to compensate him for this. Dealers use RP extensively to finance their positions. Exception: When the Fed is said to be doing RP, it is lending money, that is, increasing bank reserves.

REVERSE REPURCHASE AGREEMENT: The purchase of a security by a dealer with the agreement to sell it back to the seller at a fixed price at a later date. Typically used by owners of securities to finance short-term needs without having to liquidate the security.

SAFEKEEPING: A service to customers rendered by banks for a fee whereby securities and valuables of all types and descriptions are held in the bank's vaults for protection.

TIME DEPOSITS: A savings account or CD held for a fixed term or with the understanding that the customer can withdraw only by giving advanced notice.

TREASURY BILLS: A short-term (less than one year) non-interest bearing discount security issued by the U.S. Treasury department to finance the national debt. Most bills are issued to mature in three months, six months, or one year.

TREASURY BOND: Long-term U.S. Treasury securities having initial maturities of more than 10 years.

TREASURY NOTES: A non-interest bearing discount security issued by the U.S. Treasury to finance the national debt. Most bills are issued to mature in three months, six months or one year.

UNIFORM NET CAPITAL RULE: Securities and Exchange Commission requirement that member firms as well as nonmember broker-dealers in securities maintain a maximum ratio of indebtedness to liquid capital of 15 to 1: also called net capital rule and net capital ratio.

Indebtedness covers all money owed to a firm, including margin loans and commitments to purchase securities, one reason new public issues are spread among members of underwriting syndicates. Liquid capital includes cash and assets easily converted into cash.

VARIABLE RATE MASTER DEMAND NOTES: A floating rate security with initial maturities and indexed rates chosen by the investor. The interest rate is adjusted periodically, usually off a standard such as that prevailing on a Treasury Bill or the prime interest rate.

YIELD: The rate of annual income return on an investment, expressed as a percentage.

INCOME YIELD is obtained by dividing the current dollar income by the current market price for the security.

NET YIELD or YIELD TO MATURITY is the current income yield minus any premium above par or plus any discount from par in purchase price, with the adjustment spread over the period from the date of purchase to the date of maturity of the bond.

ATTACHMENT B

Dover, Delaware, Code of Ordinances >> PART I - CHARTER AND RELATED LAWS

PART I - CHARTER AND RELATED LAWS ^[1]

Subpart A - CHARTER

PREAMBLE ^[3]

We the people of the City of Dover, under the constitution and laws of the state of Delaware, in order to secure the benefits of local self-government and to provide for an honest and accountable council-manager government, do hereby adopt this charter and confer upon the city the following powers, subject to the following restrictions, and prescribed by the following procedures and governmental structure. By this action, we secure the benefits of home rule and affirm the values of representative democracy, professional management, strong political leadership, citizen participation, and regional cooperation.

ARTICLE I. - POWERS OF THE CITY

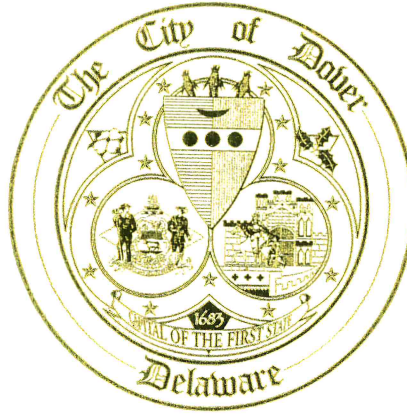
ARTICLE II. - MAYOR AND COUNCIL

Sec. 17. - Controller/treasurer.

At the annual meeting the council shall elect a controller/treasurer to hold office until the next annual meeting of the council, or until his/her successor has been duly chosen and qualified, but subject to removal at any time by the council.

The controller/treasurer shall be the custodian of all the city funds and shall deposit them in a banking institution designated by the council.

(Amd. of 7-12-2005 (S.B. 126); Amd. of 7-8-2009 (S.B. 165, § 15))



PROCLAMATION

WHEREAS, fascination with the earth's geography inspired the early explorers of our country to learn and record information about the surface of the land and its people, environments, resources, political boundaries, and characteristics and today remains a fundamental part of our national heritage; and

WHEREAS, geographic information has many useful applications for our municipal government and is a valuable resource used in the analysis of infrastructure, emergency services, economic development, and long-range planning; and

WHEREAS, Geographic Information Systems (GIS) technology provides an efficient means of managing geographic information and providing data that allows for effective decision-making and improved delivery of services to the residents of the City of Dover and our surrounding area; and

WHEREAS, the City of Dover's GIS Division plays a vital role in the continued growth of the City and has been nationally recognized for its outstanding efforts in the advancement of GIS and its foresight in creating programs that can be used to better manage services in the City.

NOW, THEREFORE, I, ROBIN R. CHRISTIANSEN, MAYOR OF THE CITY OF DOVER, DELAWARE, do hereby proclaim November 15, 2017 as **GIS Day**, and November 12 – 18, 2017 as

GEOGRAPHY AWARENESS WEEK

in the City of Dover and urge all residents to participate in this special observance.

Robin R. Christiansen
Mayor

SPECIAL DOVER HUMAN RELATIONS COMMISSION

The Special Dover Human Relations Commission (DHRC) meeting was held on September 21, 2017 at 6:00 p.m. with Chairman Henderson presiding. Members present were Mr. Gaddis, Mrs. Herbert, and Ms. Mullen. Mr. Fleming, Mr. Offredo, and Ms. Paige were absent.

AGENDA ADDITIONS/DELETIONS

Mr. Offredo moved for approval of the agenda, seconded by Mr. Gaddis and unanimously carried.

DHRC Committee Updates

Government Policy, Programs, and Practices Committee (Gaddis)

No report was provided.

Community Engagement Committee (Mullen)

Ms. Mullen advised members that she had met with Pastor Mark Walters, St. Andrew's Lutheran Church, and had received a phone call from Pastor Christopher Hall, The Church The Body Of Christ, on Townsend Boulevard. She stated that she also went to a Police Athletic League (PAL) event hosted at Towne Point Elementary School and met with the leader of that organization, who was looking to do more than just policing and really get into the communities. Ms. Mullen indicated that they had a conversation regarding getting to know the cultures of the community and what communities make up Dover.

Ms. Mullen indicated that she thought it was time to get some hard dates and move forward with a community day. She noted that several churches were represented within the core of the DHRC, and there were other churches in the community that wanted to take part. Ms. Mullen stated that Pastors Walters and Hall want to do something. She noted that Pastor Hall has a social work background and is very community driven. Ms. Mullen suggested inviting all of the communities in the City to a community day, like a "Tearing Down the Walls Day", having the churches present, and addressing different issues or concerns that the DHRC is unaware of and that people may not be comfortable expressing. She noted that this would be an opportunity for members to hear some of the issues, and from there they could perhaps start coming up with resolutions.

Mr. Henderson stated that this was an aggressive agenda that could be discussed. He stated that he agreed with Ms. Mullen and that members could support her.

Ms. Mullen suggested holding the event on The Green once the date is set. She indicated that the different churches could be invited and the event could be advertised in the Dover Post. Mr. Henderson asked when the event would be held, noting that summer was nearly over, and suggested holding it at Delaware State University or the Delaware Technical and Community College auditorium. He indicated the need to be careful of quorum restrictions, explaining that it would probably be Ms. Mullen and himself who would participate. In response to Mr. Henderson, Mrs. Jody Stein, Administrative Assistant, City Clerk's Office, indicated that she thought members may be discussing an event as opposed to a meeting. *(City Clerk's Office Note: Subsequent to the meeting, it was determined that this event, as described, would not be permitted under Chapter 58 - Human Relations, Article II - Human Relations Commission, Section 58-33(c of the Dover Code,*

which states that all meetings shall be held at City Hall and in accordance with the Laws of Delaware regarding the Freedom of Information Act (FOIA) and City of Dover procedures.)

Ms. Mullen indicated that she would rather hold an event outside, stating that she thought members would get more support outside.

Mrs. Herbert asked if this would require money, if food would be provided, and if this would be done through the churches. Responding, Ms. Mullen stated that she was not thinking in terms of food but in terms of having a board and some post cards, noting that people who do not want to be vocal could write their community concern on a post card and turn it in or post it. She suggested that the pastors may want to have a national prayer.

Ms. Mullen asked who to contact to reserve The Green. Mr. Henderson stated that some type of permit would probably be needed, permission could probably be obtained at City Hall, and the Police Department may authorize it. Mrs. Stein offered to obtain information, noting that the Parks and Recreation Department may have to be contacted. Mrs. Mullen stated that once this was done, not much else would be needed to move forward. She noted that the event would have to be announced and the public made aware of it, stating that this could be done through the Dover Post, and she asked if this would be free. Responding, Mr. Henderson stated that this would not be free. Mrs. Herbert indicated that an announcement for a gathering could be free, and noted that if the Dover Post wanted to do an article about it, that would be free.

Mr. Henderson stated that, if done correctly, the event would require coordination and input from various members, noting that this could not be done next week. He stated that this might be something that is brought before Council, who may have some issues and want to be there. Mr. Henderson expressed his belief that Councilman Sudler would be particularly interested in participating. He expressed the need to know who the players are, the subject matter, and if it is a ministerial or civil event.

Ms. Mullen advised that she would like to be proactive as opposed to being reactive. She noted that there was always rioting somewhere, in different states, and thanked God that the City had not experienced this. Ms. Mullen stated that this event would not be a riot but something positive and members would welcome all issues and concerns, both positive and negative, and see what Dover as a city and City Council could do to put things in place.

Mrs. Herbert suggested having a unity walk where everyone could walk together for a period of time.

Mr. Gaddis asked whom members would want to have involved, noting that churches would obviously be involved. He suggested developing a handout, which he could print and could be dropped off at a church. Mr. Gaddis asked what other organizations the DHRC would touch base with, stating that City Council would be a good idea, and perhaps police departments and schools. Noting that bad weather was approaching, he suggested trying to have the event in a school gymnasium, such as Dover High School. He reiterated the need to determine who else the Commission would like to involve in the event, besides churches.

Responding to Mr. Henderson, Ms. Mullen stated that she could brainstorm what the event would be called and suggested something like “Breaking Down the Walls”, because there are so many different ethnic groups and nationalities and other cultures are sometimes not understood. She indicated that something she may not find offensive may be offensive to another culture, and she may not be aware of this. Ms. Mullen noted that sometimes it just takes a little bit of educating to let someone know about the culture of a particular ethnic group. She stated the need to respect one another.

Mrs. Herbert advised that it would be a good idea to have a variety of different people, like Muslims, etc., who would be willing to speak for approximately five (5) minutes about their culture.

Mr. Henderson stated that he loved the idea and suggested having a brainstorming session to flesh it out a little more. He suggested that colleges or libraries could serve as a back-up, rainy day location. Mr. Henderson advised that it would not really be that difficult to put the event on if members did it right. He stated that he and Ms. Paige are with the Interdenominational Ministerial Alliance (IMA). Mr. Henderson suggested getting Ms. Paige involved as administration is her strength. He noted that he would also be willing to work with Ms. Mullen.

Ms. Stein suggested that this item be placed on the next meeting agenda for discussion, stating that if members planned to hold the event they would need Council’s approval.

Mr. Gaddis suggested that all members come up with ideas and noted the need for a name. He stated that he was unsure about “Breaking Down the Walls” but that there was a need for something that gets across the idea that it is going to be multicultural. Mr. Gaddis indicated that members need to come up with people, organizations, and cultures that they want to have represented, determine a date, and work on the format. He suggested communicating this to the three (3) absent members and that an email go out saying that Ms. Mullen had presented the idea of a gathering of cultures to get to know each other. Mr. Gaddis indicated that a title was needed to communicate the concept to a broad base of people. He noted that churches were being considered and suggested that this be broadened to religious organizations, synagogues, mosques, etc. Mr. Gaddis asked if there were other groups that members felt needed to be included. He suggested that members could brainstorm this issue at the next meeting.

Mr. Henderson stated that he agreed with Mr. Gaddis. He indicated that there may be a need to narrow the scope or plan for a series of workshops, stating that when that many people are involved, it will not all be done in one (1) session. Mr. Henderson advised that there may be a wide spectrum of community issues and suggested that members may be able to create a format where this type of thing can be done on a regular basis.

Mr. Henderson expressed the desire to give the concept a chance to grow and nurture it. He stated that, as a Commission, members want to make sure they put out a good, clear, coherent product, so that the community knows what the DHRC is talking about. Mr. Henderson noted that former Commissioner James McGiffin had previously done a survey of diversity issues that started out with an embryonic concept. He suggested brainstorming and getting other Commissioners and people involved.

Education Committee (Fleming)

Mr. Henderson explained that Mr. Fleming was unable to attend but had asked that members be provided a handout regarding a Parent Student Resource Fair being put on by the Community Engagement Forum, Restoring Central Dover, National Council on Agricultural Life and Labor (NCALL) on September 30, 2017 from 10:00 a.m. to 1:00 p.m. at the Wesley College Center (**Attachment #1**). He noted that Mr. Fleming had indicated that representatives from the State and the Capital School District would attend the event and there would be a keynote speaker, as well as a panel of speakers, including Mr. Kevin Tinsley, who would be speaking on the rights of disabled students. Mr. Henderson noted that DHRC members were welcome to attend and were invited to post signs about the event in their communities.

Communications Committee (Paige)

Mr. Henderson stated that Ms. Paige was unable to attend but was continuing to work on a brochure for the DHRC. He indicated that he thought Ms. Paige would appreciate input. Mr. Henderson noted that he had advised Ms. Paige that he wanted to make some slight changes to the pamphlet.

During the Regular City Council meeting of April 10, 2017, Council considered the Development of a Concise Statement - Mission and Functions of DHRC and approved the DHRC's recommendation to accept the concise statement as written. Mr. Gaddis stated that he wondered if Ms. Paige would be willing to put the shortened mission statement that the DHRC came up with several months ago in the brochure. Responding, Mr. Henderson indicated that Ms. Paige was amenable to any input members have and was looking for them to become actively involved. He noted that Ms. Paige had emailed him the pamphlet and stated the need for members to look at the pamphlet and get it done.

State Human Relations Commission Liaison Report (Herbert)

Mrs. Herbert advised members that she and Mr. Henderson had attended the State Human Relations Commission (SHRC) executive committee meeting held on August 10, 2017 and expressed to the SHRC the fact that the DHRC wanted to be able to work together with them. She noted that Mr. Calvin Christopher, Chair, SHRC, stated that this would be placed on the September agenda for the whole SHRC; however, when she and Mr. Henderson arrived at the September meeting, this item was not on the agenda.

Mrs. Herbert noted that she and Mr. Henderson were able to make their presentation of Long-Term Objective C.2 of the City of Dover Human Relations Commission Strategic Plan 2015 - 2018, which states, "Develop an understanding with the State Human Relations Commission that will delineate the roles and procedures of the two Commissions in the solution of alleged discrimination complaints which fall within the jurisdiction of the State Human Relations Commission, and identify and maintain specific ways the two Commissions will work together." She indicated that Mr. Christopher stated that he would put this on next month's SHRC agenda. Mrs. Herbert explained that the SHRC requested that she provide them Objective C.2 and Ms. Kelly Brown, their assistant, would distribute it to all the SHRC Commissioners.

Mrs. Herbert noted that Mr. Christopher had stated that he wanted to have a chance to talk with the people in Sussex and Kent Counties, as opposed to the people that are up in Wilmington and Newark, and to have one (1) of the people that represents those counties be a liaison to the DHRC

to work with them to answer questions and figure out ways they should interact together. She stated her assumption that this would be handled at the next meeting on the second Thursday of the month at 5:30 p.m. in the conference room on the second floor of the Cannon Building on Silver Lake Boulevard. Mrs. Herbert advised that she planned to attend. She noted that the SHRC was very glad that there was an exact and clear statement of what the DHRC wanted and how they wanted to do it, and they were going to send out precisely what Mrs. Herbert had stated about Objective C.2.

Mr. Henderson noted that he also planned to attend the next SHRC meeting, unless someone else would like to go.

Future Meeting Dates

During the Special DHRC meeting of August 24, 2017, members tabled the motion to recommend that the DHRC meet on the fourth Thursday of the month pending further research regarding Chapter 58 of the Dover Code and potential other dates.

Mr. Gaddis moved to lift the matter from the table, seconded by Mr. Henderson and unanimously carried.

Mrs. Jody Stein, Administrative Assistant, City Clerk's Office, noted that, if it would work out well with members, holding meetings on the third Thursday of the month, as opposed to the fourth Thursday, would be preferable for staff.

Mr. Henderson asked if members could agree to meet on the third Thursday of the month.

Mrs. Herbert moved to recommend that the DHRC meet on the third Thursday of the month at 6:00 p.m., seconded by Ms. Mullen and unanimously carried.

Ms. Mullen moved for adjournment, seconded by Mrs. Herbert and unanimously carried.

Meeting adjourned at 6:32 p.m.

Theodore A. Henderson
Chair

TAH/JS/dd

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Attachment

Attachment #1 - Handout - Parent Student Resource Fair - Community Engagement Forum, Restoring Central Dover, NCALL

THE COMMUNITY ENGAGEMENT FORUM, RESTORING CENTRAL DOVER, NCALL
WELCOMES YOU TO JOIN US FOR OUR

PARENT STUDENT RESOURCE FAIR

SEPT. 30TH 10:00AM - 1:00PM

WESLEY COLLEGE CENTER
120 N STATE ST, DOVER, DE 19901
PARKING IS OFF OF GOVERNORS AVE

INFORMATION TABLES, PANEL DISCUSSIONS, VENDORS, ADVOCACY INFORMATION
AFTER SCHOOL PROGRAM INFORMATION

SPECIAL GUEST SPEAKER: DR. MICHAEL CASSON

ALL PARENTS AND STUDENTS ARE WELCOME TO JOIN US!!!

SPECIAL DOVER HUMAN RELATIONS COMMISSION

The Special Dover Human Relations Commission (DHRC) meeting was held on October 19, 2017 at 6:00 p.m. with Chairman Henderson presiding. Members present were Mr. Fleming, Mrs. Herbert, and Mr. Offredo. Mr. Gaddis, Ms. Mullen, and Ms. Paige were absent.

AGENDA ADDITIONS/DELETIONS

Mr. Fleming moved for approval of the agenda, seconded by Mr. Offredo and unanimously carried.

DHRC Committee Updates

Government Policy, Programs, and Practices Committee (Gaddis)

No update was provided.

Community Engagement Committee (Mullen)

No update was provided.

Education Committee (Fleming)

During the Special Dover Human Relations Commission meeting of September 21, 2017, members were provided a handout regarding a Parent Student Resource Fair being put on by the Community Engagement Forum, Restoring Central Dover, National Council on Agricultural Life and Labor (NCALL) on September 30, 2017. Mr. Fleming stated that this event had been held and was not extremely well attended; however, a lot of valuable information was dispensed. He noted that Mrs. Herbert and Mr. Gaddis had attended. Mr. Fleming advised that the conference was interesting, presented a lot of perspectives, and a lot of individuals were present who gave information on what is available to parents of students with special needs.

Mrs. Herbert stated that, even though they failed to get parents to come, there were many professional people at the conference who knew their own professions but not someone else's, and they learned a lot. Mrs. Herbert indicated that she thought that the advertising for the event might have been the problem.

Communications Committee (Paige)

Mr. Offredo advised that he and Ms. Paige had worked on the draft Dover Human Relations Commission brochure, which was pretty much in its completed format, aside from the section under "Our Meetings." He noted that they had left this section blank because he was unsure if members had discussed on which Thursday of the month they would be meeting. Mr. Offredo indicated that the brochure was 99.9% complete and suggested that it be placed on the next meeting agenda.

Mrs. Herbert explained that, during the DHRC meeting of September 21, 2017, members had recommended that the DHRC meet on the third Thursday of the month. Mr. Offredo stated that before the next meeting he would update the brochure to reflect that information, review it, and provide it to Mrs. Jody Stein, Administrative Assistant, City Clerk's Office, to be included on the agenda. Responding to Mrs. Stein, Mr. Offredo stated that he would prefer to wait until the next

meeting to finalize the brochure, rather than attaching it to the current meeting minutes, so that members could review it once again prior to Council's review.

Mr. Henderson suggested that it be included somewhere in the brochure that he is the Chair of the DHRC. He stated that he had no other problems with the brochure.

Mr. Fleming stated that he had reviewed the draft brochure, which looked really good. He indicated that, at one point, members were thinking about modifying the statement regarding DHRC meetings in Chapter 58 - Human Relations of the Dover Code. Responding, Mrs. Herbert stated that she thought that members had resolved that issue during a previous meeting when they stated that they would hold special meetings and could then meet as much as they wanted. Mr. Fleming stated that he was not aware that the Commission could do that. He explained that he wanted to mention it before Mr. Offredo finalizes the brochure, if members were thinking of making a change.

State Human Relations Commission Liaison Report

During the Special DHRC Meeting of September 21, 2017, Mrs. Herbert advised members that she and Mr. Henderson had attended the State Human Relations Commission (SHRC) executive committee meeting held on August 10, 2017 and expressed to the SHRC that the DHRC wanted to be able to work together with them. She noted that Mr. Calvin Christopher, Chair, SHRC, stated that this would be placed on the September agenda for the whole SHRC; however, when she and Mr. Henderson arrived at the September meeting, it was not on the agenda.

Mrs. Herbert explained that she attended the SHRC meeting on October 12, 2017 and the DHRC's request was again not on the agenda. She stated that she asked when the item would be placed on their agenda and they settled the matter by provided a contact, Dr. Nancy Maihoff, Ph.D. Mrs. Herbert informed members that, according to Dr. Maihoff's card, she is a consultant in research design, statistics evaluation, educational testing, and test development who lives in Dover. She advised that she had told Dr. Maihoff that she would call her; however, she was unsure whether members wanted Dr. Maihoff to come before the DHRC or if they wanted Mrs. Herbert to have a conversation with her before that.

Mr. Henderson asked what the value would be in having Dr. Maihoff come and share with the DHRC. Responding, Mrs. Herbert stated that she did not know because she had not had a chance to talk with Dr. Maihoff. She indicated that she had heard that someone had come from the State in the past. Mrs. Herbert noted that she left the SHRC meeting after she accomplished her mission; however, the person who stood up to speak as she was leaving stated that they wanted their concern to be kept confidential. She stated that she assumed this individual was told that their concern could not be kept confidential since it was an open meeting. Mrs. Herbert explained that apparently the SHRC hears complaints; however, she was unsure whether this individual was in the correct place to state her complaint.

Mrs. Herbert stated her assumption, based on the wording in the DHRC's Strategic Plan, that members want to know how to communicate with the SHRC if there is an issue that they feel the

SHRC should handle. She indicated that Dr. Maihoff is very nice and had attended every SHRC meeting, noting that some of the people do not. Mrs. Herbert advised that she would call Dr. Maihoff to see if she had time to chat on the phone or sit down and talk. She stated her belief that the SHRC knows that the DHRC members are new and not quite sure of the path they should be taking. Mrs. Herbert noted that the SHRC is also an advisory committee and should understand the DHRC's issue on that.

Mr. Fleming stated that he and Mrs. Herbert questioned the value of attending all of the SHRC meetings. He suggested, once they find out the SHRC's meeting schedule, that DHRC members take turns going so each of them would have some understanding of what the State is doing. Mr. Fleming noted that this would take the burden of attending every meeting off Mrs. Herbert.

Mrs. Herbert indicated that, from what she had seen by going to SHRC meetings, she did not feel it was worth going to every meeting and was unsure if DHRC members would get that much out of it. She advised that the DHRC needed to know how to connect with the SHRC and touch base periodically. Mr. Henderson stated that he concurred and that DHRC members might want to go just to see what the State meetings are like. Mrs. Herbert indicated that the meetings are open to anyone.

Mrs. Herbert stated her understanding that the SHRC liaison position did not involve attending all of the SHRC meetings but creating a way for the DHRC and the SHRC to communicate with each other, as was written in the DHRC Strategic Plan. She advised that, in this case, this communication would be through calls between herself and Dr. Maihoff, noting that members may want to do this differently.

In response to Mr. Henderson, Mrs. Herbert advised that the SHRC meets on the second Thursday of every month at 5:30 p.m. in the Cannon Building on Silver Lake Boulevard. She indicated that she would like to discuss with Dr. Maihoff the possibility of having Dr. Maihoff tell her if the SHRC will be considering something that she feels the DHRC needs to come to a meeting to observe and hear, and set up this kind of rapport with her.

Mr. Offredo noted that the SHRC is a public body and DHRC members could view the SHRC agendas and minutes online to see if there is something that they need to know about or attend, in addition to any reports they may have. Mrs. Herbert advised that she had been checking the SHRC agendas, which was how she knew the DHRC had not been included. She stated that she thought DHRC members had attended three (3) or four (4) meetings to get on the agenda. Mrs. Herbert indicated that she had been looking at the SHRC's minutes and a lot of what they talk about is legislative, which she thought the DHRC should be very interested in. She noted that homelessness is one (1) of the issues. Mrs. Herbert stated that she thought that the SHRC was in the same position as the DHRC, noting that they cannot support anyone in particular, but can say things like, "The homeless should be treated as fairly as everyone else." Mrs. Herbert stated that until she talks to Dr. Maihoff she will not know how to go about this. She stated that she wanted to develop a working relationship with Dr. Maihoff and was more concerned about the process of how to interact together than attending the meetings because all of their minutes are online.

Mrs. Herbert stated that she did not know how often the SHRC has executive sessions, noting that she and Mr. Henderson went to a meeting that was supposed to start at 5:30 p.m. and it started at 6:15 p.m. She explained that SHRC agendas are available ahead of time and suggested that members check them if they wish to attend a meeting because cancellations are sometimes reflected online.

Mr. Henderson noted that Mr. Gerald Rocha had approached Ms. Paige regarding his interest in joining the DHRC. Responding to Mr. Henderson, Mrs. Jody Stein, Administrative Assistant, City Clerk's Office, stated that Mr. Rocha resides in the First District. Mr. Henderson stated that he knew Mr. Rocha very well because they are in the same fraternity and he thought that Mr. Rocha would be very good for the Commission, noting that he is an active individual and a very good man. Mr. Henderson stated that he looked forward to possibly having Mr. Rocha on the Commission.

Mr. Fleming moved for adjournment, seconded by Mr. Offredo and unanimously carried.

Meeting adjourned at 6:17 p.m.

Theodore A. Henderson
Chair

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COUNCIL COMMITTEE OF THE WHOLE

The Council Committee of the Whole met on October 24, 2017 at 6:01 p.m., with Council President Slavin presiding. Members of Council present were Mr. Anderson (arrived at 6:06 p.m.), Mr. Sudler, Mr. Neil, Mr. Lewis, Mr. Cole, Mr. Polce (departed at 6:18 p.m. and returned at 6:21 p.m.), Mr. Hare, and Mr. Lindell. Mayor Christiansen was also present. Civilian members present for their Committee meetings were Mr. Garfinkel and Mr. Shelton (*Safety Advisory and Transportation*), and Mr. Shevock (*Legislative, Finance, and Administration*). Dr. Stewart (*Legislative, Finance, and Administration*) was absent.

SAFETY ADVISORY AND TRANSPORTATION COMMITTEE

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

AGENDA ADDITIONS/DELETIONS

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

Update - Alternative to Speed Bumps - Ann Avenue (Sudler)

During their meeting of July 24, 2017, City Council approved the Council Committee of the Whole/Safety Advisory and Transportation Committee's recommendation to: a) install a traffic enforcement sign on Ann Avenue; b) install strictly enforced speed limit signs on Ann Avenue; and c) perform a traffic study on Walker Road and Ann Avenue indicating the timing of the lights and the count, date, and time of traffic flow.

Police Chief Mailey advised members that the Police Department conducted a speed survey of Ann Avenue, just north of Walker Road, after receiving a complaint from Mr. Sudler in reference to speeding through the neighborhood. He recalled that the original question was whether speed bumps would be feasible, explaining that he did not believe they would be because of a stipulation in the City Code. Chief Mailey reviewed the results of the speed survey conducted between July 14, 2017 and July 25, 2017, noting that 3,715 cars passed through the neighborhood during that time. He informed members that the average speed of vehicles passing through was 21.9 miles per hour (mph), the maximum speed was 57.6 mph, and the minimum speed was 6.3 mph. Chief Mailey noted that the posted speed limit in the neighborhood is 25 mph and 29 percent of the 3,715 vehicles were traveling between the speeds of 20 and 25 mph. He stated that 983 vehicles or 26.5 percent were traveling between 15 and 20 mph, and 715 vehicles or 19.2 percent were traveling between 25 and 30 mph. Chief Mailey noted that approximately 10 percent were traveling between 10 and 15 mph, and 6.6 percent or 245 vehicles were traveling between 30 and 35 mph. He offered to email the results of the speed survey to members. (*City Clerk's Office Note: Subsequent to the meeting, the "MetroCount Traffic Executive Speed Statistics" report (as on file in the City Clerk's Office) was provided to members.*)

Chief Mailey advised that he had contacted Mr. Windley from Senator Carper's office, who helps the Police Department with grants, and asked about the feasibility of grants for speed measuring devices. He stated that Mr. Windley informed him that there were no grants available at that time that the Department could apply for.

Chief Mailey stated that he thought that the best way to solve this problem would be through visibility and enforcement. He noted that there are several areas in the City that have similar problems and the Department's motorcycle unit moves from location to location throughout the month to try and serve the whole City. Chief Mailey advised that the motorcycle unit is understaffed due to a promotion and an officer injury from May of 2017. He explained that he has people in the academy, however, they will not come out of the academy until March of 2017, and then it will be approximately six (6) months before they go on their own. Chief Mailey stated that, with the depleted motorcycle unit, he also asked the patrol unit to move around the City and conduct enforcement, noting that they do a very good job in between going to complaints.

Mr. Sudler asked if Chief Mailey thought that a speed indicator that says slow down or too fast, like the one on Slaughter Street, could make a difference with the traffic issue on Ann Avenue and not cost that much. Responding, Chief Mailey stated that he thought that a speed sign would help. He noted that he had just come from an International Association of Police Chiefs (IACP) conference in Philadelphia that had several displays, and he and the Major were trying to price trailers that can be towed behind to move from one location to another. Chief Mailey stated that the Department is going to try to get one of them because they receive complaints from all over the City and these trailers do serve as a deterrent. He explained that when people are going 5, 10, or 15 mph above the speed limit and see a flashing sign, this brings about public awareness. Chief Mailey stated that people on the street see it, which is like peer pressure. He noted that drivers either slow down or ignore it, and they typically slow down. Chief Mailey advised that the Department is looking to correct the behavior and they do not want to write a bunch of tickets; however, they do have to maintain public safety.

Mr. Anderson asked whether Chief Mailey thought that the City should consider adding strictly enforced signs, not in the whole City but in developments. He indicated that these signs could be used when City needs to enforce speed limits, like on Ann Avenue or Village Drive, where 25 mph is the top speed that would be wanted, as opposed to most of Governors Avenue or Division Street, where there is more leeway because of the size of the street. In response, Chief Mailey stated that he thought this would help, noting that Mrs. Donna Mitchell, Acting City Manager, had information on signs and Mr. Anderson may want to pose this question to her.

Mr. Anderson asked if State guidelines indicate that the State wants municipalities to add strictly enforced signs or else give substantial leeway in the speed enforcement. Responding, Mrs. Mitchell stated that she thought that this was a municipal decision and that the State did not care whether municipalities put up strictly enforced signs; however, she could check on it.

Mrs. Mitchell informed members that Mrs. Sharon Duca, Public Works Director, had advised her that the City asked for money from Senator Bushweller in one (1) of the Community Transportation Fund (CTF) agreements for a mobile sign, and he had given \$8,500 for it. She indicated that, based on the discussion during the meeting when this matter was considered previously, Ann Avenue was one (1) of the areas where staff planned to put a sign to start with. Mrs. Mitchell advised that this CTF agreement was underway. She noted that, during the previous discussion, it was stated that if strictly enforced signage is put out, there will be a need to strictly enforce, and it would be up to Chief Mailey how aggressively he could do this, with staff and time, etc. Mrs. Mitchell stated that

the traffic sign could be put out there and noted that Mrs. Duca indicated that if this is a permanent battle out there, a permanent sign may be wanted instead of the mobile sign. She advised that staff had been waiting for the police traffic study to come back to determine whether a permanent sign would be better than the mobile sign.

In response to Mr. Anderson, Mrs. Mitchell stated that she did not have cost estimates on the strictly enforced signs.

Mr. Hare noted that he had seen cameras used for speeding in other states and they work. Responding, Chief Mailey indicated that there had been a lot of talk about camera use; however, he noted that this would have to be passed by the State legislature. He advised that Maryland has these cameras; however, as far as he knew, nothing had been drafted or was on the Delaware legislative floor.

Mayor Christiansen indicated that he had gone to sit in the Ann Avenue area on several occasions, the latest being earlier in the day, and noticed that the timing of the light at Saulsbury and Walker Roads was one (1) of the things affecting the high volume of traffic through Ann Avenue. He stated that he wondered if the City should check with the Delaware Department of Transportation (DelDOT) because these are both DelDOT controlled roads. Mayor Christiansen advised that he noticed that if traffic is backed up at clock-out time at for one (1) of the local employers, people cut through this neighborhood. He suggested putting strict enforcement out there during that time if there is enough staff.

Chief Mailey indicated that he could reach out to Mr. Rivera at DelDOT, who had helped with a lot of issues and could perhaps provide some guidance and help on the cycling of that light.

In response to Mr. Shelton, Chief Mailey stated that he did not check how many tickets were written during the time period of the traffic study. He explained that typically staff conducts the speed survey and tries to let the area be unaffected by enforcement to get a good barometer of what is going on. Chief Mailey advised that having an officer there would skew the numbers.

Mr. Shelton stated that writing tickets would offer a deterrent for speeders cutting through. He indicated that he goes through the area and sees a lot of traffic coming out of Edgewell, going through the area, and heading north on Saulsbury Road.

Mr. Neil requested that the light on North State Street be kept green longer so that traffic can go back and forth safely.

Mr. Hare asked if Chief Mailey had looked at the possibility of hiring officers from Camden or Wyoming on a part-time basis and basing their pay on the number of tickets they write. Responding, Chief Mailey indicated that he did not love the idea of having another officer come in and enforce laws within the City of Dover and thought it would be problematic to pay officers to come and write tickets. In response to Mr. Hare, Chief Mailey stated that they could look at hiring an off-duty City officer. He noted that the Department pays an hourly rate based on enforcement efforts, which are

always at 110 percent. Mr. Hare stated that one (1) officer could probably make a living just sitting on Wyoming Avenue.

In response to Mr. Lewis, Chief Mailey advised that he would continue to keep a vigilant eye on this matter.

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

Meeting adjourned at 6:17 p.m.

UTILITY COMMITTEE

The Utility Committee met with Chairman Cole presiding.

AGENDA ADDITIONS/DELETIONS

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

Americans with Disabilities Act Sidewalk Compliance - Lincoln Street

Members were advised that the Fiscal Year 2017 Street & Alley Program includes Lincoln Street as a street that is scheduled to be reconstructed. Staff identified that the northern side of Lincoln Street, near the intersection with Forest Street, has sidewalk that is not compliant with the Americans with Disabilities Act (ADA) as the cross slope does not meet the standards, and it would be impossible to regrade the driveways to meet this requirement. Staff's recommendation was to bump out the new sidewalks into the road, an example of which exists on Washington Street. An adjustment to the adjacent catch basin would be required as well. The road width would be reduced to 26 feet and, as a result, parking would only be allowed on one (1) side of the street.

Staff recommended approval of the proposed sidewalk orientation to comply with the Americans with Disabilities Act.

Mr. Anderson noted that Lincoln Street is very busy and asked how the width reduction would affect traffic and if it would make this a substandard portion of the road. In response, Mrs. Mitchell stated that the road would still meet the requirements for road width. She indicated that if sidewalks had to be done on both sides it would not be doable; however, Mrs. Sharon Duca, Public Works Director, had included a sidewalk on just one (1) side, which made the 26-foot roadway width doable. Mrs. Mitchell stated that she could not speak from an engineering perspective; however, she had advised Mrs. Duca that she would present this matter since it Mrs. Duca's daughter's birthday.

Mr. Neil moved to recommend approval of the proposed sidewalk orientation to comply with the Americans with Disabilities Act, as recommended by staff. The motion was seconded by Mr. Hare.

Mr. Hare asked who requested this item. Responding, Mrs. Mitchell indicated that, during the Council Committee of the Whole/Utility Committee meeting of October 10, 2017, there was an

ADA presentation and that, as streets are being improved, the City is having to upgrade sidewalks to meet federal ADA requirements. In response to Mr. Hare, Mrs. Mitchell explained that the sidewalk upgrades were not optional due to federal ADA requirements. Noting that the original width would be reduced from 32 feet to 26 feet, she reiterated that there would not be parking on both sides of the street.

Mr. Sudler stated that he personally thought this matter should be deferred until Mrs. Duca was present. Responding to Mr. Sudler, Mrs. Mitchell stated her understanding that a sidewalk was not required on the other side of the street; however, she would have to confirm that with Mrs. Duca. Mr. Sudler indicated that he would be voting no because he thought that members needed to get more information from Mrs. Duca before making a final decision.

The motion to recommend approval of the proposed sidewalk orientation to comply with the Americans with Disabilities Act, as recommended by staff, was carried by a roll call vote of seven (7) yes (Neil, Lewis, Cole, Polce, Hare, Lindell, and Slavin), and two (2) no (Anderson and Sudler).

Mrs. Mitchell stated that she would ask Mrs. Duca to provide additional information. *(City Clerk's Office Note: Subsequent to the meeting, Mrs. Mitchell notified members that Mrs. Duca advised her that the sidewalk section on the other side of Lincoln Street is at the correct grade and already compliant.)*

Conwell Street Discussion

During their meeting of August 28, 2017, City Council approved the Council Committee of the Whole/Utility Committee's recommendation that a legal opinion regarding the ownership of Conwell Street and the City's legal options in regard to this matter be provided at the next Utility Committee meeting.

Mr. Slavin advised that on October 23, 2017, members of Council held an Executive Session regarding this matter and the contents of that session could not be discussed in a public forum, nor could the legal opinion that members received.

Mr. Slavin moved to recommend that the concerns of residents of Conwell Street be directed to the State legislators for that district and request that the State of Delaware take ownership of that street. The motion was seconded by Mr. Sudler and unanimously carried.

Mr. Neil moved for adjournment of the Utility Committee meeting. The motion was seconded by Mr. Lewis and unanimously carried.

Meeting adjourned at 6:13 p.m.

LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE

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

AGENDA ADDITIONS/DELETIONS

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

Proposed Ordinance #2017-14 Amending Chapter 30 - Code of Conduct and Ethics Commission, and Appendix F - Fees and Fines (City of Dover Ethics Initiative) (Sponsors: Lindell, Polce, and Slavin)

During their meeting of September 12, 2017, members of the Council Committee of the Whole/Legislative, Finance, and Administration Committee considered a Proposed City of Dover Ethics Initiative, and during their meeting of October 10, 2017, members deleted Proposed Ordinance #2017-14 from the agenda, due to the absence of Council President Slavin, who was a sponsor of the ordinance, and due to Mr. Polce's conversations with Mrs. Traci McDowell, City Clerk, regarding tightening up some of the language.

Mr. Polce expressed appreciation to Mrs. McDowell for the tremendous amount of time and effort she had placed in revising this specific section of the ordinance, and to his colleagues for their comments on how to strengthen a raw idea with regard to the City's Code of Conduct and Ethics. He explained that the Proposed Ordinance would make general revisions to the ordinance, bring it up to current practice, and address four (4) items that were discussed approximately one (1) month and two (2) weeks ago.

Mr. Polce advised that a four-pronged process would be used to ensure that Council members are operating in a transparent fashion when it relates to financial holdings. Referring to line 73 of the Proposed Ordinance, Mr. Polce stated that the first prong would require both elected and appointed officials to receive and read the Standards of Ethical Conduct and Ethics Commission either electronically or in hard copy and sign and acknowledge that they have read the contents. He advised that the second prong was a financial disclosure report, noting that a template of the report was attached as an appendix to the Proposed Ordinance. Mr. Polce indicated that this document was modeled directly after the Public Integrity Commission's (PIC's) document that all elected officials both in the General Assembly and the executive branch have to file annually. He stated that the document is fairly straightforward and essentially asks for disclosure of where financial interests are vested to ensure operation in the most open and transparent fashion possible.

Mr. Polce explained that the Proposed Ordinance also requires members to receive annual training to be received in the modality that is best. He noted that there had been a great partnership with the PIC, and the executive director of the Commission had offered to come to a Council meeting to offer guidance on specific procedures.

Mr. Polce stated that the spirit and revisions of the ordinance would get to the issue that members had been facing: operating in an open and transparent fashion and ultimately holding themselves accountable where potential conflicts of interest rooted in financial holdings come into play. He indicated that the revisions would bring the ordinance to standard and best practice. Mr. Polce stated

that Mrs. McDowell did extensive research on several different municipalities and cities to incorporate language that strengthens the City's current practice.

Mr. Sudler, referring to the Financial Disclosure Report, Section 1(A) Instruments of Ownership, noted that the form states "Do not include dollar amounts." Responding to Mr. Sudler, Mr. Polce explained that only the entity that members work for was needed. Mr. Slavin stated his understanding that the instructions for Section 1 indicate that legal or equitable ownership in excess of \$5,000 needs to be disclosed and below \$5,000 does not need to be disclosed.

Mr. Sudler stated that he did not agree that a dollar amount is necessary at this segment of government and that he thought that this should be stricken from the template. He indicated that he thought it was okay to disclose the entity for which members work, but disclosing how much one makes from that entity was irrelevant and he asked that this be removed. Responding, Mr. Slavin advised that members would never have to disclose how much they make but only the interest they have if the amount is above \$5,000. He explained, for example, that if he owns Company A and determines that it is worth \$1,000, he would not list Company A; however, if he owns Company B, which is worth \$6,000, he would list "Company B" without any dollar amounts.

Mr. Lewis noted that Section 1(A) of the Financial Disclosure Report states that the instruments of ownership includes retirement accounts, 401K, IRA, etc., and advised that he works for the State of Delaware and has investments in a 401K and an IRA. He indicated that money in his fund is disbursed in different areas and asked if he would be required to name all of those companies. Responding, Mr. Slavin noted that he files this form on an annual basis and only the manager of the fund, such as Fidelity Investments, Voya Financial, or the State of Delaware pension system, needs to be named.

Mr. Neil stated that he is receiving money from his 401K and would report those who are managing it; however, if Mr. Lewis is in a 401K and is not receiving money but just putting it into the fund, he did not believe that Mr. Lewis would have to report it since he would not be taking it out until he retires. Responding, Mr. Slavin stated that it would be a matter of where someone's interests are. He indicated that if a member bought interest in a particular fund's 401K, they would list that fund manager.

In response to Mr. Lewis, Mr. Slavin stated that these funds would be considered an investment and all investments are required to be disclosed at the highest level, but not at the individual level. He advised that he thought that individual stocks are not asked for. Mr. Slavin noted that if a member has a mutual fund, they will list the owner of the mutual fund.

Mr. Anderson advised that there had been a lot of work and improvement in this process and expressed thanks. He indicated that he still had a problem with unnecessarily cutting and pasting this type of form to have things that really should not be included at either level. Mr. Anderson stated that he thought a 401K should be treated the same as a bank account, which is not required to be disclosed, and that this particular element should be removed. He advised that, with a thrift account, someone could change their monetary allocation twice a month and their future contributions every day if they wanted to, not that he would do so. Mr. Anderson stated that the

proposed provision would not really give any information, noting that someone has no more financial interest in having their bank account at Fidelity than they do in having it at Citizens. He indicated that these are instruments for anonymous investments for which members do not control the outcome. Mr. Anderson advised, for example, that the City deciding whether or not to get a Templeton fund or a Fidelity fund would not remotely affect the value in any way possible. He stated that this provision was just more paperwork, should be dropped from the City's form, and members should focus on things that could create a possible conflict of interest. Mr. Anderson indicated that most of the rest of the form dealt with more practical things, such as business enterprises and other instruments of ownership. He reiterated that he thought that a 401K should be treated like a bank account and should not be included on the City's form.

Mr. Slavin stated that he appreciated the concern that Mr. Anderson had raised; however, he disagreed because there are times when members are asked to choose fund managers. He indicated that it would be important for them to disclose any relationships they have so that there would not be even the sniff of a conflict of interest. Mr. Slavin advised that he would go with the fact that this is a system that works for judges, legislators, and every appointed official in the State of Delaware and that he will vote for it to be adopted by the City. Mr. Slavin stated that if people are uncomfortable with having this standard of ethics and disclosure behind them, they can vote against it.

Mr. Slavin moved to recommend adoption of Proposed Ordinance #2017-14, seconded by Mr. Lindell.

Mr. Neil stated that he was happy with the Proposed Ordinance and thought it a very solid piece of legislation. He informed members that he had taken money and put it aside in his 401K and this was deferred compensation. Mr. Neil explained that the Internal Revenue Service states that he has to remove 10 percent of this every single year, and he will list who is handling that account because it is real income that he is using. He noted that he did not think that a person who is putting funds into that type of account is accountable until they retire and start drawing money out, because they are not benefitting from the money. Mr. Neil noted that these funds are put aside as a pension for the future. He stated that he would list his Social Security, his pension, and the money he receives from the City. Mr. Neil indicated that he would support the Proposed Ordinance because he thought that the transparency issue was the issue really at stake.

Mr. Lewis noted that Mr. Polce had mentioned that it might behoove Council to receive a presentation from a representative of the PIC or its director. He suggested that it would be good for members who have reservations to direct their individual questions to the PIC representative for final clarification.

Mayor Christiansen commended everyone for their work and comments and noted that Mr. Polce had offered, once the Proposed Ordinance is adopted, for members to receive additional training as they move forward with filling out their documents. He stated that he thought that, in these days and times, the public requires members to be above reproach with the citizens that they serve. Mayor Christiansen indicated that he thought that all of those in the room serve with integrity, honor, and to the best of their ability. He noted that once they set an example to the public that they are

serving in this manner, the public's trust and belief that the actions of Council and City staff are in the best interests of the citizens will be confirmed. Mayor Christiansen expressed thanks to Mr. Polce for bringing this matter to members' attention, to the other sponsors, and to Mrs. McDowell for the yeoman duty that she put forth.

Mr. Lindell stated that he supported the measure fully and appreciated the work that Mr. Polce and Mrs. McDowell put into researching, and putting the document together. He advised that he did not see this as a big issue, noting that when he ran and was elected, he expected that members should be held to a higher standard, which meant he should be expected to share a little more information than the average Joe or Jane citizen should share. Mr. Lindell indicated that he would report Voya on his sheet, noting that members would not be disclosing dollar amounts. He indicated that members were getting lost in the weeds and that the system works throughout the State and is a vetted process. Mr. Lindell stated that if training was needed, this could be done after the Proposed Ordinance is approved.

Mr. Anderson moved to amend the Financial Disclosure Report, Section 1(A) to state "excludes retirement accounts not receiving distribution." The motion was seconded by Mr. Lewis and failed by a roll call vote of nine (9) no (Sudler, Neil, Lewis, Cole, Polce, Hare, Lindell, Slavin, Shevock) and one (1) yes (Anderson).

The motion to recommend adoption of Proposed Ordinance #2017-14 was unanimously carried.

Mr. Polce thanked his colleagues for the positive feedback that they provided him approximately a month and a half ago.

Proposed Ordinance #2017-15 Amending Chapter 34 - Elections, Article III - Absentee Voting (Sponsors: Anderson and Lindell)

Mrs. Traci McDowell, City Clerk, advised members that Proposed Ordinance #2017-15 was brought about by a change in State legislation that removed the requirement for notaries for absentee ballots. She explained that the Proposed Ordinance would amend Chapter 34 of the Dover Code to remove this requirement for the City, and combine a couple of paragraphs that were very similar. Mrs. McDowell explained that the Proposed Ordinance would also remove the list of reasons for eligibility to vote by absentee ballot and reference the Delaware Code instead, explaining that sometimes the State's reasoning for absentee eligibility changes and the City is not made aware right away.

Staff recommended adoption of Ordinance #2017-15.

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

Update - Resolution No. 2017-10 - Establishing the “Making Dover Prosper” Initiative

During their meeting of August 14, 2017, City Council adopted Resolution No. 2017-10 - Establishing the “Making Dover Prosper” Initiative, which included a direction to the City Manager and Director of Planning and Community Development to report to City Council not later than October 31, 2017 with recommendations and a path forward.

Mr. David Hugg, Acting Director of Planning and Community Development, reviewed an outline, plan, and status report regarding Resolution No. 2017-10 - Establishing the “Making Dover Prosper” Initiative.

Mayor Christiansen stated that Mr. Hugg had made the City shine lately by drawing new businesses downtown and giving out appropriate information. He advised that Mayor Purzycki, City of Wilmington, was scheduled to attend the Economic Development Committee meeting of October 25, 2017, to share some of the successes, failures, and strategies used in Wilmington. Mayor Christiansen invited everyone to attend, noting that Mayor Purzycki had been and continues to be successful in Wilmington.

Mr. Anderson thanked Mr. Hugg for all of the work that he was doing, stating that he was focused like a laser and was cutting through the problems.

Mr. Neil noted that the Kent Economic Partnership had recently honored Mr. Hugg for his work in Smyrna. He stated that the light Mr. Hugg had brought to Smyrna was beginning to shine here and expressed his hope that Mr. Hugg could earn another significant honor from the Partnership for what he was doing for the City of Dover.

Mr. Hugg thanked members of Council, not only for bringing him complaints but for helping staff to find solutions. He advised that Dover has a great future and that approximately half a dozen new businesses either opened or were about to open downtown in the last six (6) months. Mr. Hugg stated that he could not take credit for all of these businesses but this was a good sign, and he thought everyone should be positive about this and tell this story.

Discussion - Development of Policies/Procedures

Mr. Slavin advised members that he had requested that the Discussion - Development of Policies/Procedures regarding Legal Opinions and Excused Absences be added to the agenda because he has concerns and is unsure whether the City needs new procedures. He indicated that if new procedures are necessary, he would need members’ help in creating them.

Legal Opinions

Mr. Slavin stated that the City currently has a practice that allows for legal opinions to be requested by anyone and that legal opinions cost money; therefore, there was an unrestricted burner going on when it comes to these costs. He explained that it is not known how much a legal opinion will cost when it is obtained, and without knowing this, there is no control on how much is spent for legal opinions. Mr. Slavin stated that in some cases, over the course of the last 10 or 20 years, legal opinions had been requested for the same matter multiple times and he expressed the desire to avoid that issue. He indicated that he wanted to open this matter for suggestions. Mr. Slavin noted that

he did not want to create a choke point and did not think that being the gatekeeper would be an appropriate role for him; however, he thought that members could do something together to make this procedure better.

Mr. Anderson stated that he agreed with Mr. Slavin on both points, noting that he did not think that members want to choke off legal opinions because many times legal opinions save money in the long run, so that huge mistakes are not made for something that would have cost \$125 for an opinion. He indicated that he would like to see a library of legal opinions that is easy to access so they are not duplicated. Mr. Anderson indicated that if members question if an opinion that is 20 years old is valid, they could ask if it should be updated, and this is the approach he would use if he had this concern. He asked if this could be done through the City Clerk's Office, stating that he thought it would be nonsense to duplicate things that the City already has.

Mr. Slavin noted that the City has a body of knowledge to which access is needed; however, it is a restricted, confidential body of knowledge. He expressed the need to keep tight control over this information, stating that he did not think it would even be put on a protected intranet. Mr. Slavin indicated that a gatekeeper may be needed to take requests and suggested perhaps having the City Clerk's Office service those requests and advise whether or not there had been a previous legal opinion. Mr. Anderson asked if it would be feasible to use the City Clerk's Office as a clearinghouse for legal opinions, noting that this may possibly save on both time and money. Mr. Slavin stated that perhaps the City Clerk's Office could be called or emailed first to see if there is any precedent, and if not the request for a legal opinion would proceed.

Mr. Slavin suggested that an appropriate motion would be to ask the City Clerk's Office to come up with some procedures in this regard. He also suggested a second motion to have Mrs. Donna Mitchell, Acting City Manager, compile the City's legal costs related to legal opinions for fiscal years 2017 and 2018 so members can correlate where the requests are coming from, explaining that in addition to the nine (9) members of Council, there are also staff members who request legal opinions. He stated that the data would indicate how much of an issue the City has.

Mr. Slavin moved to recommend that Mrs. Donna Mitchell, Acting City Manager, compile the costs associated with legal opinions requested in FY 17 and year-to-date FY 18 correlated by requestor. The motion was seconded by Mr. Lindell and unanimously carried.

Mr. Hare stated his belief that members had stated some time ago that all legal opinions would be vetted through the Clerk's Office. He advised that he agreed with this process and thought that someone who obtains a legal opinion on their own which had previously been obtained should be the one to pay for the opinion.

Mr. Sudler stated that he agreed with Mr. Anderson, Mr. Slavin, and Mr. Hare and expressed his belief that this matter had been discussed previously. He indicated that he liked the idea of having the City Clerk's Office review requests for legal opinions and get back to members; however, he stated that he would like to read for himself the literature on the opinion rather than just receiving a call stating whether or not an opinion had been obtained.

Mr. Anderson moved to recommend that the City Clerk's Office develop recommended guidelines for the issue of legal opinions and the compilation of existing legal opinions. The motion was seconded by Mr. Lindell.

Mrs. Traci McDowell, City Clerk, requested clarification regarding the compilation of legal opinions. Responding, Mr. Anderson advised that he would like the City Clerk's Office to give members guidelines on a procedure for obtaining legal opinions and recommendations on establishing a compilation of existing legal opinions.

Mr. Hare stated that he agreed to a certain degree that if members need a legal opinion, they could ask the City Clerk's Office to get the information. He explained that he did not think it was necessary to have the City Clerk's Office put together a whole list of legal opinions, for example, from the last 15 years; however, if a question is raised that requires a legal opinion, the City Clerk's Office could research to determine if an opinion was previously provided and advise members of that opinion.

Responding to Mayor Christiansen, Mrs. McDowell explained that legal opinions are currently archived by title and subject and are permanent, according to the State records retention policy. She indicated that staff has all legal opinions ever obtained; therefore, making a compilation would be mind-boggling. Mrs. McDowell stated that the opinions are easy to retrieve, noting that all of the legal opinions received in paper format are stored electronically and the City Clerk's Office can search the whole database.

In response to Mr. Anderson, Mrs. McDowell advised that staff essentially has a compilation because legal opinions are filed electronically in Fortis, the City's document management system. Mr. Anderson stated that members do not need a compilation and have the City Clerk to access the opinions.

Mr. Anderson suggested that the motion be amended to recommend that the City Clerk's Office develop a recommended procedure for requesting legal opinions and, as the seconder, Mr. Lindell agreed to the amendment.

By unanimous consent, the motion was amended to recommend that the City Clerk's Office develop a recommended procedure for requesting legal opinions.

Mrs. Mitchell stated that she had compiled legal costs through most of last year and the prior year; however, it would be very time consuming to determine which of the costs related to legal opinions and which to legal services. She stated that she could provide the legal costs that had been compiled summarized by department, by whom the legal opinion was requested, and what the matter was, but not necessarily to indicate that the City Clerk had these opinions.

Mr. Slavin stated, as the maker of the motion, that what Mrs. Mitchell had compiled would meet the intent of the motion. He advised that he did not want to cause any additional work at this point, stating that he thought members had a solution that would work, and any additional data she could provide on overall legal costs would just give them a better sense of what was being spent.

Mrs. Mitchell noted that, when she became Acting City Manager, she put out a directive to department heads that everything had to be run by her. She noted that staff had managed the legal costs, which came in under budget through the end of June, rather than being over budget as in prior years.

The motion to recommend that the City Clerk's Office develop a recommended procedure for requesting legal opinions was unanimously carried.

Excused Absences

Mr. Slavin stated that this item was a housekeeping issue related to Section 13 of the City's Charter, which states that missing three (3) consecutive regular meetings by a Council member without being excused by Council calls for the removal of the member. He noted that he did not believe this provision had ever been exercised. Mr. Slavin expressed concern that, as a current practice, members notify him if they are going to miss a meeting and there is no action taken by Council to state that they are excused. He advised that he did not want to be put in this position, noting that the power to grant excuses is vested with Council as a whole, and not with the Council President. Mr. Slavin proposed that a procedure be developed that could be as simple as an email or letter sent to Council stating, "I will be missing the following meeting for the following reason," with the level of specificity to be determined by the person requesting it. He indicated that such a request would be placed on the consent agenda for the next meeting so that an action of Council would grant the excuse.

Mr. Slavin moved to recommend that the City Clerk's Office develop a procedure for Council members to request being excused for absences, with the level of specificity to be determined by the person requesting it, and that members' requests be placed on the consent agenda for the next meeting so that an action of Council grants the excuse. The motion was seconded by Mr. Sudler.

Mr. Lewis asked how "excused" would be defined and if this would apply to work-related and family-related matters. Responding, Mr. Slavin noted that this question went to the heart of the matter and it was up to Council, and not him, to define this.

Mr. Anderson stated that this item needed more discussion because certain items, such as bereavement, military service, and work conflicts, should be spelled out. He indicated that there are other reasons which may be worthy of discretion and Council's consideration, such as health issues. Mr. Anderson advised that members may need to review this and possibly develop an ordinance.

Mr. Hare stated that the motion on the floor was for members to send an email to Mrs. Traci McDowell, City Clerk, stating that they will not be attending a meeting because, for example, they have a work obligation, a sick mother, or have to go out of town. He noted that it may be a different matter if someone states they will miss the next six (6) meetings because they are going on vacation to Florida. Mr. Hare stated that he thought members were making a mountain out of a mole hill, giving a reason for not attending would be simply following the existing ordinance, and there was no need to write something into the ordinance. He noted that a member had been away for the better part of year while in the military and this absence was approved.

Mr. Slavin stated that the motion he put forward was to have the City Clerk's Office come up with recommendations. He indicated that a request may be passed through the Clerk's Office and presented to members as an excuse that meets the conditions set forth. Mr. Slavin noted that citing a person's medical excuse or illnesses on the floor would put the City in violation of the Health Insurance Portability and Accountability Act of 1996 (HIPAA), and he expressed the need to be careful about this. He stated that he thought it would be easy for the City Clerk's Office to put a recommendation together and that he was sure that there is some human resources language that would allow for this.

Mr. Cole stated that the more general the process is, the easier it would be to follow. He stated that when things start being listed, it becomes more cumbersome and this had occurred in his other jobs.

Mr. Neil noted that the problem was not with missing one (1) meeting but with missing three (3) consecutive meetings unless there were extenuating circumstances, such as military service. He stated that he thought the proposal would work and there should not be a problem with it. He noted that multiple absences could cause problems for constituents.

The motion to recommend that the City Clerk's Office develop a procedure for Council members to request being excused for absences, with the level of specificity to be determined by the person requesting it, and that members' requests be placed on the consent agenda for the next meeting so that an action of Council grants the excuse was unanimously carried.

Mr. Neil moved for adjournment of the Legislative, Finance, and Administration Committee meeting. The motion was seconded by Mr. Sudler and unanimously carried.

Meeting adjourned at 7:10 p.m.

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

Meeting adjourned at 7:11 p.m.

Timothy A. Slavin
Council President

TAS/TM/js/dd

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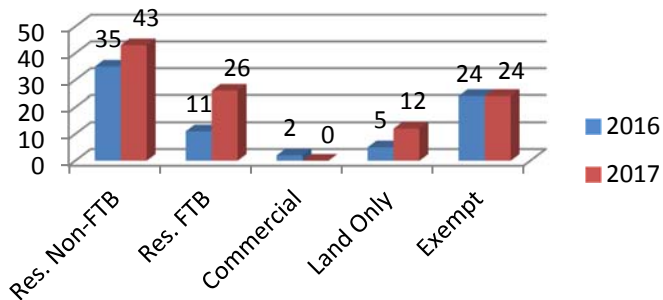
Monthly Report September 2017



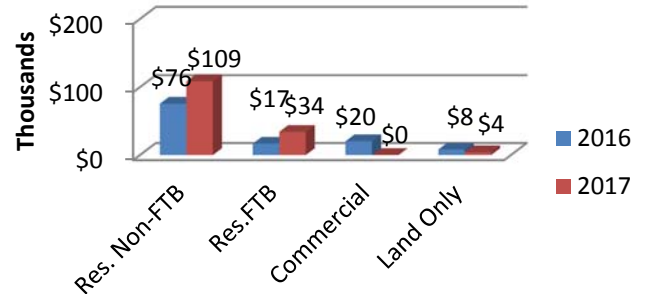
Office of City Assessor

ASSESSOR'S REPORT

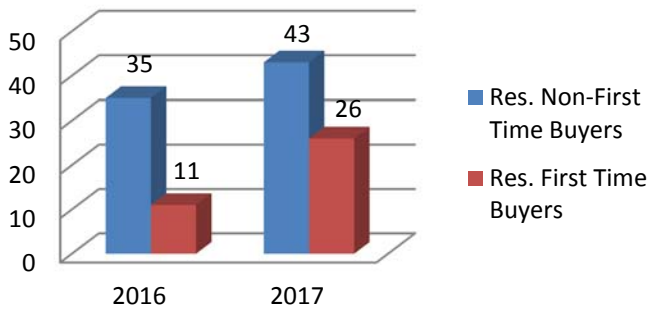
Number of Deeds Stamped for the Month of Sept. 2016/2017



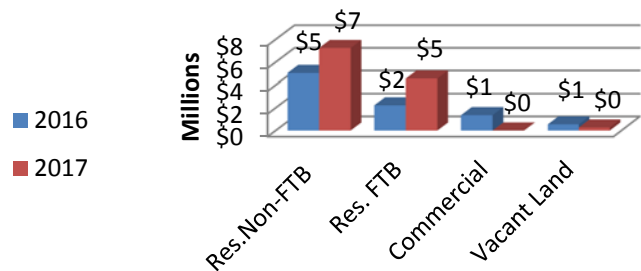
Transfer Tax Dollar Amount for the Month of Sept. 2016/2017



First Time Buyer for the Month of Sept. 2016/2017



Sept. 2016/2017 Realty Property Sales in Dollars Received Prior to Recording



Major Updates

	July - 17	Aug - 17	Sept - 17
Assessment Change	\$501,700	\$3,421,900	\$7,923,000

Residential Sales Ratio Report

Sales in Study	Total Assessed Value	Total Sale Price	Ratio	PRD
43	\$6,719,900	\$7,867,511	0.85	1.01

ASSESSOR'S REPORT

Ratio – Assessed Value divided by Sale Price.

PRD – Mean – A PRD above 1.03 tends to indicate assessment regressivity – high valued properties are under appraised relative to low valued properties. A PRD below .98 tends to indicate assessment progressivity – high valued properties are relatively over appraised.

Points of Interest

Scanning & Filing

- All new deeds are being scanned and attached to the CAMA software for easy retrieval.
- All appeal documents and correspondence are being scanned and attached to the CAMA software for easy retrieval.
- All old property record cards are being scanned and indexed into Fortis.

PARID	NBHD	LUC	ADDRESS	UNITS	STYLE	YRBLT	STORIES	SFLA	GRADE	CDU	TOTAL APPR	SALE DT	PRICE	ASR
ED05-066.16-02-10.00	3	R10	42 LOST TREE CT	1	8	1987	2	2390	B-	AV	186,300	21-SEP-17	223,000	
ED05-066.16-02-17.00	3	R10	29 LOST TREE CT	1	8	1985	2	2378	B-	AV	182,900	22-SEP-17	210,000	
ED05-067.09-02-04.00	3	R10	286 TROON RD	1	6	2000	2	3382	A-	GD	343,400	20-SEP-17	425,000	
ED05-067.12-04-33.00	8	R10	12 REPRESENTATIVE LN	1	13	2017	2	2623	B-	AV	209,200	07-SEP-17	229,445	
ED05-067.12-04-38.00	8	R10	2 REPRESENTATIVE LN		13	2017	2	2791	B-	AV	219,200	01-SEP-17	256,685	
ED05-067.15-02-01.00	2	R10	223 MCKEE RD		1	2017	2	1640	C	AV	179,900	11-SEP-17	191,000	
ED05-067.16-02-41.00	10	R10	215 ROSS ST	1	3	1945	1.5	1400	C+	AV	137,400	25-SEP-17	119,900	
ED05-067.20-01-32.00	10	R10	626 COLUMBIA AVE	1	14	1957	1	1008	C	GD	128,700	02-SEP-17	135,000	
ED05-067.20-03-72.00	8	R10	416 N BRADFORD ST	1	3	1950	1	1662	C+	AV	172,300	12-SEP-17	194,000	
ED05-068.10-01-15.00	13	R10	637 NIMITZ RD	1	5	1969	2	2340	C+	GD	156,600	19-SEP-17	203,000	
ED05-068.13-01-04.09	100	R50	18 CHATHAM CT	1	13	1988	2	2248	B-	AV	135,700	01-SEP-17	120,000	
ED05-068.14-02-43.00	13	R10	366 NIMITZ RD	1	14	1966	1	1130	C	GD	135,000	11-SEP-17	132,624	
ED05-068.15-05-18.00	6	R10	203 TEA PARTY TRL	1	13	2012	2	1580	B-	AV	144,300	18-SEP-17	150,000	
ED05-068.17-02-53.00	8	R10	328 N STATE ST	1	5	1953	2	3624	A-	AV	299,800	18-SEP-17	300,000	
ED05-076.03-01-82.00	14	R10	185 W SHELDRAKE CIR	1	13	2009	2	1855	C+	AV	138,400	01-SEP-17	173,000	
ED05-076.03-02-50.00	14	R10	308 PARADEE DR	1	13	2007	2	1772	C+	AV	126,400	28-SEP-17	155,000	
ED05-076.03-02-90.00	14	R10	356 TRIBBITT ST		13	2017	2	1732	C+	AV	151,400	05-SEP-17	157,000	
ED05-076.03-03-08.00	14	R10	343 LOFTLAND DR	1	13	2009	2	1855	C+	AV	138,200	18-SEP-17	172,500	
ED05-076.03-05-84.00	11	R10	27 WELLINGTON AVE		1	2017	2	2855	B+	AV	262,300	21-SEP-17	307,080	
ED05-076.03-06-03.00	11	R10	38 WELLINGTON AVE		14	2017	1	3184	B+	AV	281,200	08-SEP-17	351,514	
ED05-076.05-03-36.00	14	R10	144 STONEY DR	1	8	1988	2	1406	C+	AV	130,500	22-SEP-17	147,000	
ED05-076.05-04-01.128	102	R50	103 PAR HAVEN DR	1	20	1978	1	1177	C-	AV	48,400	06-SEP-17	50,000	
ED05-076.06-02-44.00	2	R10	328 COLD SPRING PL	1	13	1984	2	1160	C-	AV	82,500	26-SEP-17	104,000	
ED05-076.06-04-03.00	17	R10	37 LAMPLIGHTER LN	1	13	1983	2	1120	C	AV	101,500	13-SEP-17	105,000	
ED05-076.10-02-69.00	14	R10	236 TRAFALGAR DR	1	13	2004	2	1848	C+	AV	126,600	15-SEP-17	135,000	
ED05-076.13-01-54.00	14	R10	146 THAMES DR	1	13	1996	2	2015	C+	AV	115,700	27-SEP-17	144,000	
ED05-076.13-02-30.00	14	R10	117 THAMES DR	1	13	1995	2	1986	C+	AV	127,200	01-SEP-17	138,000	
ED05-076.20-03-10.00	12	R10	1025 WESTVIEW TER	1	5	1961	2	2142	B	AV	161,600	08-SEP-17	235,000	
ED05-077.07-06-12.00	6	R10	252 LADY BUG DR		1	2017	2	1920	B-	AV	191,800	20-SEP-17	230,175	
ED05-077.07-06-15.00	6	R10	301 NOB HILL RD		1	2017	2	1920	B-	AV	191,800	20-SEP-17	234,570	
ED05-077.07-06-22.00	6	R10	2 CALDWELL CT		1	2017	2	1440	B-	AV	178,800	05-SEP-17	208,075	
ED05-077.07-07-72.00	6	R10	218 NOB HILL RD		13	2017	2	1220	B-	AV	117,800	20-SEP-17	158,980	
ED05-077.07-07-73.00	6	R10	216 NOB HILL RD		13	2017	2	1220	B-	AV	115,900	12-SEP-17	149,990	

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CITY OF DOVER
SALES RATIO REPORT

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PARID	NBHD	LUC	ADDRESS	UNITS	STYLE	YRBLT	STORIES	SFLA	GRADE	CDU	TOTAL APPR	SALE DT	PRICE	ASR
ED05-077.07-07-75.00	6	R10	212 NOB HILL RD	13		2017	2	1220	B-	AV	117,800	12-SEP-17	156,990	
ED05-077.07-08-25.00	6	R10	119 NOB HILL RD	1		2017	2	2200	B-	AV	206,100	13-SEP-17	240,485	
ED05-077.17-01-34.00	5	R10	874 MONROE TER	1 16		1959	1	1782	C+	AV	162,300	15-SEP-17	219,900	
ED05-077.17-02-33.00	5	R10	925 N SUNSET DR	1 3		1959	1.5	1890	C	AV	146,800	14-SEP-17	160,000	
ED05-077.18-02-22.00	4	R10	122 EVERGREEN DR	1 14		1954	1	1352	C	GD	115,000	25-SEP-17	135,000	
ED05-085.08-01-40.00	12	R10	2 STEWART CT	1 5		1962	2	1830	C+	AV	156,000	18-SEP-17	193,698	
ED05-085.12-03-15.00	12	R10	339 MIMOSA AVE	1 5		1971	2	1688	C+	AV	139,600	13-SEP-17	196,500	
LC05-058.14-01-01.024	1	R10	24 HOLLAND CT	1 11		2001	1	1492	C-	AV	69,200	07-SEP-17	67,000	
LC05-058.18-01-21.00	1	R10	43 KAREN PL	1 11		1995	1	1296	D+	AV	72,000	15-SEP-17	92,500	
LC05-068.10-01-54.00	13	R10	350 WEST WIND DR	1 13		1999	2	1364	C+	AV	116,400	01-SEP-17	159,900	

CITY COUNCIL COMMUNITY ENHANCEMENT FUND

JULY 1, 2017 - OCTOBER 31, 2017

110-1200-512.30-37

Current Balance		-	\$20,011.94				
BUDGETED AMOUNT		COMMUNITY ENHANCEMENT FUND - \$2,500 FOR EACH COUNCIL MEMBER PER DISTRICT AND \$5,000 FOR THE AT-LARGE COUNCIL MEMBER. THE PURPOSE OF THE FUND IS TO ALLOW MEMBERS TO CONTRIBUTE FUNDS TO A SMALL PROJECT OR COMMUNITY NEEDS IN EACH DISTRICT.					\$25,000.00
TOTAL							\$25,000.00
DATE	COUNCIL SPONSOR	VENDOR	DESCRIPTION	P.O. #/ INVOICE #	TOTAL CHARGES	YEAR TO DATE	BALANCE
07/12/17	Anderson	Inner City Cultural League, Inc.	Councilman Anderson authorized the use of \$600.00 of his community enhancement funds to fund 50% of the membership dues for 5 needy students to participate in the Sankofa African Drum and Dance Troupe.	Email dated 07/11/17 from David Anderson to City Clerk's Office	\$600.00	\$600.00	\$24,400.00
07/16/17	Anderson	MLK Jr. Educational Community Center, Inc.	Councilman Anderson authorized the use of \$500.00 of his community enhancement funds to help pay for breakfast and lunch for the Saturday Academy participants.	Email dated 07/16/17 from David Anderson to City Clerk's Office	\$500.00	\$1,100.00	\$23,900.00
07/26/17	Slavin	Central Delaware Habitat for Humanity	Councilman Slavin authorized the use of \$670.56 to purchase incidental equipment and play apparatus for the Habitat for Humanity's pop up parks/play streets program. It was noted that the games would be usable for future	Email dated 07/26/17 from Tim Slavin to Traci McDowell	\$670.56	\$1,770.56	\$23,229.44
07/31/17	Hare	Air Force Ball Committee	Councilman Hare authorized the use of \$500.00 for the deposit to reserve the Dover Downs ballroom for 436 Squadron's Annual Air Force Ball.	Dover Downs Banquet Event Order (BEO) #24,727 dated 06/27/17	\$500.00	\$2,270.56	\$22,729.44
08/02/17	Cole	Dover Library Foundation	Councilman Cole authorized the use of his community enhancement funds to reimburse the Dover Library Foundation for the purchase of bottled water for the Dover Comic Con 2017 event.	Sam's Club receipt dated 08/15/17; Email dated 08/02/17 from Scott Cole to Traci McDowell	\$397.50	\$2,668.06	\$22,331.94
08/07/17	Neil	3d Airlift Squadron Booster Club	Councilman Neil authorized \$100.00 of his community enhancement funds to be donated to the 3d Airlift Squadron Booster Club for the Dover Air Force Base Open House.	Email dated 08/07/17 from Fred Neil to Traci McDowell	\$100.00	\$2,768.06	\$22,231.94

08/14/17	Anderson	Boys and Girls Club of Delaware	Councilman Anderson authorized a donation of \$100.00 of his community enhancement funds to the Boys and Girls Club of Delaware, for the Greater Dover Boys and Girls Club - 4th District children.	Emails dated 08/08/17 and 08/14/17 from David Anderson to Debbie Krueger	\$100.00	\$2,868.06	\$22,131.94
08/14/17	Anderson	City of Dover Parkland Reserve	Councilman Anderson authorized a donation of \$250.00 of his community enhancement funds for the Back to School Giveaway and Rib-Off Fundraiser Initiative (to be credited to the City's Parkland Reserve)	Email dated 08/14/17 from David Anderson to Debbie Krueger	\$250.00	\$3,118.06	\$21,881.94
08/23/17	Cole	Dover High School AFJROTC Booster Club	Councilman Cole authorized \$300.00 of his community enhancement funds to help pay for storage units for the air rifles used by the Rifle Team.	Email dated 08/23/17 from Scott Cole to Traci McDowell	\$300.00	\$3,418.06	\$21,581.94
09/08/17	Polce	City of Dover Clearing Account - Rec Revenue	Councilman Polce authorized the allocation of \$250.00 of his community enhancement funds for the Dover Park Revitalization Event on 09/09/17.	Email dated 09/08/17 from Tanner Polce to Donna Mitchell	\$250.00	\$3,668.06	\$21,331.94
09/08/17	Lewis	City of Dover Clearing Account - Rec Revenue	Councilman Lewis authorized the allocation of \$250.00 of his community enhancement funds for the Dover Park Revitalization Event on 09/09/17	Email dated 09/08/17 from Tanner Polce to Donna Mitchell	\$250.00	\$3,918.06	\$21,081.94
09/11/17	Slavin	City of Dover Clearing Account - Rec Revenue	Councilman Slavin authorized the allocation of \$250.00 of his community enhancement funds for the Dover Park Revitalization Event on 09/09/17	Email dated 09/07/17 from Tim Slavin to Roy Sudler and Donna	\$250.00	\$4,168.06	\$20,831.94
09/07/17	Sudler	City of Dover Clearing Account - Rec Revenue	Councilman Sudler authorized the allocation of \$300.00 of his community enhancement funds for the Dover Park Revitalization Event on 09/09/17	Email dated 09/07/17 from Roy Sudler	\$300.00	\$4,468.06	\$20,531.94
09/19/17	Anderson	Interdenominational Ministerial Alliance of Dover and Vicinity (IMA)	Councilman Anderson authorized the designation of \$520.00 to the Interdenominational Ministerial Alliance of Dover and Vicinity (IMA) for the Expungement Clinic on 11/03/17. The funds are for Dover residents. The cost is estimated to be \$52 per person.	Email dated 09/19/17 from David Anderson to City Clerk's Office	\$520.00	\$4,988.06	\$20,011.94
						\$4,988.06	\$20,011.94

Budgeted Amount	District	Council Sponsor	YTD Expenditures	Balance
\$5,000.00	At-Large	Slavin	\$920.56	\$4,079.44
\$2,500.00	1st District	Lindell	\$0.00	\$2,500.00
\$2,500.00	1st District	Polce	\$250.00	\$2,250.00
\$2,500.00	2nd District	Hare	\$500.00	\$2,000.00
\$2,500.00	2nd District	Lewis	\$250.00	\$2,250.00
\$2,500.00	3rd District	Cole	\$697.50	\$1,802.50
\$2,500.00	3rd District	Neil	\$100.00	\$2,400.00
\$2,500.00	4th District	Anderson	\$1,970.00	\$530.00
\$2,500.00	4th District	Sudler	\$300.00	\$2,200.00
TOTAL			\$4,988.06	\$20,011.94

CITY MANAGER'S MONTHLY



REPORT SEPTEMBER 2017

City of Dover

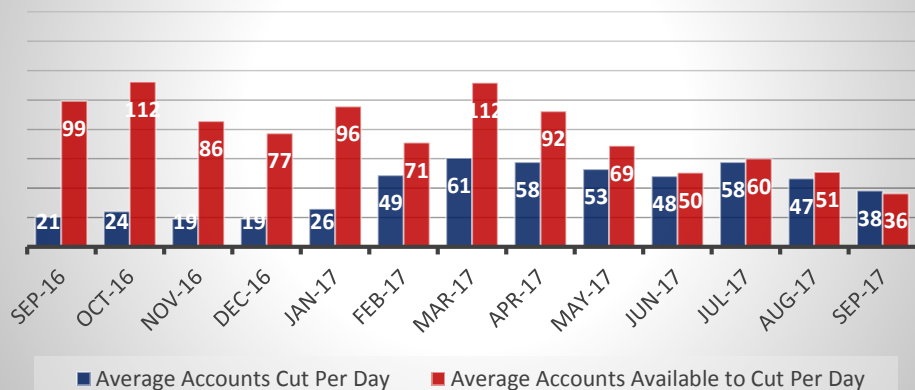
Customer Services Department

Major Program Updates	Sep 2017	Sep 2016	Difference	FY 2018	FY 2017
				Year-to-Date	Year-to-Date
Number of Customers Served	21,527	21,633	(106)	77,149	77,129
Final Bills	645	706	(61)	2,063	2,192
Estimated Bills	202	183	19	634	616
Penalties Posted	\$ 7,924	\$ 9,013	(1,089)	\$ 19,468	\$ 20,394
Extensions of Credit - Amount Extended	\$ 112,151	\$ 142,519	(30,368)	\$ 376,644	\$ 364,607
Balance Transfers	\$ 3,728	\$ 2,427	1,302	\$ 15,663	\$ 1,388
Utility Collections	\$ 25,298	\$ 21,593	3,705	\$ 79,405	\$ 80,557
Miscellaneous Billings	\$ 141,094	\$ 97,268	43,826	\$ 622,639	\$ 459,590
Taxes Levied	\$ 988,234	\$ 865,673	122,561	\$ 988,234	\$ 865,673
Billing Adjustments	\$ 6,028	\$ (133)	6,161	\$ 6,028	\$ (133)
Total Taxes Collected	\$ 339,303	\$ 76,955	262,349	\$ 339,303	\$ 76,955
Taxes Outstanding	\$ 654,959	\$ 788,586	(133,627)	\$ 654,959	\$ 788,586

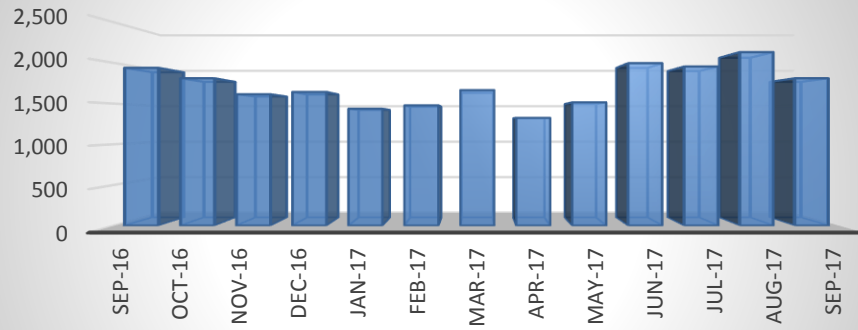
Disconnect Summary Report

	Sep-16	Oct-16	Nov-16	Dec-16	Jan-17	Feb-17	Mar-17	Apr-17	May-17	Jun-17	Jul-17	Aug-17	Sep-17
% of Cust Cut	21%	21%	22%	25%	27%	69%	54%	62%	77%	95%	96%	91%	93%
% of Total \$ Cut	22%	18%	16%	24%	31%	68%	66%	63%	77%	92%	96%	88%	89%
Total Days Available to Cut	20	20	21	22	22	16	13	16	20	22	12	19	19
Average Accounts Cut Per Day	21	24	19	19	26	49	61	58	53	48	58	47	38
Average Accounts Available to Cut Per Day	99	112	86	77	96	71	112	92	69	50	60	51	36
Total on original list	1986	2247	1797	1702	2102	1134	1451	1476	1377	1109	653	885	691
Total \$ on original list	\$649,386.35	\$863,317.64	\$782,883.39	\$636,019.34	\$675,694.36	\$373,545.84	\$371,175.90	\$362,563.80	\$405,699.71	\$476,569.79	\$210,692.12	\$339,268.87	\$258,437.94
Total Actual Cust Cut	411	482	402	419	570	779	788	922	1059	1059	692	884	728
Total \$ of Actual Cut	\$140,573.47	\$155,769.34	\$124,907.89	\$154,000.16	\$212,407.49	\$255,781.83	\$243,763.03	\$229,928.08	\$312,473.14	\$437,125.60	\$214,022.39	\$315,751.83	\$242,444.38

Average Disconnects

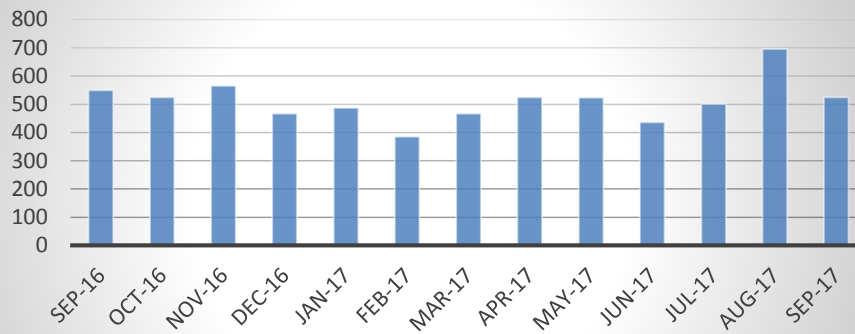


Work Orders Processed



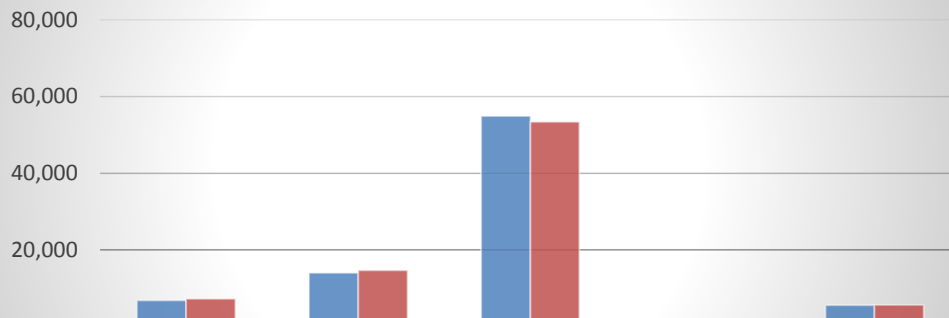
	Sep-16	Oct-16	Nov-16	Dec-16	Jan-17	Feb-17	Mar-17	Apr-17	May-17	Jun-17	Jul-17	Aug-17	Sep-17
Series1	1,939	1,811	1,615	1,643	1,437	1,478	1,665	1,325	1,515	1,996	1,955	2,132	1,811

Payment Agreements / Extensions



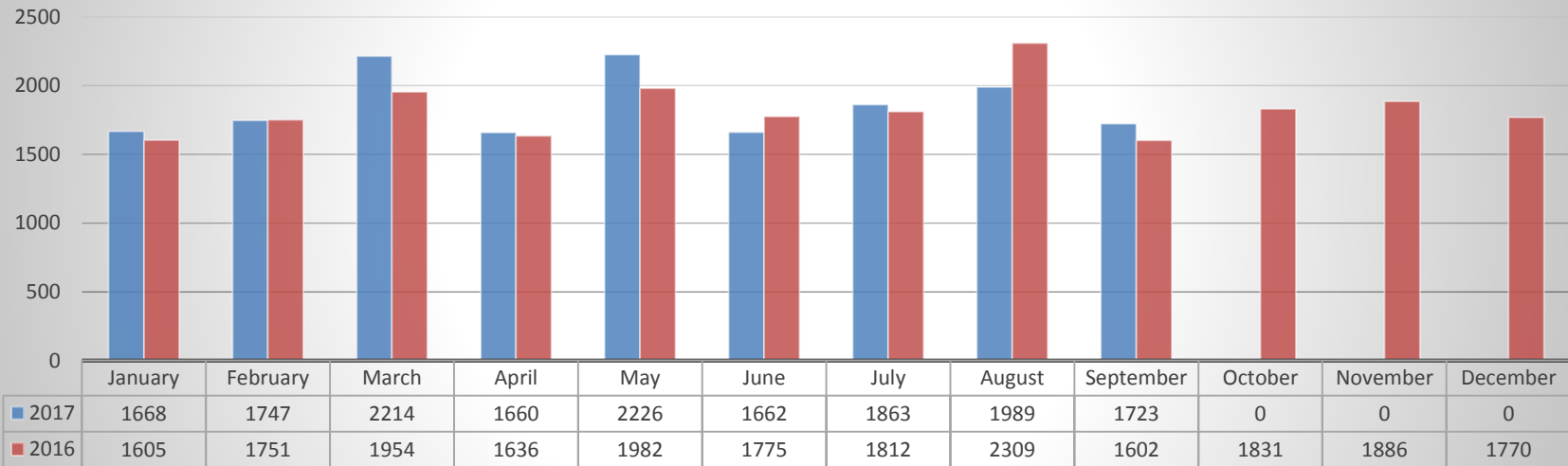
	Sep-16	Oct-16	Nov-16	Dec-16	Jan-17	Feb-17	Mar-17	Apr-17	May-17	Jun-17	Jul-17	Aug-17	Sep-17
Series1	549	525	565	467	487	385	467	525	523	436	501	695	525

CUSTOMER PAYMENT USAGE

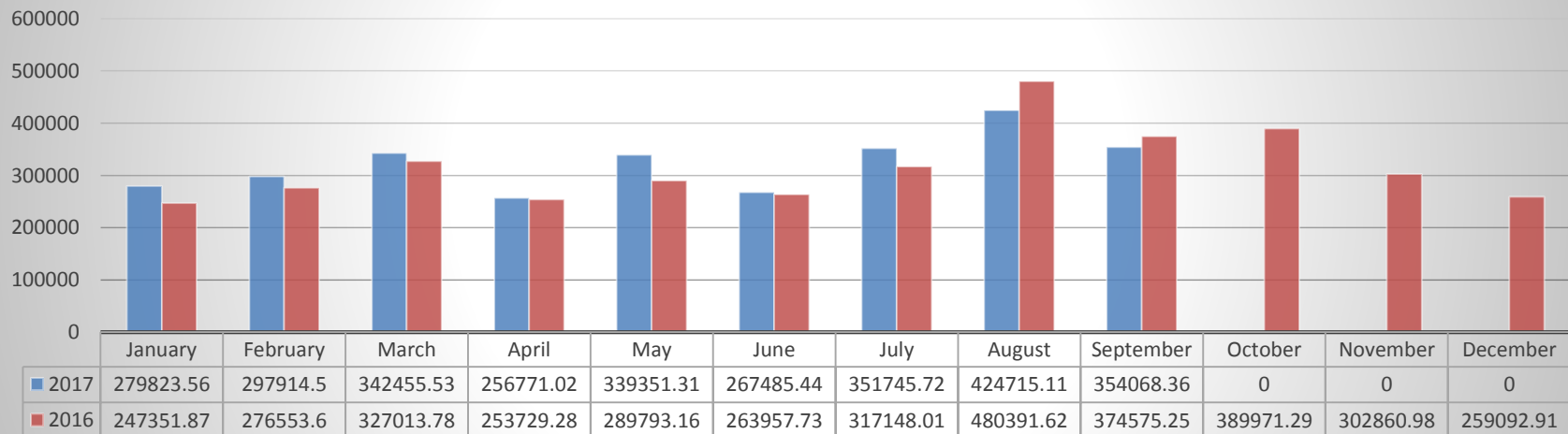


	Drive-Thru Window	Over the Counter	Mail, Drop Box	Credit Cards	Bank Drafts
2018 YTD	6,862	14,040	54,913	662	5,580
2017 YTD	7,279	14,672	53,422	635	5,694

Total Accounts Bank Drafted



Customer Payments Made Through Bank Draft



ELECTRIC DEPARTMENT

Electric Divisions

System Peak	
Jan 16	116.96
Feb 16	110.15
Mar 16	98.93
Apr 16	100.37
May 16	128.16
June 16	133.59
July 16	165.92
Aug 16	162.61
Sept 16	159.99
Oct 16	116.94
Nov 16	98.27
Dec 16	101.04
Jan 17	113.04
Feb 17	106.4
Mar 17	108.2
Apr 17	107.03
May 17	133.93
June 17	155.81
July 17	162.88
Aug 17	157.18
Sept 17	137.01

Total System Load	
Jan 16	62,563
Feb 16	57,888
Mar 16	55,967
Apr 16	53,202
May 16	56,586
June 16	65,414
July 16	80,114
Aug 16	83,086
Sept 16	67,117
Oct 16	57,707
Nov 16	54,812
Dec 16	60,179
Jan 17	63,172
Feb 17	54,811
Mar 17	60,690
Apr 17	54,062
May 17	57,823
June 17	70,081
July 17	79,883
Aug 17	74,534
Sept 17	64,235

Month	outages	customers
Jan 16	5	245
Feb 16	2	106
Mar 16	7	353
Apr 16	5	672
May 16	2	206
June 16	14	601
July 16	9	307
Aug 16	9	214
Sept 16	7	915
Oct 16	8	224
Nov 16	6	4293
Dec 16	5	207
Jan 17	3	12
Feb 17	1	2
Mar 17	4	160
Apr 17	4	114
May 17	5	148
June 17	7	3084
July 17	19	2556
Aug 17	8	1466
Sept 17	2	1094

Number Customers Gained	
Jan 16	21
Feb 16	14
Mar 16	16
Apr 16	29
May 16	13
June 16	53
July 16	13
Aug 16	13
Sept 16	35
Oct 16	27
Nov 16	41
Dec 16	37
Jan 17	40
Feb 17	31
Mar 17	15
Apr 17	58
May 17	58
June 17	25
July 17	90
Aug 17	24
Sept 17	31

Electric Monthly Outage Report

The annual outage goal will be less than 295 minutes per customer, which is a Delaware Standard. This will be measured by calculating the System Average Interruption Duration Index.

FY 18 YTD	FY 17	FY 16
43.13	21.24	58.34

Controllable Outages <i>Annual goal is less than 40</i>		Average Response Time <i>Goal is less than 30 minutes</i>	
Month	Year-to-date	Month	Year-to-date
2	11	35.5 Minutes	37.96 Minutes

PROGRAM UPDATES	SEPT 17	SEPT 16	FY18 YTD
Tree Trimming	114	372	921
Number of Oil Releases	1	1	1
Lost Time Accidents – All Electric Utility Divisions	0	0	0
New Services	31	35	145

HUMAN RESOURCES

September 2017

Category	Sept 16	Oct 16	Nov 16	Dec 16	Jan 17	Feb 17	March 17	April 17	May 17	June* 17	July 17	Aug 17	Sept 17	Total
Caucasian*	296	301	302	300	299	296	293	290	289	291	292	290	291	n/a
Minorities*	71	72	72	71	71	71	72	73	73	74	79	76	77	n/a
Hired	5	9	3	1	5	1	5	1	3	3	9	1	8	54
Terminated/Resigned/Retired/Other	1	1	2	4	6	4	7	3	4	3	3	6	6	50
Transferred/Promoted	2	0	0	2	2	0	1	1	1	0	3	1	1	14
Jobs Posted	3	3	1	7	2	6	7	5	2	1	7	1	2	47
Workers Comp. Injuries	3	6	3	0	2	2	2	2	4	3	1	0	6	34
Workers Comp. Hours	171	254	319	342	259	252	397	275	648	475	417	396	173	4378

***335 Full-time Employees: Part-time Employees: 33** (3 Pitts Center, 1 Recreation, 18 Library, 2 Customer Service, 1 Central Services, 8 Police Department) -Numbers do not reflect, temporary, seasonal, relief fire dispatchers, committee or council members. * Updated

Position Hired: (5) Police Officers; Communication Operator; Inspector I (Fire Marshal); Customer Service Clerk I (part-time)

Position Transferred/Promoted: Inspector I Code Enforcement to Communication Operator

Position Terminated/Resigned/Retired: Motor Equipment Operator II (Sanitation); (2) Police Officers; Motor Equipment Operator I (Grounds); Meter Technician Crew Leader (Electric)

Positions Posted: Civil Engineer, Payroll Specialist

Recruitment Information (Positions closed in September)

Position	Total	Female	Male	Unknown	Black	White	Hispanic	Asian/Pacific Islander	American Indian/Alaskan Native	Two Or More	Unknown	In Dover	Out Dover
Field Supervisor II, Grounds	10	1	9	-	2	5	-	-	3	-	-	2	8

Open or Currently Recruiting*

Open or Currently Recruiting by Dept.	Sept 16	Oct 16	Nov 16	Dec 16	Jan 17	Feb 17	March 17	April 17	May 17	June 17	July 17	Aug 17	Sept 17
Electric	3	3	4	4	4	4	4	4	4	5	7	7	8
Public Works	11	5	6	6	5	5	6	6	6	7	8	11	13
Police	2	1	1.5	3	5.5	6	7.5	9.5	9	8	6.5	6.5	.5
All Other Departments	9	9	14	13.5	11.5	11.5	12	10	9.5	9	7.5	7.5	6
Totals	25	18	25.5	26.5	26	26.5	29.5	29.5	28.5	29	29	32	29.5

*Not used for Budgeting Purposes

♦**The following has been updated to reflected the Fiscal 2017-18 Budget**

Electric: Lineman 2nd class, Electric Meter Technician; Key Accounts, Electric Director, (2) Substation Technician, Groundworker, Electric Meter Technician Crew Leader

Public Works: (2) Utility Maintenance Mechanic I; Laborer II (Grounds); Public Works Inspector, Gardener I, Motor Equipment Operator III (Water/wastewater); Water Treatment Plant Operator I, Field Supervisor II (Grounds), Civil Engineer, (1) Motor Equipment Operator I (Sanitation), (1) Motor Equipment Operator II (Sanitation), (2) Motor Equipment Operator I (Grounds)

Police: Cadet

All Other Departments: City Manager, Director Planning & Inspections, Billing Supervisor (Customer Service); Customer Service Clerk II (Collections); Budget Analyst; Office Assistant; Payroll Specialists, Inspector I (Code Enforcement)

HUMAN RESOURCES ***(Continued)***

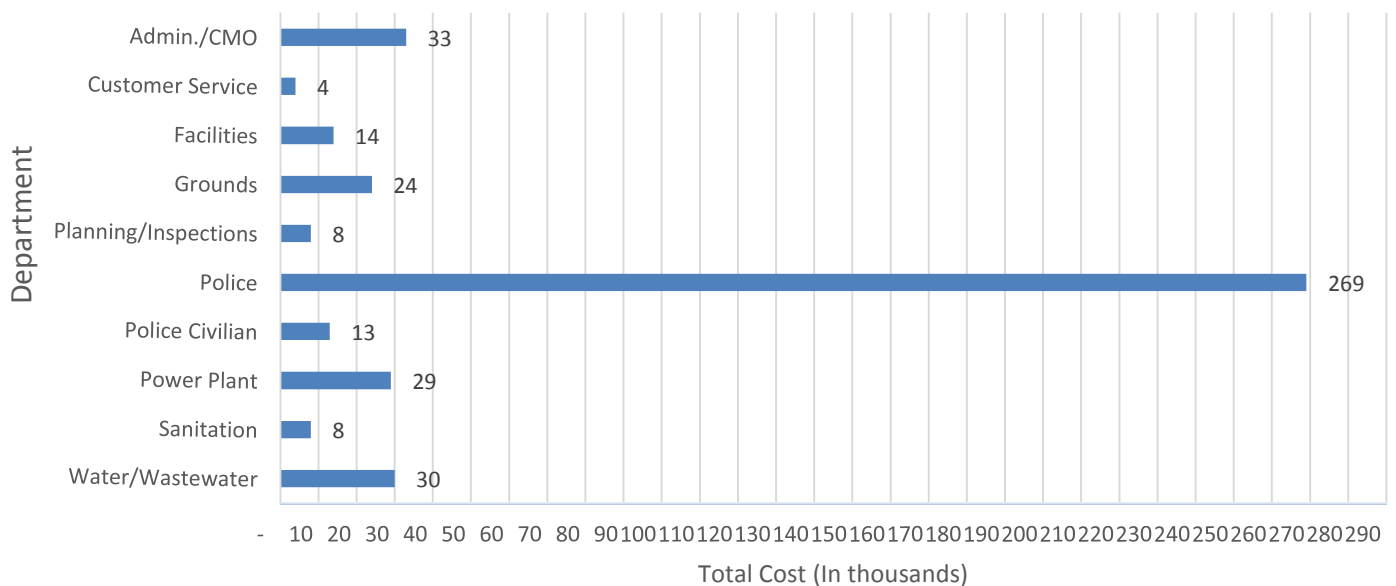
Turnover Statistics

	2010	2011	2012	2013	2014	2015	2016	2017
Total Turnover %	5.57	6.75	11.00	10.91	6.02	12.05	8.68	10.93
Termination Turnover %	0.27	1.08	0.29	1.47	.57	.28	.54	1.09
Resignation Turnover %	2.12	4.05	5.21	5.01	2.29	7.56	6.24	5.74
Retirement Turnover %	3.18	1.62	5.50	4.42	3.15	4.20	1.90	3.55
Other	-	-	-	-	-	-	-	.55
2012 Healthcare cost sharing implemented								
2013 Healthcare cost sharing implemented for DOE								
2016 RIF in Economic Development								

Average Employees

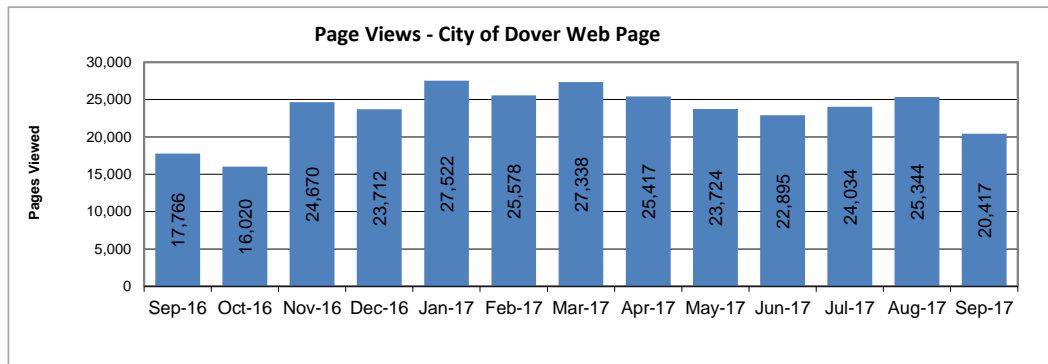
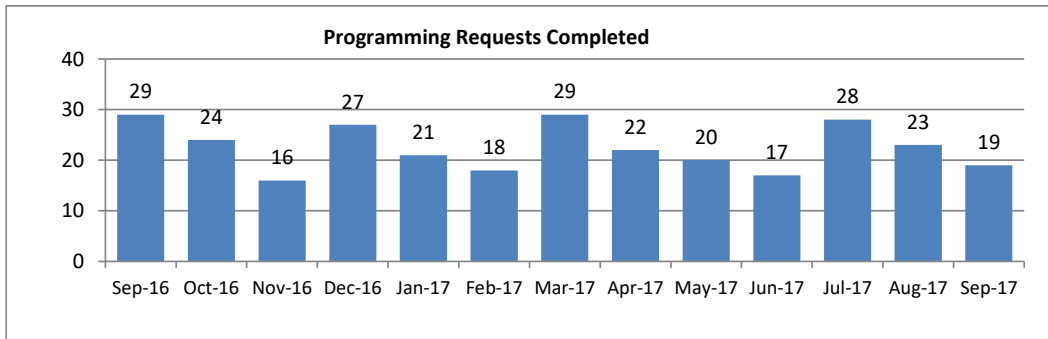
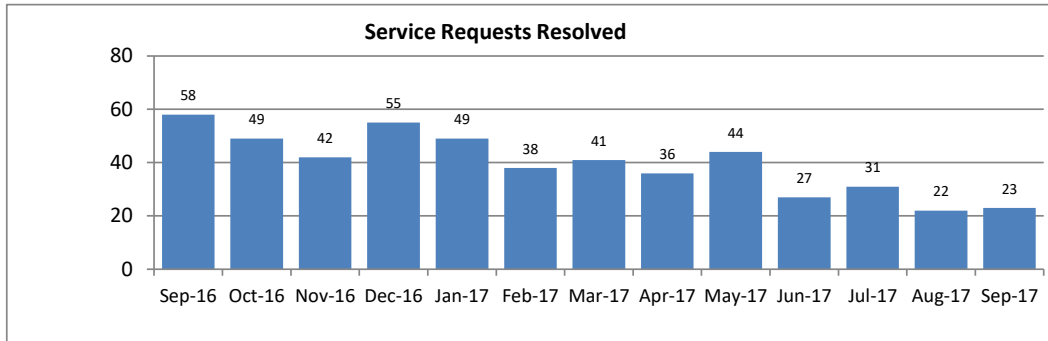
	2010	2011	2012*	2013*	2014	2015	2016	2017
Total Number of Employees	21	25	38	37	21	42	32	40
Separating from Service								
Average Number of Full-time Employees	362	356	333	325	331	333	340	339
Average Number of Part-time Employees	16	15	12	14	18	24	28	27
* Healthcare cost sharing implemented								

Workers Compensation Cost CY 2017



Total \$432,000

INFORMATION TECHNOLOGIES



Noteworthy:

- Finalizing contract negotiations with Tyler Technologies
- Started telephone system upgrade planning processes
- Upgraded Fortis application
- Reviewed Emergency plan for weather related emergencies

September 2017
Monthly Report



Highlighted Special Events & Attendance:

Job Fair	300
"In Harmony..." Concert Series	80
Friday Storytime	50

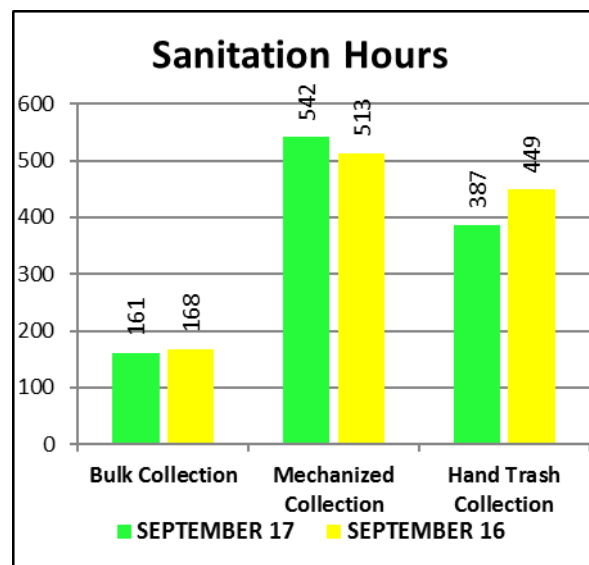
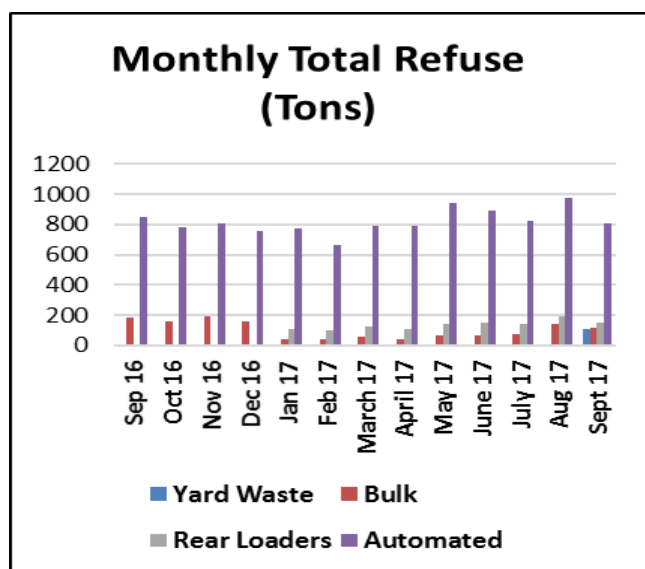
Total Items Checed Out:	30,027			Programs:	Offered	Attended
<i>E-books:</i>	2,708					
				Adult	37	536
New Library Cards:	330			Teens	38	249
				Children	43	713
Library Card Holders:	36,529			Job Center	38	550
<i>Service Area Population:</i>	59,354					
Library Visitors:	21,536					
Meeting Rooms Usage:	1,239					
Computer Users:	4,112					
Wireless Users:	1,872					
Items Loaned to/Received from Other Libraries:	6,091					

PUBLIC WORKS

Construction Inspection

<u>Subdivisions</u>	<u>Site Development</u>
<i>The following required inspection services</i>	<i>The following required inspection services</i>
Seskinore Court Chestnut Grove Clearview Meadows Eden Hill Nottingham Meadows Senators Lakes Garrison Oak Technical Park Tall Pines	The Grande, Building 4 Chesapeake Utilities- Dover Campus Eden Hill Medical Center Reed Street Apartments Leander Lakes Eden Hill Commercial Center Islamic Society of Central Delaware Whatcoat Apartments

Sanitation



	SEPTEMBER 17	FYTD 18	SEPTEMBER 16	FYTD 17
Trips to DSWA Sandtown Landfill	239	650.00	174	524.00
Total Tonnage to DSWA	1,307.60	3,662.38	1,032.30	3,115.10
90-Gallon Containers Delivered	89	261.00	51	154.00
300-Gallon Containers Delivered	0	0.00	0	0.00
Total Man Hours-containers Delivered	23	71.00	16	53.00

CURBSIDE RECYCLING STATS	TOTAL # OF HOUSEHOLDS COLLECTED	TOTAL # OF ACCOUNTS	WEIGHT/LBS.	AVE. LBS.
September 2017	19,761	9,450	262,320	13.27

Streets	SEPTEMBER 17	FYTD 18	SEPTEMBER 16	FYTD 17
Signed Installed	6	30.00	7	29.00
Signs Repaired	11	24.00	3	16.00
Curbs Painted Yellow (feet)	23	279.00	0	2,665.00
New Post Installed	6	18.00	4	16.00
Storm Catch Basins Repaired	3	5.00	2	8.00
Storm Catch Basin Repairing (Hrs.)	22	37.00	6	11.50
Storm Catch Basins Cleaned	18	38.00	8	19.00
Storm Catch Basins Cleaning (Hrs.)	20.50	35.50	20	2,225.00
Hot Mix Patching (Tons)	0.00	8.10	0	0.00
Hot Mix Patching (Hrs.)	0	8.00	0	0.00
Cold Mix Patching Hrs.)	8.5	27.08	9.75	41.25
Concrete Work (Hrs)	47.0	150.00	2	14.00
Concrete Patching (Cubic Yards)	5.59	22.09	0.23	4.03
Ditch Work (Hrs).	0	2.00	0	2.00
Street and Alley Maintenance (Hrs)	1.0	35.00	0	0.00
Street Sweeping (Miles)	1,601	4,870.24	1,829	5,787.00
Street Sweeping (Cubic Yards)	124.00	326.25	172.5	432.08
Leaves Collected (Cubic Yards)	144.0	144.00	0.0	0
Leaf Collection (Miles)	163	163.00	0	163.00

GROUNDS

Work Orders

Total Work Orders = 9	General = 1	Arborist = 8
-----------------------	-------------	--------------

Arborist Crew	September 2017	Septembr 2016
Trees Trimmed	45	23
Trees Removed	2	8
Stumps Removed	2	27
Trees Planted	0	0
Root Pruning	4	0

Beautification Crew

Started removal of Annuals/Perennials for bulb planting
 Tulip bulb order processed with vendor (Unex)
 Watering of hanging baskets

Weeds being removed from flower beds

Mowing Crew

All mowing equipment in good operating order
Mowed city properties and parks

Litter Removal

Litter is being picked up on City properties as per the weekly schedule
Litter person has been diligent in the reporting destruction in City parks

Miscellaneous

Serviced mowing equipment
Completed trimming trees and bushes at Lookerman Plaza
Set stage up for 3 events
Prepared ball fields for fall softball league daily

GEOGRAPHIC INFORMATION SYSTEMS (GIS)

City Managers Office	Created a 8.5"x11" map of the Old Dover Library building.
City Managers Office	Created a 30"x40" map of the area around 45 S State Street
City Managers Office	Created a map of all the City Parks on an Aerial background. Printed one copy at 30" x40" and one at 42"x54".
City Managers Office	Created a 30"x40" map of the area around Lookerman Plaza for use in determining Food Truck placement.
Information Technology	Resolved .idb file extension issue.
Other	Provided documents to Kent Co to change parcel line work on S American Ave and the abandoned Budd St.
Other	Provide addressing information to Kent Co.
Planning & Inspections	Created the CDBG Affordable Housing map for 2016.
Public Works	Created a 42"x54" map of the City of Dover for the Amazing Chase event. Printed one copy.
Public Works	Updated the Parcels, Rentals, and Active AHIs layers.
Public Works	Added new data to address search for web applications.
Public Works	Determine the amount of intersecting roads within the City.
Public Works	Updated Garrison Oak Sanitary Sewer

FLEET AND FACILITIES MANAGEMENT

Fleet Maintenance

PM Work Orders Completed:	14	Number of Tire Repairs:	4	Number of Road Repairs:	8
Other Work Orders:	36	Repair Hours:	182	Road Repair Hours:	8
Total Work Orders:	50	Fabrication Hours:	12	Misc. Hours:	157.5
PM Hours:	55				

Of Scheduled PM's: **31**

Of Scheduled PM's: Completed: **9**

Major Program Updates

MEASURE	September 2017	September 2016	DIFFERENCE
Fleet Maintenance - Scheduled Preventative Maintenance appointments being kept (<i>Quantity and Percentage</i>)	9 out of 31 29.03 %	11 out of 31 35.48 %	- 6.45%
<u>Facilities Maintenance</u>			
Facilities - Routine work orders completed within 5 days (<i>Quantity and Percentage</i>)	17 out of 17 100 %	37 out of 37 100 %	0 %
Facilities - Emergency work orders completed within 2 days (<i>Quantity and Percentage</i>)	1 out of 1 100 %	2 out of 2 100 %	0 %

Water/Wastewater Divisions

	Aug 16	Sept 16	Oct 16	Nov 16	Dec 16	Jan 17	Feb 17
Total Water Prod.	203,656,000	176,510,000	173,574,000	122,328,000	132,009,000	139,873,000	126,731,000
Billed Consumpt.	179,460,000	184,214,000	159,687,000	133,279,000	114,760,000	114,760,000	150,473,000
Total Flow to County	158,799,000	125,583,000	169,995,000	114,255,000	114,682,000	141,147,600	115,346,000
City Readings	178,307,328	135,635,579	147,838,447	150,270,118	136,196,345	142,470,400	148,506,989

	March 17	April 17	May 17	June 17	July 17	Aug 17	Sep 17
Total Water Prod.	153,874,000	142,087,000	171,797,000	183,692,000	195,693,000	183,352,000	172,501,000
Billed Consumpt.	120,373,000	127,958,000	127,958,009	161,418,000	179,460,000	169,521,000	169,521,000
Total Flow to County	120,431,000	123,927,000	170,213,000	136,745,000	125,926,000	178,219,000	139,090,000
City Readings	134,835,733	135,076,400	168,499,897	141,349,551	138,366,768	167,858,838	144,462,028

ENGINEERING SUMMARY

Major Program Updates	SEPTEMBER 17	SEPTEMBER 16	DIFF	FY18 YTD	FY17 YTD
State and Federal Violations	0	0	0	0	0
Water Quality Complaints	14	23	-9	23	36
Plan Review Completed Within 30 days of Submission	8	3	+5	28	19

OPERATIONAL SUMMARY

Task	SEPTEMBER 17	SEPTEMBER 16	CURRENT FY
Water Production - Daily Average	5,750,033	5,883,667	735,242,000
Average Field Response Time (goal is <30 minutes)	16.50	16.0	17.00
Water Mains Repaired	0	1	0
Water Service Lines Repaired	0	4	4
Wastewater Mains Repaired	0	0	1
Wastewater Service Lines Repaired	2	1	3
Sewer Lines Flushed - linear feet	89,289	111,412	179,936
Sewer Mains Videoed -linear feet	1,361	1,921	4,287
Sewer Manholes Cleaned	442	517	442
Total Fire Hydrants in Service	1,839	1,820	1,839
Total Water Meters in City Distribution System	14,694	14,494	14,694

City Planner's Monthly Report

Planning & Inspections

SEPTEMBER 2017

Planning, Inspections & Recreation Highlights

Some Items to Call to Your Attention:

- ♦ Planning and Development related revenues YTD are at or slightly above budgeted levels for the fiscal year, \$234,369 was collected in building permit revenues in the first quarter of the fiscal year, equaling 29% of the budgeted amount. Planning Staff were involved in review of 61 permits and 16 certificates of occupancy during September. For the year to date this results in 860 permit reviews, slightly below this period last year (846) but above the level in 2015 (720). Additionally, during September the value of commercial projects approved was \$8,749,380 yielding a total for the first quarter of FY 18 of \$12,065,955. Building inspections were also up from this period last year, with 1464 inspections conducted in the quarter versus 1231 for this period last year. Finally, a number of new businesses are open in the pipeline downtown and along the corridor, and proposals for commercial and professional office projects continue to be received. These are good indicators of a continuingly improving local economy.
- ♦ The Department continues its efforts to review and revise the *Zoning Ordinance*, with council consideration of a set of changes to Sections 5 & 6 thereof. Code Enforcement saw a total of 190 new cases opened in September (out of 289 inspections), with the majority involving tall grass and weeds.
- ♦ With the recent changes in the organizational structure, the Department of Parks & Recreation falls under the direction of Margie Cyr, Library Director. The September report of Parks & Recreation activities will become part of the City Manager's Monthly Report. However, Staff of the Planning Office remains involved in several Parks & Recreation projects.

City Planner's Monthly Report

Planning, Inspections & Recreation

More Highlights!

- ♦ Maria Quinones joined the Fire Marshal Staff as an Deputy Fire Marshal (FM-3) on September 25, 2017.
- ♦ The Fall 2017 NASCAR Race Event Activities occurred September 29 & 30th and October 1st. The Department issued RV Camping Permits to 15 locations, Itinerant Merchant Business Licenses to vendors, and Fire-works Permits. The Office of the Fire Marshal spent time on-site completing inspections related to compliance with camping permits and fire regulations.



Development Highlights: Places to EAT and Places to LIVE!



Panera Bread—545 N. DuPont Highway



Olive Garden 263 N. DuPont Highway - Renovations + New Sprinkler System



Village of Westover
417 Northdown Drive



Nottingham Meadows
38 Wellington Avenue

PROGRESS IN PICTURES



The Grande, Building 4- 101 & 10& 105 Doveview Drive



301 Nob Hill Road—Clearview Meadows

Planning & Inspection Revenues			
	FY '18 Budget	FY ' 18 Actual (YTD) September	% of Budget
Revenue Stream			
Business License	\$1,467,000	\$ 1,408,660	96%
Trailer License	\$19,000	\$ 11,686	62%
Building Permits	\$800,000	\$ 234,369	29%
Cert. of Occupancy	\$13,000	\$ 5,105	39%
Public Occupancy	\$23,000	\$ 600	3%
Lodging House	\$14,000	\$ 28	0%
Plumbing/Heating/ Air	\$115,000	\$ 63,371	55%
Rental Inspection Fee	\$437,000	\$ 1,584	0%
Miscellaneous	\$27,000	\$ 1,657	6%
Fire Protection Fees	\$65,000	\$ 24,177	37%
Code Enforcement Fines	\$35,000	\$ 10,875	31%
Vacant Building Reg.	\$250,000	\$ 64,325	26%
Total P&I Revenue	\$3,265,000	\$ 1,826,437	56%
30-Sep-17			

PERSONNEL AND TRAINING

- On September 22, 2017, Jake Shepherd (Code Enforcement Inspector I) transferred to a Dispatcher position at the Dover Police Department.

PLANNING OFFICE

The Planning Office is part of the review process for certain types of construction activity permits (Building Permits, Sign Permits, etc.) and Certificate of Occupancy permits. For September 2017, Planning Staff was involved with review of 61 Permits and 16 Certificates of Occupancy permits. This results in a 2017 calendar year to date total of 860 Permits and Certificates of Occupancy (2016 calendar year to date total of 846 Permits and COs compared to 720 for 2015). Planning Staff also reviews new applications for Business Licenses and Rental Dwelling Permits.

COMPREHENSIVE PLAN IMPLEMENTATION

Planning Staff continues to focus on the various implementation items identified in the *2008 Comprehensive Plan* as amended.

- The Planning Office continues to be involved in the following studies and projects: Restoring Central Dover Community Plan implementation, the Dover/Kent County MPO Regional Bicycle Plan Update project, and Downton Dover Parking Study.
- Planning Staff is also focused on reviewing Dover's Downtown Development District program management seeking to better understand the administrative activities and to focus on updates to program outreach materials.
- The Planning Office is concluding the Study of "Non-conforming Uses" which identified non-compliant uses in specific residential zones. Two Rounds of Notifications to non-conforming property owners occurred in 2016 and early 2017. A number of the identified properties have taken action to resolve the non-conformity issues. The last set of non-conforming properties (Round 2) were notified with sunseting date of June 30, 2017 if not resolved. For one of the remaining properties, the Planning Commission recommended approval of a rezoning application (Z-17-04) in August with Final Action by City Council to approve the rezoning on September 25, 2017.
- Planning Staff participated in the Delaware Population Consortium meeting to begin review of the data being prepared for the Consortium's annual population projections (expected to be released in late October/early November).

Construction Activity

- Construction activities continue at several multi-family residential projects including the Tall Pines project at 1655 and 1665 Kenton Road (S-14-18), Leander Lakes Apartments (S-12-18), Phase 2 of the Blue Hen Apartment Complex (S-15-12), the final apartment building of The Grande: SCHO PND (C-15-04), the reconstruction of Liberty Court Apartments (S-16-22) and the renovations of Whatcoat Village Apartments (S-16-05).
- There is residential construction activity in Clearview Meadows PND, Nottingham Meadows, Seskinore, Village of Cannon Mill, and Village of Westover.
- Certificates of Occupancy were issued to seven (7) one family detached dwellings and four (4) town-house dwellings; and three (3) apartment buildings received Temporary Certificates of Occupancy.

	SEPTEMBER (2017) FY18	TOTAL FOR FY18
New Home Permits Issued	8	43
Value of Commercial Projects	\$849,380.00	\$12,065,955.00
Downtown Incentives (Fees Waived)	\$432.00	\$3,080.00

BOARD AND COMMISSION ACTIVITY

Planning Commission

The Planning Commission met on September 18, 2017. The next Planning Commission meeting is scheduled for October 17, 2017. The Planning Commission took action to recommend approval of the updated Memorandum of Understanding (MOU) for the Preliminary Land Use Services (PLUS) Review process (MI-17-06).

MI-17-02 Text Amendments: Zoning Ordinance, Article 5 and Article 6 – Planning Commission moved to recommend approval to City Council for Application MI-17-02 Text Amendments: *Zoning Ordinance*, Article 5 and Article 6, which was a series of amendments to the Supplementary Regulations and Parking regulations. The Recommendation was contingent upon clarification of when a multi-use path will be required in order to make clear (per the language) in what cases that it would be an expected component of a project (Planning Commission Amendment #1). The Recommendation is to include approval for the adoption of Ordinance 2017-12 in First Reading format and to include approval of the series of items addressed in Staff Amendment #1.

Board of Adjustment

The Board of Adjustment did not meet on September 16, 2017. The next regular scheduled meeting of the Board of Adjustment is scheduled for October 18, 2017.

Historic District Commission

The Historic District Commission met on September 21, 2017. The next Historic District Commission meeting is scheduled for October 19, 2017.

HI-17-03 Sign Permit #17-1484: Wall Sign at 115 West Loockerman Street– The Commission's deliberations resulted in tie votes (motions failed) pertaining to the Architectural Review Certification requested for the installation of an internally lit wall sign at Puffster Smoke Vape Lounge. The applicant decided to appeal the decision of the Historic District Commission to the Planning Commission and then the Planning Commission would consider the Architectural Review Certification.

COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

CDBG FY17 Projects

The Department of Housing & Urban Development (HUD) has approved the FY17 Action Plan for the FY15-FY19 Multi-Year projects listed below. Contract signings have been scheduled for sub-recipients for mid-October.

Homeownership Assistance Program

CDBG funds will be used to provide homeownership assistance to first-time homebuyers who purchase affordable housing in the City of Dover. Four (4) families are currently under contract to purchase homes.

Dover Interfaith Mission for Housing

CDBG funds will be used to provide operation costs for the shelter.

Connections Community Support Program

CDBG funds will be used to provide rapid re-housing/rental assistance services for homeless households within the City.

Milford Housing Homeowner Rehabilitation/Emergency Home Repair Programs

CDBG funds will be used to rehabilitate existing owner occupied housing in the City that is in violation of the City's Housing Code and complete emergency home repairs to eliminate housing conditions that threaten the health and safety of low income homeowners.

Habitat for Humanity

CDBG funds will be used to complete exterior renovations to existing owner-occupied homes in the Restoring Central Dover Revitalization area.

NSP Program

The City provided \$50,000 in NSP grant funds to Diamond State Community Land Trust to assist in acquiring a vacant or foreclosed property in the City of Dover. The property will be fully renovated and sold to a low to moderate income family.

Code Enforcement Activity—SEPTEMBER

Case Type	# cases current month	# cases YTD (July to September)	% staff initiated current month	% staff initiated YTD
No valid Rental Permit	0	4	0%	75%
No valid Building Permit	10	26	70%	93%
Tall grass and weeds	69	161	66%	75%
Unregistered vehicle	15	29	73%	76%
Abandoned vehicle	2	7	33%	66%
Annual Housing Inspection	25	71	72%	88%
Property Maintenance – Exterior	28	112	46%	45%
Electric Termination	9	31	55%	89%
Dover Code of Ordinances	30	75	53%	53%
Zoning	2	5	50%	63%
Total Cases Opened	190	521		
Total # of Inspections For Month	289			



719 E. Division Street-
Condemned

Dangerous Buildings, Vacant Buildings & Demolitions

- ♦ *954 Lincoln Street*—The property was condemned and taken forward to City Council as a dangerous building on November 7, 2016. Council ordered the owner to demolish the structure by December 7, 2016. The asbestos survey and abatement have been completed. The mortgage company has requested time to make renovations. The demolition has been put on hold.
- ♦ *1175 Horsepond Road*—The property was condemned on November 14, 2016 due to the dilapidated condition of the home. Notice was sent to the owner to repair or demolish the structure by February 23, 2017, or City Staff would take the property forward to City Council as a dangerous building. Property was presented to City Council on March 6, 2017; Council declared the property dangerous and ordered the owner to demolish by April 7, 2017. The owner is working to have the building demolished.
- ♦ *236 Eisenhower Drive*—The property was condemned on August 29, 2016, due to the dilapidated condition of the home. Notice was sent to the owner to repair or demolish the structure by February 23, 2017, or City Staff would take the property forward to City Council as a dangerous building. Property was presented to City Council on March 6, 2017; Council declared the property dangerous and ordered the owner to demolish by April 7, 2017. The demolition of the structure is complete.
- ♦ *803 Westview Terrace*—The in-ground swimming pool has been condemned. Notice has been sent to all lien holders regarding the code violations to the in-ground swimming pool. Staff took this property to City Council on August 7, 2017 as a dangerous building and Council ordered the Owner to demolish the pool by September 7, 2017, or City Staff would have the pool demolished. Notice has been sent to the lien holders to remove all items related to the pool removed and demolition specifications are being worked on.
- ♦ *2292 White Oak Road*—The dwelling was condemned as unfit for human occupancy and notice was sent to the owner to repair or demolish the structure. City Staff took this property to City Council on August 7, 2017 as a dangerous building and Council ordered the Owner to demolish the house by September 7, 2017, or City Staff would have the structure demolished. Notice has been sent to the lien holders to remove all items from the property that they wish to keep. The demolition specifications are being worked on.
- ♦ *Vacant Buildings*—During the month of September fifteen (15) additional buildings were registered as vacant, and \$25,725.00 in vacant building registration fees were collected.

Building Inspections & Licensing Summary

	Current	Aug 17-June18	Sept 2016	Sept 16 -June17
	SEPT 18	FYTD 18	SEPT 17	FYTD 17
PERMITTING AND LICENSING				
Permits Issued	SEPT (2017)		SEPT (2016)	
	FY 18	FYTD 18	FY17	FYTD 17
Administrative Permit	4	11	0	5
Building Addition/Renovation Permits	24	103	23	99
Building Permits	21	94	35	90
Demolition Permits	3	9	5	9
Fence Permits	8	33	14	26
Fire Prevention Permits	2	45	5	26
Mechanical Permits	38	152	43	144
Plumbing Permits	115	255	46	110
Sign Permits	19	52	15	62
Swimming Pool Permits	0	2	1	5
Business Licenses	142	1865	184	1959
Merchant Licenses	29	315	20	324
Contractor Licenses	84	1012	85	767
Lodging House Licenses	0	0	0	14
Manufactured Homes	40	253	52	273
Public Occupancy	11	26	11	43
Rental Dwelling	12	46	21	64
BUILDING INSPECTIONS				
Inspections	SEPT (2017)		SEPT (2016)	
	FY 18	FYTD 18	FY17	FYTD 17
Building (Inspections/Site Meetings)	412	1464	497	1231
Plumbing/Mechanical	641	1768	268	1073
Certificate of Occupancy	16	62	23	55

Fire Marshal's Office—At a Glance

The Fire Marshal's Office investigated a total of eight (8) incidents in the month of September to include losses at Beth Pl, Stevenson Dr, Doveview Dr, S DuPont Hwy, and Banning St.

Maria Quinones was hired as the new Inspector I/Deputy Fire Marshal.

The Fire Marshals Office spent over 35 hours during race weekend ensuring the citizens and visitors of the City of Dover were safe.



	Month	Year to Date	Previous Year to Date
Annual Fire & Life Safety Inspections	23	44	81
Deficiencies From the Above Inspections	78	289	251
Fire Code Violations/Deficiencies/Complaints	12	61	59
C/O & Fire Equipment Acceptance Tests	20	43	41
Meetings & Walk Through	26	56	44
Fire Plan Review & DAC	10	61	29

	Month	Year to Date	Previous Year to Date
Accidental	6 totaling \$112,500	12 totaling \$162,500	\$220,000
Undetermined	1 totaling \$7,500	1 totaling \$7,500	\$23,000
Incendiary	1 totaling \$1,000	15 totaling \$21,502	\$0.00
Arrest Made with DPD	0	0	-
Investigation Time	15 hours	42 hours	-
Injuries	0	0	-
Deaths	0	0	-

Please feel free to contact our office at any time with any questions or concerns. Thank you!



City of Dover

FINANCE AND PROCUREMENT & INVENTORY DEPARTMENTS — MONTHLY BUDGET REPORTS

SEPTEMBER



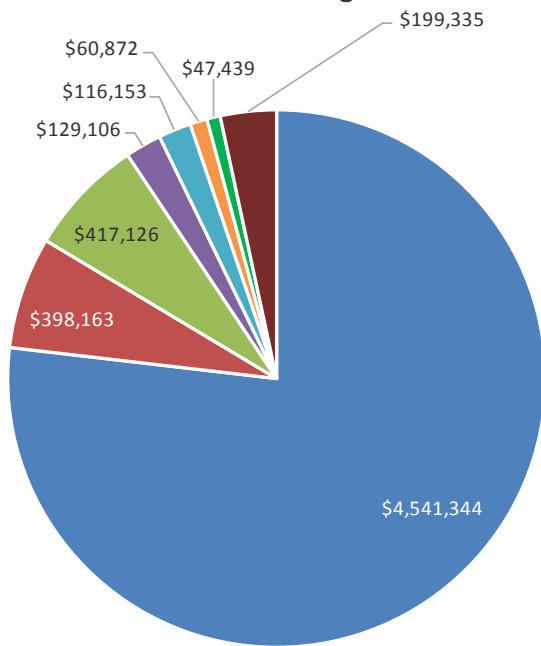
PLEASE NOTE – THIS REPORT PROVIDES TOP LINE INFORMATION ON THE OPERATING FUNDS. IF YOU WOULD LIKE ADDITIONAL INFORMATION, PLEASE FEEL FREE TO CONTACT THE FINANCE DEPARTMENT.

CITY OF DOVER ACTIVITY REPORTS SEPTEMBER 2017

FINANCE DEPARTMENT ACTIVITY LEVELS

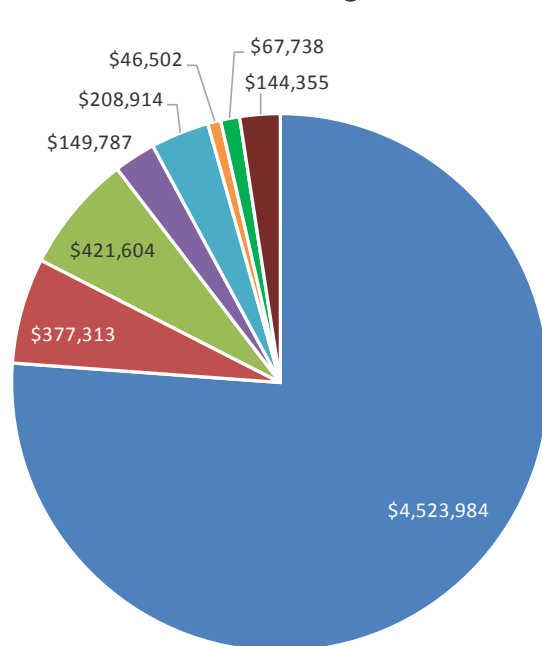
	FY17 YTD	FY18 YTD
BANK TRENDS		
Number of Deposits Made (Hand, ACH & Wire, Lockbox)	1,869	1,660
Total Amount of All Deposits	\$ 44,690,902	\$ 44,361,087
Other Activity		
Number of Pay Periods	7	7
Number of Payroll Checks & Direct Deposits Issued	2,806	2,765
Number of Pension Checks Issued	757	762
Total Pension Benefits Paid - Defined Benefit Plan	\$ 1,304,343	\$ 1,355,991
ACCOUNTS PAYABLE		
Number of Check Vouchers	1,367	1,555
Number of EFT Vouchers	554	608
Vouchers Dollar Amount Disbursed	\$ 16,237,291	\$ 18,701,215

FY17YTD Wages



- Regular
- All over time
- Vacation
- Sick
- Terminal Leave - Retiree Vacation/Sick Payout
- Personal
- Comp
- Other

FY18YTD Wages



- Regular
- All over time
- Vacation
- Sick
- Terminal Leave - Retiree Vacation/Sick Payout
- Personal
- Other
- Comp Time

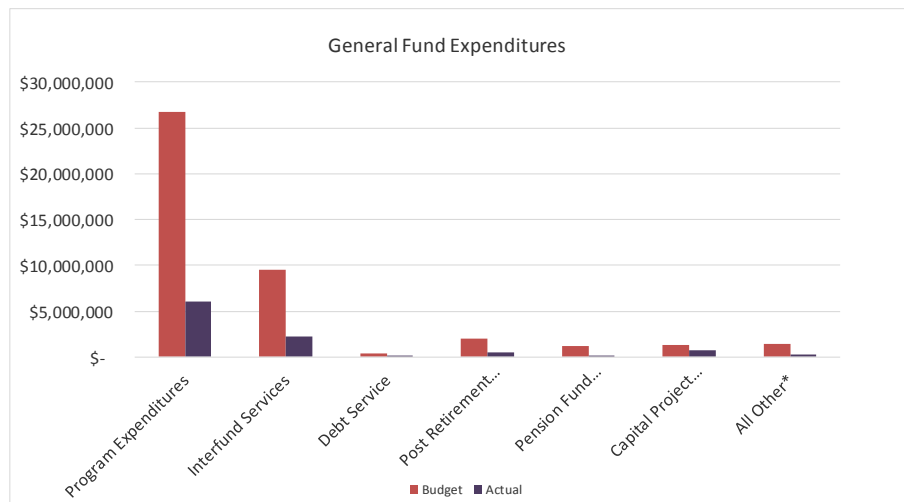
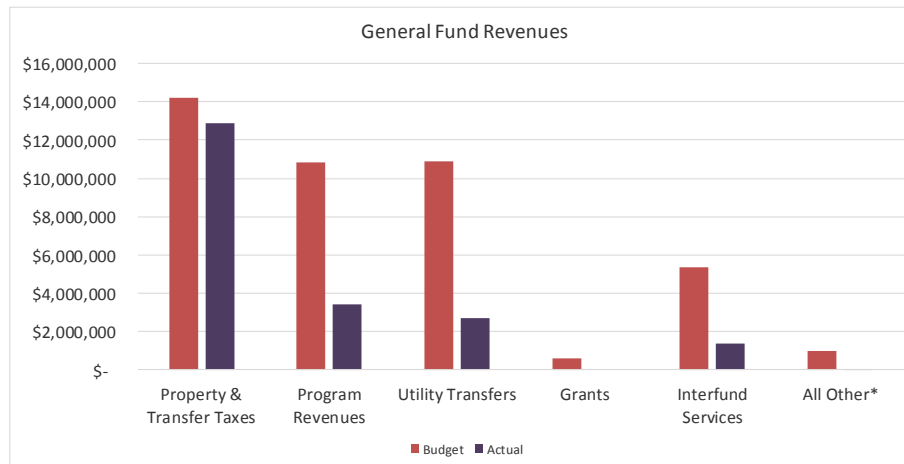
City of Dover
General Fund Summary
Fiscal Year to Date (September 2017)

Revenues				
	<u>Budget</u>		<u>Actual</u>	<u>%</u>
Property & Transfer Taxes	\$ 14,234,900	\$	12,865,382	90%
Program Revenues	10,834,900		3,444,016	32%
Utility Transfers	10,900,000		2,730,000	25%
Grants	605,000		-	0%
Interfund Services	5,376,200		1,404,225	26%
All Other*	980,000		55,664	6%
	<u>\$ 42,931,000</u>	<u>\$</u>	<u>20,499,287</u>	<u>48%</u>

*Includes: Franchise Fees, Miscellaneous Revenues, Garrison Farm Rent, Verizon Grant and Other Reserves

Expenditures				
	<u>Budget</u>		<u>Actual</u>	<u>%</u>
Program Expenditures	\$ 26,724,500	\$	6,001,217	22%
Interfund Services	9,553,300		2,201,532	23%
Debt Service	443,100		114,127	26%
Post Retirement Benefits	2,063,000		516,000	25%
Pension Fund Contributions	1,224,900		192,000	16%
Capital Project Transfers	1,368,700		684,175	50%
All Other*	1,483,500		252,548	17%
	<u>\$ 42,861,000</u>	<u>\$</u>	<u>9,961,599</u>	<u>23%</u>

*Includes: DDP Contribution, Misc. Grant Exp., Bank and CC Fees, New Street Property Acquisitions, Street Lights Expense, Transfer to Capital Asset Reserve, Inventory write-offs, Transfer to Verizon Reserve, & Uncollectibles: Trash and Other, Other Employment Exp.

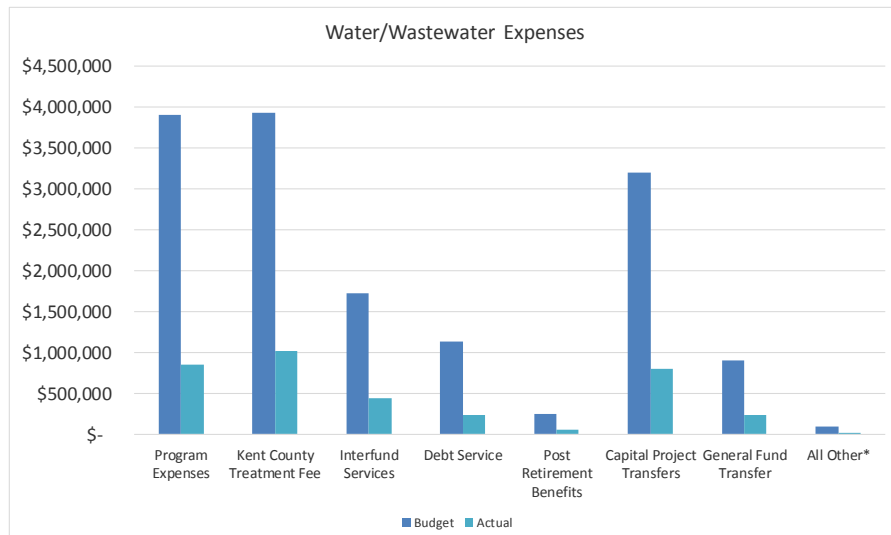
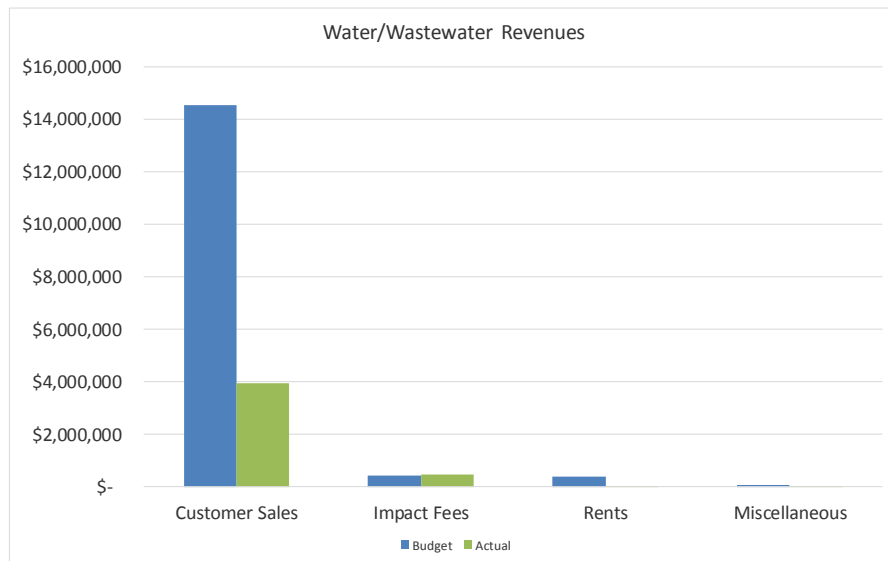


City of Dover
Water/Wastewater Fund Summary
Fiscal Year to Date (September 2017)

Revenues			
	<u>Budget</u>	<u>Actual</u>	<u>%</u>
Customer Sales	\$ 14,535,200	\$ 3,921,404	27%
Impact Fees	440,000	472,055	107%
Rents	391,400	10,893	3%
Miscellaneous	72,400	21,199	29%
	<u>\$ 15,439,000</u>	<u>\$ 4,425,551</u>	<u>29%</u>

Expenditures			
	<u>Budget</u>	<u>Actual</u>	<u>%</u>
Program Expenses	\$ 3,896,800	\$ 852,025	22%
Kent County Treatment Fee	3,926,500	1,021,404	26%
Interfund Services	1,716,100	440,231	26%
Debt Service	1,137,400	234,009	21%
Post Retirement Benefits	249,700	60,555	24%
Capital Project Transfers	3,200,000	800,000	25%
General Fund Transfer	900,000	228,000	25%
All Other*	91,900	6,932	8%
	<u>\$ 15,118,400</u>	<u>\$ 3,643,156</u>	<u>24%</u>

*Includes: Bank & CC Fees, Bond Issuance Cost, Other Employment Expenses



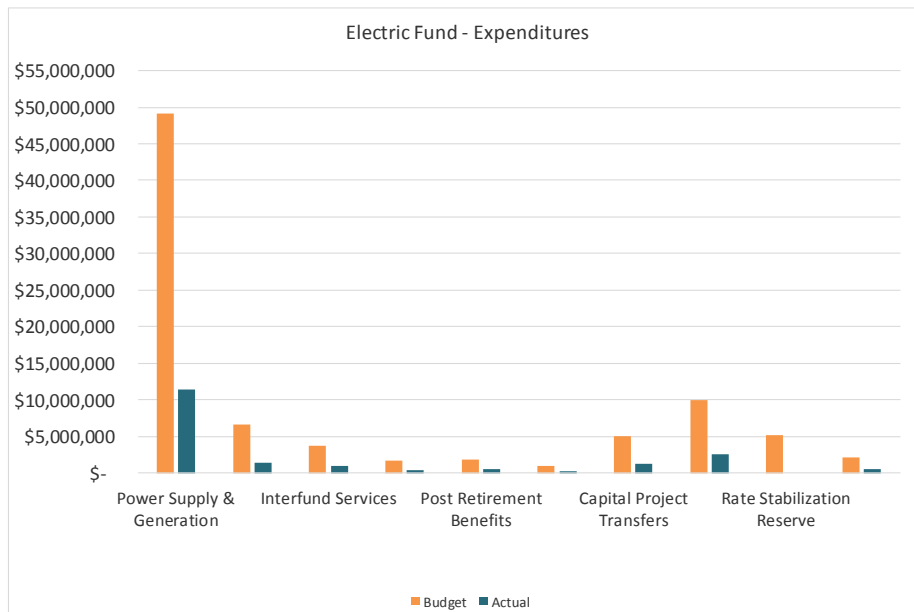
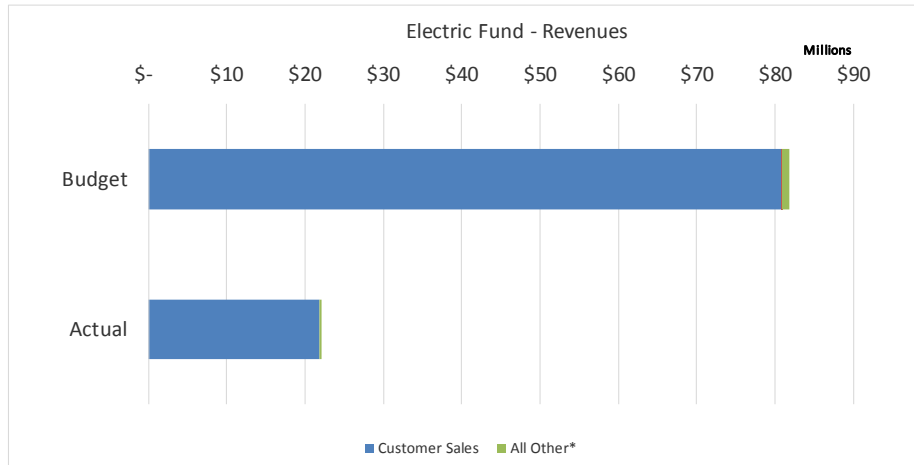
City of Dover
Electric Fund Summary
Fiscal Year to Date (September 2017)

Revenues				
	<u>Budget</u>		<u>Actual</u>	<u>%</u>
Customer Sales	\$ 80,892,200	\$	21,844,298	27%
All Other*	982,000		282,065	29%
	<u>\$ 81,874,200</u>	<u>\$</u>	<u>22,126,363</u>	<u>27%</u>

*Includes: Weyandt Hall Rents, Miscellaneous Revenue, Interest Earnings

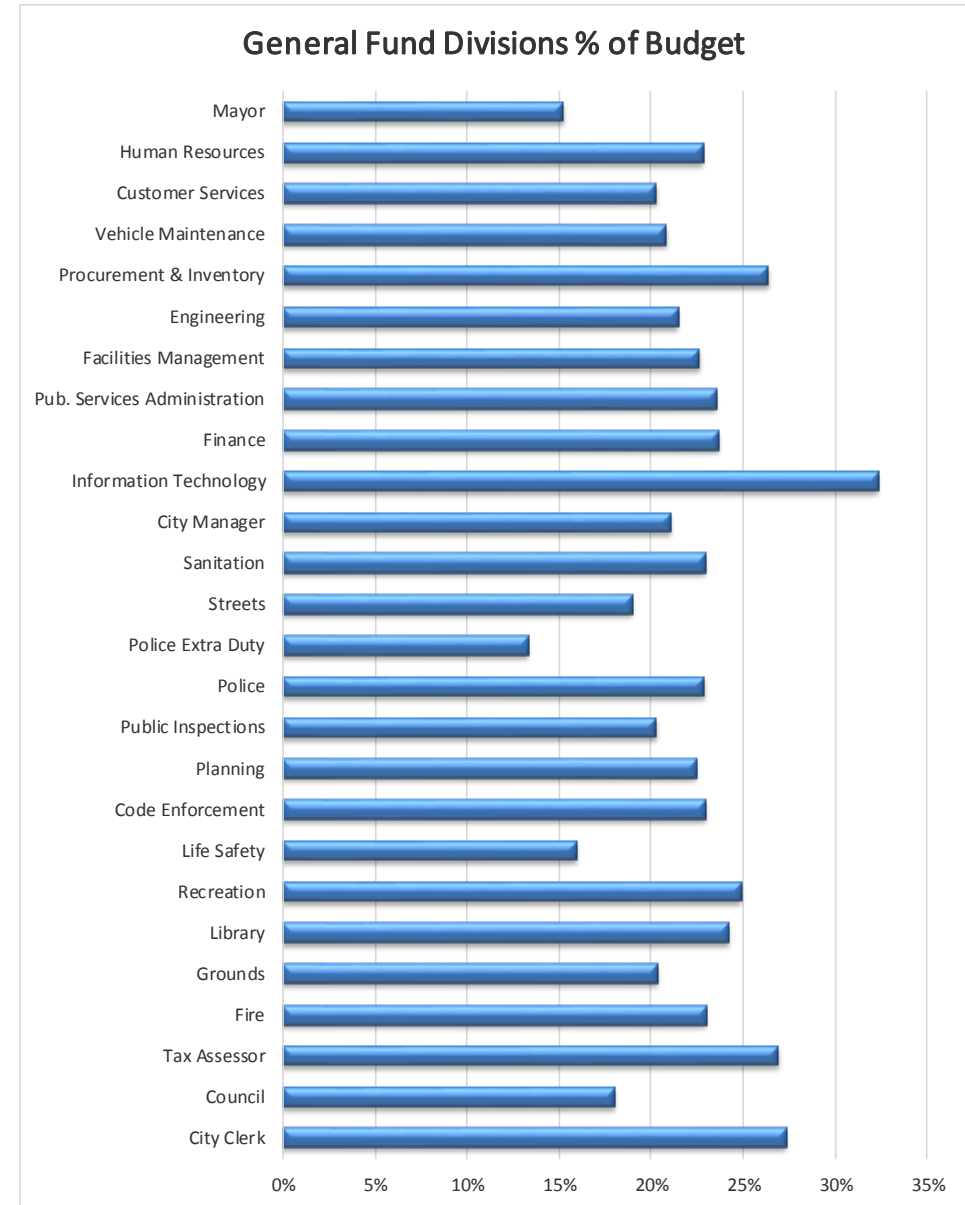
Expenditures				
	<u>Budget</u>		<u>Actual</u>	<u>%</u>
Power Supply & Generation	\$ 49,075,100	\$	11,416,106	23%
Electric Operating Division Exp.	6,660,200		1,458,382	22%
Interfund Services	3,660,100		963,994	26%
Debt Service	1,605,500		404,238	25%
Post Retirement Benefits	1,820,300		457,500	25%
Pension Unfunded Liability	1,000,000		249,000	25%
Capital Project Transfers	5,000,000		1,250,000	25%
General Fund Transfer	10,000,000		2,502,000	25%
Rate Stabilization Reserve	5,200,000		-	0%
All Other*	2,162,400		496,377	23%
	<u>\$ 86,183,600</u>	<u>\$</u>	<u>19,197,597</u>	<u>22%</u>

*Includes: Bank & CC Fees, Utility Tax, Interest on Deposit, Legal Exp., Green Energy, A/R Write-offs, Contractual Services, Other Employment Expenses



City of Dover
Division Expense Summary (General Fund)
Fiscal Year to Date (September 2017)

	<u>Budget</u>	<u>Actual</u>	<u>%</u>
City Clerk	\$ 436,700	119,249	27%
Council	155,100	27,896	18%
Tax Assessor	238,500	64,164	27%
Fire	774,900	178,141	23%
Grounds	1,142,000	232,094	20%
Library	1,708,300	413,638	24%
Recreation	764,200	190,125	25%
Life Safety	499,600	79,699	16%
Code Enforcement	449,700	103,114	23%
Planning	563,400	126,474	22%
Public Inspections	721,000	145,954	20%
Police	16,483,900	3,766,649	23%
Police Extra Duty	560,000	74,280	13%
Streets	1,119,400	211,841	19%
Sanitation	2,563,900	587,596	23%
City Manager	751,500	158,390	21%
Information Technology	777,400	251,240	32%
Finance	1,038,900	245,829	24%
Pub. Services Administration	718,300	168,895	24%
Facilities Management	629,700	142,109	23%
Engineering	277,700	59,542	21%
Procurement & Inventory	605,100	159,464	26%
Vehicle Maintenance	838,200	174,087	21%
Customer Services	1,169,500	236,757	20%
Human Resources	436,600	99,636	23%
Mayor	119,300	18,133	15%
\$ 35,542,800	\$ 8,034,996		



City of Dover
Utilities Summary
Fiscal Year to Date (September 2017)

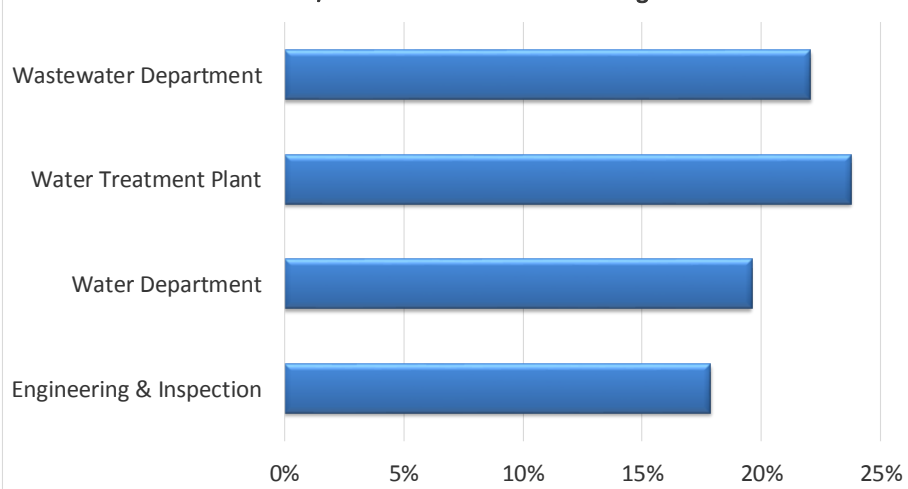
Water/Wastewater Division Expenses

	<u>Budget</u>	<u>Actual</u>	<u>%</u>
Engineering & Inspection	\$ 517,800	\$ 92,426	18%
Water Department	635,700	124,314	20%
Water Treatment Plant	1,780,500	423,039	24%
Wastewater Department	962,800	212,246	22%
	<u>\$ 3,896,800</u>	<u>\$ 852,025</u>	

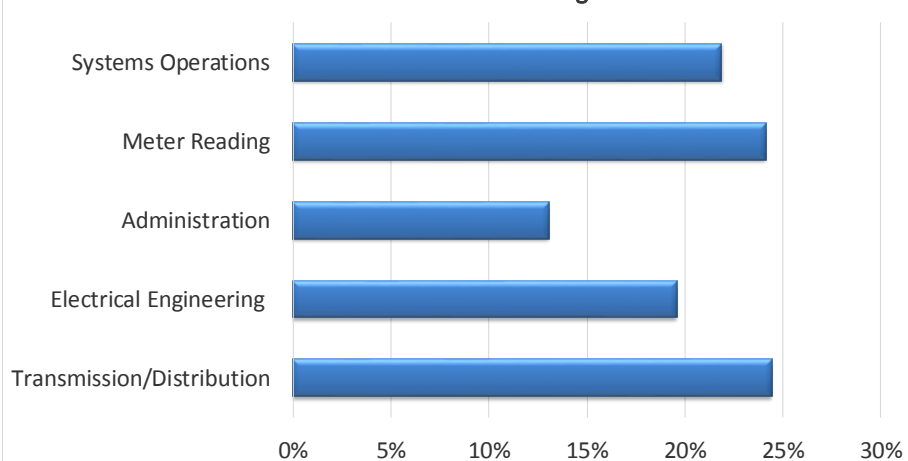
Electric Division Expenses

	<u>Budget</u>	<u>Actual</u>	<u>%</u>
Transmission/Distribution	\$ 3,599,600	\$ 879,413	24%
Electrical Engineering	1,226,400	239,688	20%
Administration	797,000	103,771	13%
Meter Reading	392,500	94,602	24%
Systems Operations	644,700	140,908	22%
	<u>\$ 6,660,200</u>	<u>\$ 1,458,382</u>	

Water/Wastewater Division % of Budget



Electric Division % of Budget

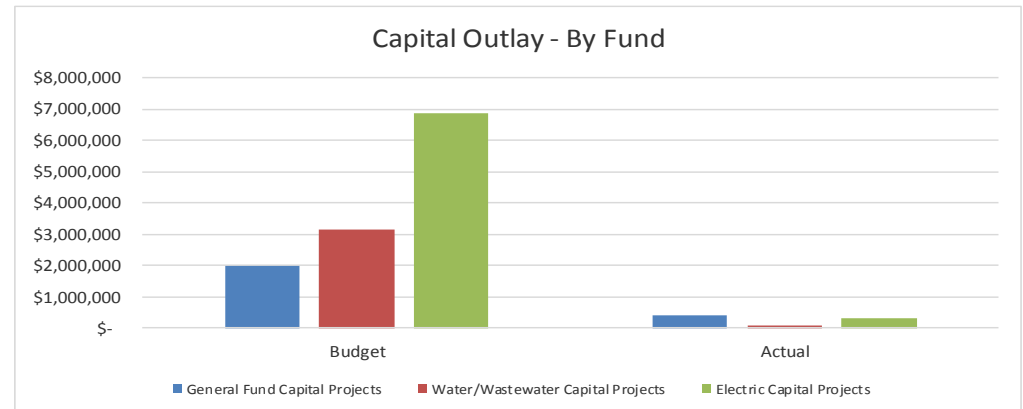
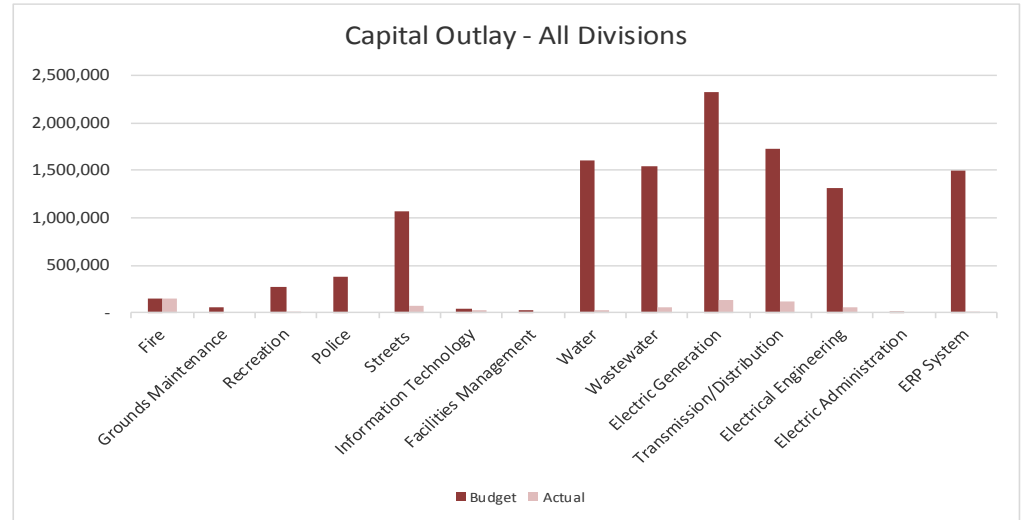


City of Dover
Capital Outlay Summary (All Funds)
Fiscal Year to Date (September 2017)

<u>General Fund</u>	<u>Budget</u>	<u>Actual</u>	<u>%</u>
City Clerk	\$ -	\$ 155,349	0%
Fire	145,700	145,614	100%
Grounds Maintenance	62,500	-	0%
Recreation	271,000	2,259	1%
Police	379,900	-	0%
Streets	1,070,000	66,933	6%
Information Technology	36,600	25,731	70%
Facilities Management	25,100	-	0%
Transfer to Parkland Reserve	-	23,014	0%
General Fund Capital Projects	\$ 1,990,800	\$ 418,900	21%

<u>Water/Wastewater Fund</u>			
Water	1,608,400	29,415	2%
Wastewater	1,543,000	62,786	4%
Water/Wastewater Capital Projects	\$ 3,151,400	\$ 92,201	3%

<u>Electric Fund</u>			
Electric Generation	2,328,000	140,504	6%
Transmission/Distribution	1,725,500	127,244	7%
Electrical Engineering	1,315,000	54,988	4%
Electric Administration	8,500	-	0%
ERP System	1,500,000	9,248	1%
Electric Capital Projects	\$ 6,877,000	\$ 331,984	5%
Total Capital Projects	\$ 12,019,200	\$ 843,085	7%



September 2017 Procurement & Inventory Report

Measure	FY 2018	FY 2017	DIFFERENCE
<i>Issue Effectiveness – How often the warehouse has what the departments need when it's needed. [issues / (issues + back orders)] * 100</i>	FY 2018 (To date) [930/(930+32)]*100 96.67%	FY 2017 (Total) [4,581/(4,581+119)]*100 97.47 %	- 0.8 %
Turn Over Rate – Indicates that the material stocked is the material being used. (2016-2017 Goal 1 per year)	August 2017 0.84 Turnovers per year	August 2016 0.62 Turnovers per year	+0.22 Turnovers per year

COMMODITY	BID NUMBER	TERM	REQUESTING DEPARTMENT	STATUS as of October 3, 2017
Hazard Response Services Contract	18-0003EL	Three Years	Electric	Forwarded to Electric and Compliance Environmental on 8/31/2017.
Consulting Services for Data Conversion from Superior H.T.E to Tyler Munis	18-0005IT	One time	Info Tech	RFP opening scheduled for October 24, 2017 @ 2:00 pm.
S. Bradford Street and William Street Water Main Replacement Project	18-0006PW	One time	Public Works	Bid opening Scheduled for October 4, 2017 @ 2:00 pm
Wire & Cable Term Contract	3-2017CS	Annual	Procurement	Bids forwarded to Electric on 9/25/2017
Electric Utility Cost of Service & Rate Design Study	18-0009CM	One time	City Manager's Office	RFP opening scheduled for October 20, 2017 @ 2:00 pm.
Ambulance Services for the City of Dover	18-0010CM	Three Years	City Manager's Office	Draft is under review by Dave Truax.
Electric Utility Management & Benchmarking Assessment, Financial Risk Assessment Evaluation of Alternative Proposals for the City of Dover Electric Utility	18-0011CM	One time	City Manager's Office	Pre-proposal meeting on October 20, 2017 @ 9:00 am in the City Hall Conference Room. RFP opening scheduled for November 13, 2017 @ 2:00 pm.
Connectors Term Contract	6-2017CS	Annual	Procurement	Bids due October 18, 2017 @ 7:00 pm
RFP	18-0011CM	One time	City Manager's Office	Draft is under review
Connectors Term Contract	6-2017CS	Annual	Procurement	Bids due October 18, 2017 @ 7:00 pm

<u>FUEL USE</u>	<u>FY 2017 TO DATE</u>	<u>FY 2018 TO DATE</u>
Unleaded:	34,384.0 gallons	33,474.0 gallons
Diesel:	20,319.3 gallons	18,343.6 gallons
Dollars Spent:	\$85,660.26	\$84,902.44

<u>STOCK WITH OVER 60 MONTH SUPPLY (5 YEARS)</u>		
Electric:	\$ 447,897.47	308 Line Items
Water:	\$ 19,189.51	50 Line Items
General:	\$ 36,825.87	145 Line Items
Total:	\$ 503,912.85	503 Line Items

<u>Purchase Orders for Stock by Fund</u>		
	<u>FY 2017 TO DATE</u>	<u>FY 2018 TO DATE</u>
Electric:	\$ 382,384.30	\$566,888.31
Water:	\$ 23,313.16	\$ 40,861.93
General:	\$ 68,982.22	\$ 36,162.28
Total:	\$ 474,679.68	\$643,912.52

<u>Issues from Stock by Fund</u>		
	<u>FY 2017 TO DATE</u>	<u>FY 2018 TO DATE</u>
Electric:	\$252,186.07	\$281,405.04
Water:	\$ 54,475.99	\$ 38,278.53
General:	\$ 31,605.53	\$ 38,241.32
*Total:	\$338,333.79	\$357,978.15

<u>Warehouse Stock</u>		
	<u>FY 2017</u>	<u>FY 2018</u>
Total Dollar Value:	\$ 2,328,989.13	\$ 2,104,819.87
Total Line Items:	1,317	1,313

<u>Money Spent for Postage/Postal Services</u>		
	<u>FY 2017 TO DATE</u>	<u>FY 2018 TO DATE</u>
	\$38,304.28	\$36,212.97

- Total of Issues from Stock by Fund includes Issues from Sale from Stock (SS) and Electric Returns (ER).

MONTHLY REPORT



September 2017

Incident Run Log

Dover Fire Department

Date Range: From 09/01/2017 to 09/30/2017

Company: All Companies

Sorted by: Not selected

Date	FDID	Incident#	Alarm	###	Address	Suite	Type	Lgth
09/01/2017	30046	2017-000799	09:03	911	KENTON RD		Medical assist, assist EMS crew	0.0
09/01/2017	30046	2017-000800	11:03		N GOVERNORS AVE		Extrication of victim(s) from vehicle	0.9
09/01/2017	30046	2017-000801	11:48	208	N BRADFORD ST		Smoke detector activation, no fire - unintentional	0.1
09/01/2017	30046	2017-000802	19:04	515	N DUPONT HWY		Gas leak (natural gas or LPG)	1.0
09/01/2017	30046	2017-000803	19:46	629	BUCKSON DR		Good intent call, other	0.3
09/01/2017	30046	2017-000804	20:53	1001	WHITEOAK RD BLDG B		Extrication, rescue, other	0.3
09/02/2017	30046	2017-000805	07:29	108	BETH PL		Building fire	1.8
09/02/2017	30046	2017-000806	07:49	101	BABB DR		Cooking fire, confined to container	0.4
09/02/2017	30046	2017-000807	20:44		RIVERSIDE DR		No incident found on arrival at dispatch address	0.7
09/03/2017	30046	2017-000808	11:59	29	S WEST ST		Smoke detector activation, no fire - unintentional	0.2
09/03/2017	30046	2017-000809	12:21	116	PARKWAY DR		Arcing, shorted electrical equipment	0.3
09/03/2017	30046	2017-000810	13:26	411	S QUEEN ST		Gas leak (natural gas or LPG)	0.3
09/03/2017	30046	2017-000811	14:50	327	MIFFLIN RD		Electrical wiring/equipment problem, other	0.3
09/03/2017	30046	2017-000812	19:40	400	N DUPONT HWY	F	Smoke detector activation due to malfunction	0.7
09/04/2017	30046	2017-000813	03:56	930	PUBLIC SAFETY BLVD		No incident found on arrival at dispatch address	0.6
09/04/2017	30046	2017-000814	08:54	120	N STATE ST		False alarm or false call, other	0.1
09/04/2017	30046	2017-000815	14:57	237	PINE ST		Smoke detector activation due to malfunction	0.3
09/05/2017	30046	2017-000816	07:35	147E	WILLIS RD		Cooking fire, confined to container	0.8
09/05/2017	30046	2017-000817	10:46	1119	FORREST AVE		Alarm system activation, no fire - unintentional	0.0
09/06/2017	30046	2017-000818	02:07	15	RIVERCHASE DR		Water or steam leak	0.5
09/06/2017	30046	2017-000819	13:25	606	N STATE ST		Smoke detector activation, no fire - unintentional	0.2
09/06/2017	30046	2017-000820	13:36	992	WHATCOAT DR		Unintentional transmission of alarm, other	0.4
09/06/2017	30046	2017-000821	18:38	134	MITSCHER RD		Cooking fire, confined to container	0.3
09/07/2017	30046	2017-000822	08:42		W DENNEYS RD		Motor vehicle accident with injuries	0.4
09/08/2017	30046	2017-000823	13:52	1200	N DUPONT HWY		Smoke detector activation due to malfunction	0.1
09/08/2017	30046	2017-000824	13:55	930	RUTH WAY		Cooking fire, confined to container	0.3
09/08/2017	30046	2017-000825	15:27		NOB HILL DR		Gas leak (natural gas or LPG)	0.9
09/08/2017	30046	2017-000826	16:07	1570	N DUPONT HWY		Smoke detector activation, no fire - unintentional	0.1
09/08/2017	30046	2017-000827	17:31		BANK LA		Power line down	0.1
09/08/2017	30046	2017-000828	18:13	998	ARTIS DR		CO detector activation due to malfunction	0.4
09/08/2017	30046	2017-000829	22:41	87	PAR HAVEN DR	I	Smoke detector activation due to malfunction	0.3
09/09/2017	30046	2017-000830	00:07	105	KATRINA WAY		System malfunction, other	0.5
09/09/2017	30046	2017-000831	10:55		MCKEE RD		Vehicle accident, general cleanup	1.2
09/09/2017	30046	2017-000832	16:22	1200	N DUPONT HWY		Smoke detector activation, no fire - unintentional	0.0
09/10/2017	30046	2017-000833	13:03	1200	N DUPONT HWY		False alarm or false call, other	0.1
09/10/2017	30046	2017-000834	18:31	213	N BRADFORD ST		Smoke detector activation, no fire - unintentional	0.6
09/10/2017	30046	2017-000835	18:31	48	SPRUANCE RD		Dispatched & canceled en route	0.2
09/10/2017	30046	2017-000836	20:01	1200	N DUPONT HWY		Smoke detector activation due to malfunction	0.1
09/11/2017	30046	2017-000837	12:18	290	S DUPONT HWY		Extrication of victim(s) from vehicle	0.3
09/11/2017	30046	2017-000838	12:55	111	W LOOCKERMAN ST		Cooking fire, confined to container	0.3
09/11/2017	30046	2017-000839	12:58	1200	N DUPONT HWY		Alarm system sounded due to malfunction	0.1
09/12/2017	30046	2017-000840	02:54	3997	HAZLETTVILLE ROAD		Smoke from barbecue, tar kettle	1.1
09/12/2017	30046	2017-000841	09:22	213	N BRADFORD ST		Good intent call, other	0.1
09/12/2017	30046	2017-000842	11:11	416	SUSSEX AVE		False alarm or false call, other	0.3
09/12/2017	30046	2017-000843	17:29	1012	COLLEGE RD	103	Unintentional transmission of alarm, other	0.3
09/13/2017	30046	2017-000844	09:35	270	BEISER BLVD		Unintentional transmission of alarm, other	0.5
09/13/2017	30046	2017-000845	12:16	35	LOOCKERMAN PLAZA		Malicious, mischievous false call, other	0.2
09/13/2017	30046	2017-000846	15:27	120	N STATE ST		False alarm or false call, other	0.1
09/13/2017	30046	2017-000847	20:12		HAZLETTVILLE RD		Good intent call, other	0.6
09/14/2017	30046	2017-000848	07:52	35	COMMERCE WAY	SUITE	False alarm or false call, other	0.1
09/14/2017	30046	2017-000849	08:08	1078	S STATE ST		False alarm or false call, other	0.1
09/14/2017	30046	2017-000850	08:13		DIVISON ST		Hazardous condition, other	0.1
09/14/2017	30046	2017-000851	17:51	120	N STATE ST		False alarm or false call, other	0.2
09/15/2017	30046	2017-000852	11:33	21	N STATE ST		Service Call, other	0.5
09/15/2017	30046	2017-000853	16:00	200	W. LOOCKERMAN ST		Cooking fire, confined to container	0.4
09/15/2017	30046	2017-000854	22:03	1570	N DUPONT HWY		False alarm or false call, other	0.0
09/16/2017	30046	2017-000855	11:44	24	STONEY DR		CO detector activation due to malfunction	0.1
09/16/2017	30046	2017-000856	12:41	24	STONEY DR		Gas leak (natural gas or LPG)	0.8
09/16/2017	30046	2017-000857	13:41	72	STEVENSON DR		Fires in structure other than in a building	1.5

Date	FDID	Incident#	Alarm	###	Address	Suite	Type	Lgth
09/16/2017	30046	2017-000858	15:24	110	HAMAN DR		Good intent call, other	0.5
09/16/2017	30046	2017-000859	16:09	756	S LITTLE CREEK RD		Arcing, shorted electrical equipment	0.6
09/16/2017	30046	2017-000860	17:39	1133	S LITTLE CREEK RD		Cooking fire, confined to container	0.3
09/16/2017	30046	2017-000861	22:27	219	N GOVERNORS AVE		Service Call, other	0.1
09/17/2017	30046	2017-000862	00:37	835	BAY RD		Overheated motor	0.4
09/17/2017	30046	2017-000863	20:40	51	WEBBS LN	R	Gas leak (natural gas or LPG)	0.3
09/18/2017	30046	2017-000864	11:06	1200	N DUPONT HWY		Smoke detector activation, no fire - unintentional	0.1
09/18/2017	30046	2017-000865	11:35	101	BABB DR		Smoke detector activation, no fire - unintentional	0.4
09/18/2017	30046	2017-000866	14:04	1119	FORREST AVE		False alarm or false call, other	0.4
09/18/2017	30046	2017-000867	18:43	1	WILLIS RD		Oil or other combustible liquid spill	0.8
09/19/2017	30046	2017-000868	02:33	222	NORTHDOWN DR		Alarm system sounded due to malfunction	0.5
09/19/2017	30046	2017-000869	09:22	8	ATRAM HALL		Good intent call, other	0.5
09/19/2017	30046	2017-000870	09:54	1200	N DUPONT HWY		Smoke detector activation due to malfunction	0.5
09/19/2017	30046	2017-000871	16:26	1165	N DUPONT HWY	2	Motor vehicle accident with injuries	0.5
09/20/2017	30046	2017-000872	14:20	400	S QUEEN ST		Medical assist, assist EMS crew	0.5
09/20/2017	30046	2017-000873	18:59	1217	HARRISON DR		Cooking fire, confined to container	0.5
09/20/2017	30046	2017-000874	19:39	1119	FORREST AVE		Building fire	1.6
09/20/2017	30046	2017-000875	22:07	688	BUCKSON DR		Good intent call, other	0.6
09/21/2017	30046	2017-000876	02:32	1288	E DIVISION ST		CO detector activation due to malfunction	0.4
09/21/2017	30046	2017-000877	06:30	10	FAIRWAY LAKES DR	B	Trash or rubbish fire, contained	0.5
09/21/2017	30046	2017-000878	10:16	140	PURPLE HEART DRIVE		Cover assignment, standby, moveup	1.0
09/21/2017	30046	2017-000879	11:47	1344	FORREST AVE		Smoke detector activation due to malfunction	0.3
09/21/2017	30046	2017-000880	18:14	35	LOOCKERMAN PLAZA		False alarm or false call, other	0.3
09/22/2017	30046	2017-000881	11:03	1289	WALKER RD BUILD M		Gas leak (natural gas or LPG)	0.3
09/23/2017	30046	2017-000882	00:23	1160	WALKER RD		Cooking fire, confined to container	0.4
09/23/2017	30046	2017-000883	11:21	604	LAKEWOOD PL		Gas leak (natural gas or LPG)	0.5
09/23/2017	30046	2017-000884	14:02	1079	ARTIS DR		Smoke scare, odor of smoke	0.1
09/23/2017	30046	2017-000885	15:44	222	S DUPONT HWY		Fires in structure other than in a building	1.7
09/23/2017	30046	2017-000886	21:34	120	N STATE ST		Smoke detector activation due to malfunction	0.1
09/25/2017	30046	2017-000887	02:27		MAPLE PRKWAY N/B & N DUPONT H		Good intent call, other	0.3
09/25/2017	30046	2017-000888	10:44	1401	S FARMVIEW DR		Good intent call, other	0.2
09/25/2017	30046	2017-000889	11:17	228	GRINDING WHEEL DR		Special type of incident, other	0.3
09/25/2017	30046	2017-000890	14:30	150	CECIL ST		Smoke detector activation due to malfunction	0.0
09/27/2017	30046	2017-000891	13:47	300	BANNING ST		Fires in structure other than in a building	1.2
09/27/2017	30046	2017-000892	17:08	2800	N DUPONT HWY		Smoke detector activation due to malfunction	0.4
09/27/2017	30046	2017-000893	20:26	25	GREENTREE DR		Alarm system activation, no fire - unintentional	0.2
09/27/2017	30046	2017-000894	22:42	51	WEBBS LN	B	Vicinity alarm (incident in other location)	0.7
09/28/2017	30046	2017-000895	08:45		WYOMING MILL RD		Steam, vapor, fog or dust thought to be smoke	0.8
09/28/2017	30046	2017-000896	12:12	9	E LOOCKERMAN ST		Trash or rubbish fire, contained	0.2
09/28/2017	30046	2017-000897	13:25	9	E LOOCKERMAN ST		Trash or rubbish fire, contained	0.3
09/28/2017	30046	2017-000898	16:08	820	WALKER RD	C	Good intent call, other	0.5
09/28/2017	30046	2017-000899	21:46	27	GEORGE ST		Smoke scare, odor of smoke	0.3
09/29/2017	30046	2017-000900	03:22	327	MARTIN ST		Trash or rubbish fire, contained	0.5
09/29/2017	30046	2017-000901	05:11	600	JEFFERIC BLVD		Alarm system sounded due to malfunction	0.4
09/29/2017	30046	2017-000902	14:38	225	S STATE ST		Smoke detector activation due to malfunction	0.2
09/29/2017	30046	2017-000903	14:52	1300	S FARMVIEW DR	I	Arcing, shorted electrical equipment	0.3
09/30/2017	30046	2017-000904	10:58	10	FAIRWAY LAKES DR	B	Smoke detector activation, no fire - unintentional	0.4

Total Number of Incidents: 106

Total Length of Incidents: 45.2 Hours

Robbins Hose Company # 1, Inc.

Profit & Loss

September 2017

Sep 17

Ordinary Income/Expense

Expense

Apparatus Repairs & Maintenance	2,708.13
Contract Employee	4,477.12
Electricity	4,224.58
Heating Expenses- Gas	170.22
Other Equipment Repairs	155.33
Program Expenses	19,637.88
Small Tools	1,749.50
Water/Sewer	119.46

Total Expense	<u>33,242.22</u>
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Net Ordinary Income	<u>-33,242.22</u>
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Net Income	<u><u>-33,242.22</u></u>
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FY 17-18 City Funded Account Balance Sheet

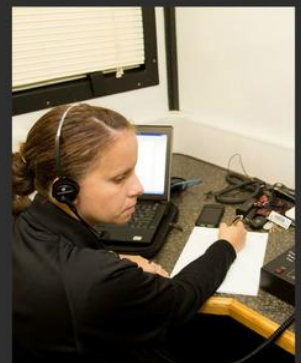
ACCOUNT	BUDGET	SPENT	BALANCE
Apparatus Repairs & Maintenance	\$ 101,300.00	\$ 11,605.37	\$ 89,694.63
Building Maintenance Supplies	\$ 1,500.00	\$ 7.59	\$ 1,492.41
Contract Services-Admin Assist	\$ 38,500.00	\$ 10,063.20	\$ 28,436.80
Contractual Services	\$ 9,000.00		\$ 9,000.00
Electricity	\$ 45,000.00	\$ 9,193.82	\$ 35,806.18
Gasoline	\$ 15,000.00	\$ 874.50	\$ 14,125.50
Heating Expenses- Gas	\$ 12,000.00	\$ 404.52	\$ 11,595.48
Medical Supplies	\$ 1,000.00		\$ 1,000.00
Office Supplies	\$ 1,500.00	\$ 42.16	\$ 1,457.84
Other Equipment Repairs	\$ 1,500.00	\$ 319.32	\$ 1,180.68
Program Expenses	\$ 45,000.00	\$ 25,137.88	\$ 19,862.12
Radio Repairs	\$ 2,000.00		\$ 2,000.00
Safety & Security	\$ 1,500.00		\$ 1,500.00
Small Tools	\$ 3,500.00	\$ 1,749.50	\$ 1,750.50
Telephone	\$ 9,000.00	\$ 991.98	\$ 8,008.02
Training & Travel	\$ 10,000.00	\$ 1,000.00	\$ 9,000.00
Uniforms & Firefighting Gear	\$ 30,000.00		\$ 30,000.00
Water/ Sewer	\$ 2,500.00	\$ 496.17	\$ 2,003.83



DOVER POLICE DEPARTMENT MONTHLY REPORT



SEPTEMBER 2017
CHIEF MARVIN C. MAILEY



DEPARTMENT OF POLICE

Marvin C. Mailey
Chief of Police



400 South Queen Street
Dover, Delaware 19904
302-736-7111
Fax: 302-672-1842

November 13, 2017

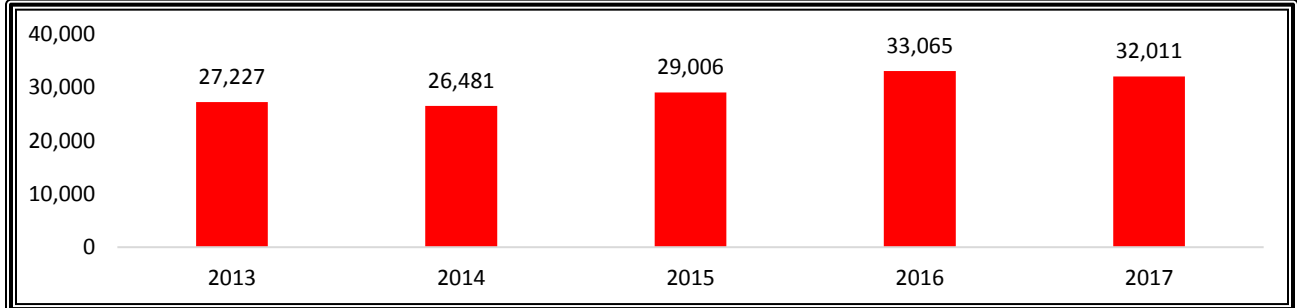
Honorable Robin Christiansen, Mayor
Member of Dover City Council
City Hall
Dover, DE 19901

Mayor Christiansen and Council Members:

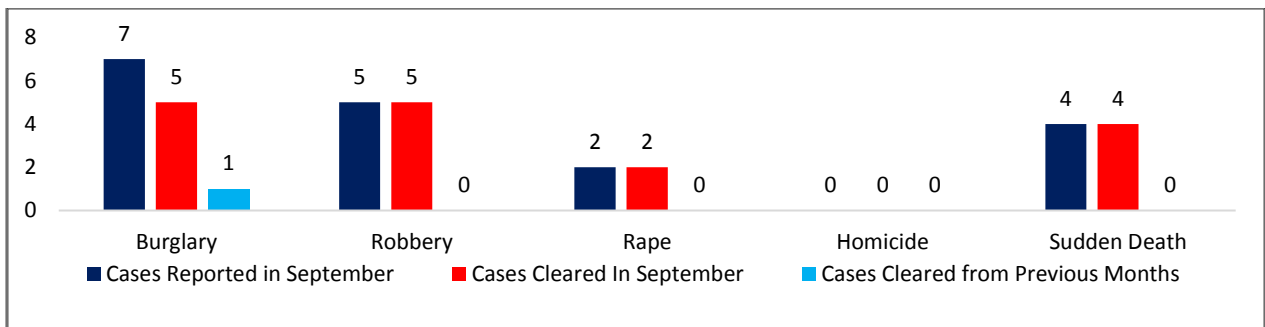
The following is the monthly report for Dover Police Department activities for the month of September 2017:

COMPLAINTS

Total complaints received through September 30th, 2017, numbered 32,011 this is a decrease of 1,054 complaints over the same period last year.

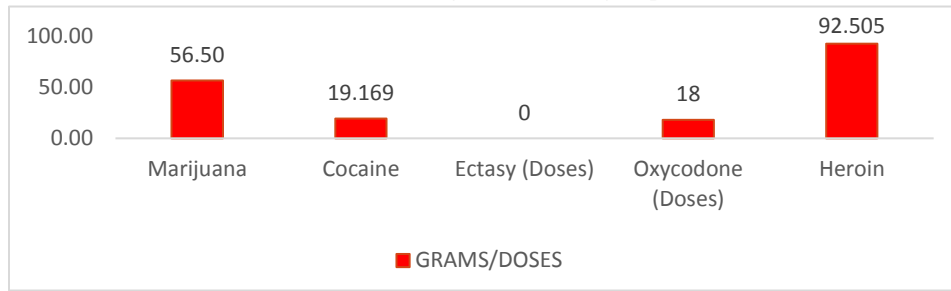


CRIMINAL INVESTIGATIONS

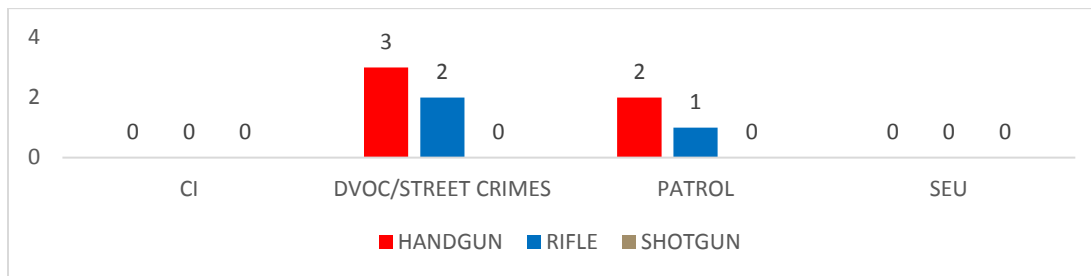


DRUGS, VICE, & ORGANIZED CRIME (DVOC) AND STREET CRIMES SECTION SEIZURES

Along with the drug seizures below, the units also recovered 11 grams of miscellaneous other drugs and \$414.00 USD during the month of September.



FIREARM SEIZURES



COMMUNITY POLICING

COMMUNITY POLICING	CONTACTS
ABANDONED VEHICLES	7
ALCOHOL VIOLATIONS/DUI'S	0
ASSIST OTHER	50
WARRANTS ON FILE	0
BIKE ON SIDEWALK	0
CITY PARK VIOLATIONS	0
CRIMINAL ARRESTS	3
DRUG RELATED ARRESTS	0
LOUD MUSIC	0
MISCELLANEOUS VIOLATIONS	0
PARKING VIOLATIONS	29
PEDDLER	0
MEETINGS	194
CRIME PREVENTION CHECK	0
TRAFFIC ARRESTS	8
WARNINGS	0
FUGITIVE	0
DCO	0
PROSTITUTION	0
TOTAL CONTACTS	291

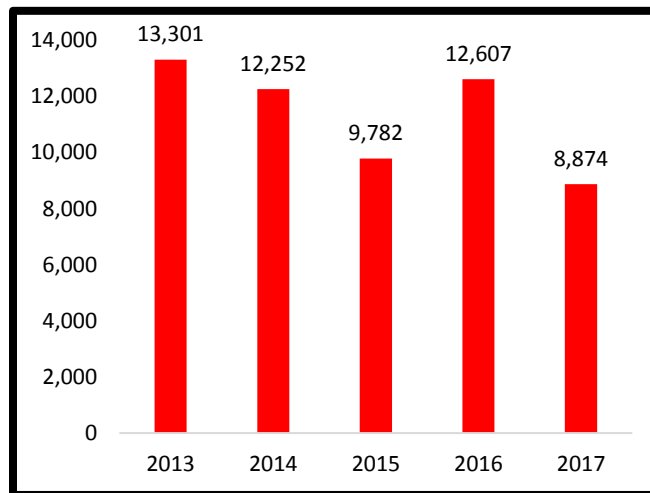
CADETS	CONTACTS
PARKING	92
DCO'S	118
OPEN CONTAINER	6
LOUD NOISE	0
LEWDNESS	0
OTHER	20
BUSINESS CONTACTS	186
LIBRARY CHECKS	9
COMPLAINTS ASSIGNED	39
SPECIAL EVENT	5
TOTAL CONTACTS	475

STREET CRIMES

STREET CRIMES ENFORCEMENT	CONTACTS
ABANDONED VEHICLES	0
ALCOHOL VIOLATIONS/DUI'S	0
ASSIST OTHER	11
WARRANTS ON FILE	2
CITY PARK VIOLATIONS	0
CRIMINAL ARRESTS	25
DRUG RELATED ARRESTS	19
LOUD MUSIC	0
MISCELLANEOUS VIOLATIONS	1
PARKING VIOLATIONS	0
PEDDLER	0
MEETINGS	9
CURFEW CHECKS	80
CRIME PREVENTION CHECKS	0
TRAFFIC ARRESTS	21
WARNINGS	31
FUGITIVES	14
DCO'S	1
PROSTITUTION	0
TOTAL CONTACTS	214

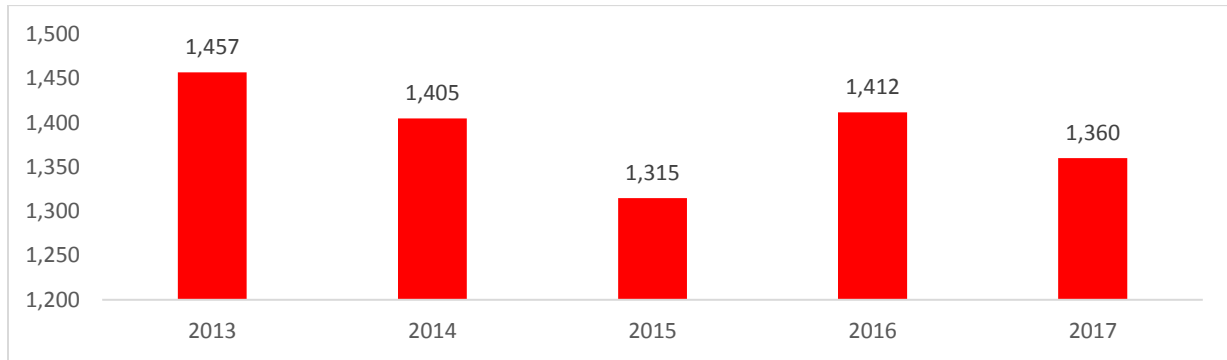
TRAFFIC ARRESTS

The department issued 8,874 traffic citations through this reporting period; this is a decrease of 3,733 citations over the number issued during the same period last year.



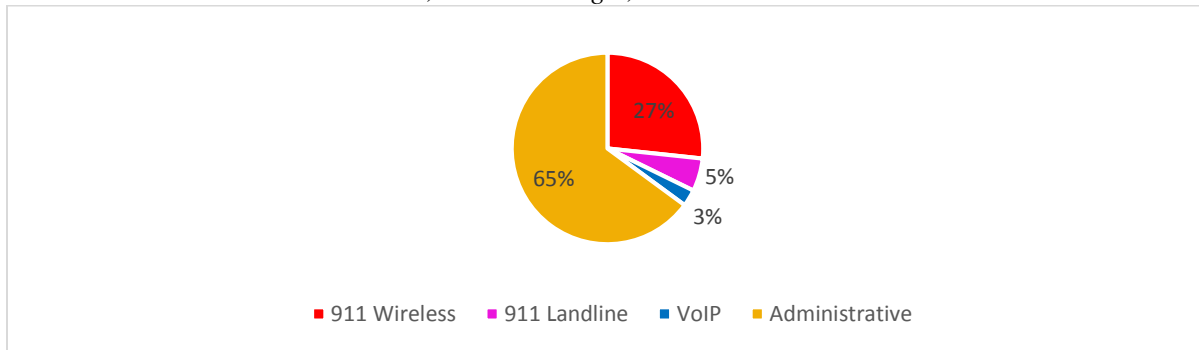
TRAFFIC CRASHES

Through September 30, 2017, the Dover Police investigated 1,360 traffic crashes, a decrease of 52 crashes investigated during the same period last year.



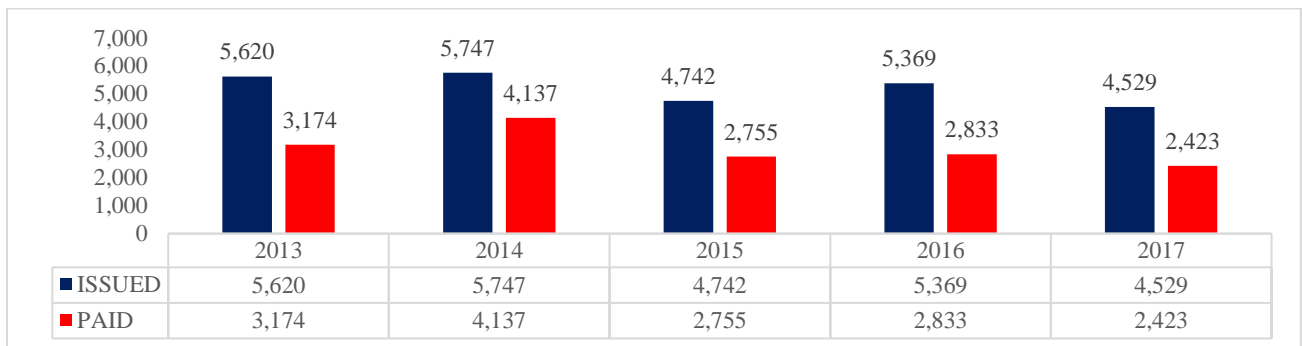
911 Center

During the month of September, the Dover Police Department handled a total of 8,733 calls averaging 292 calls per day. Dispatchers handled 2,543 on the 911 wireless lines, 525 on the 911 landlines, and 237 on the Voice over Internet Protocol lines, the remaining 5,428 were administrative calls.



CITY ORDINANCE SUMMONS

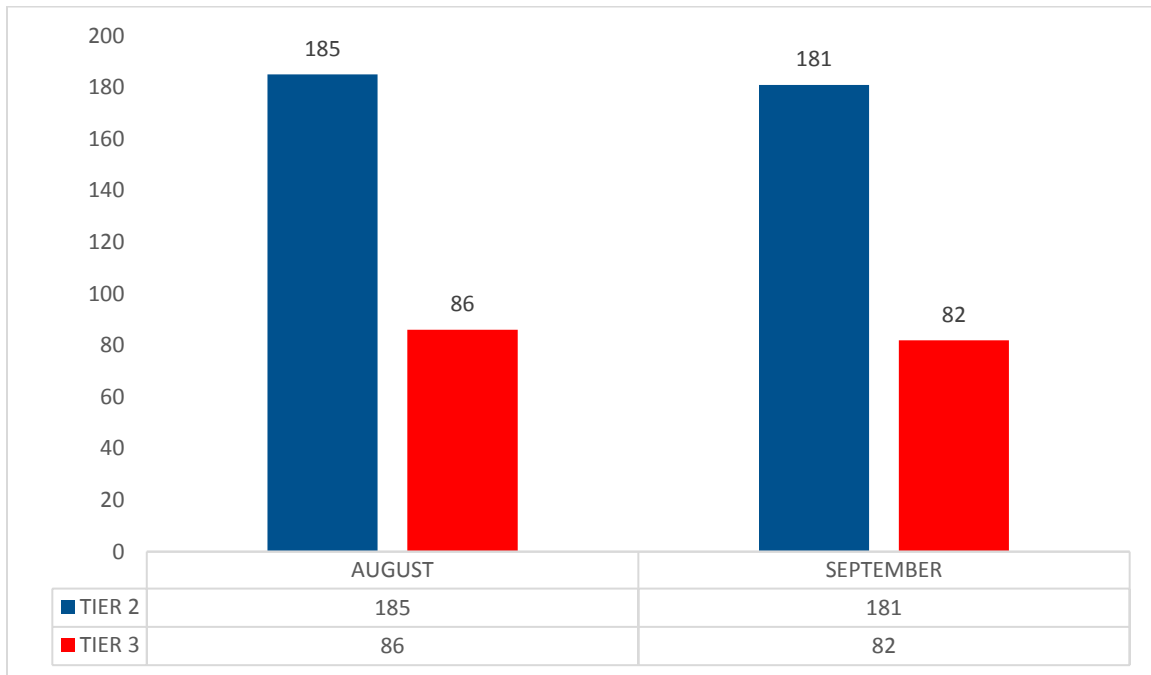
Through September 30th, 2017, we issued 4,529 city ordinance summonses, a decrease of 840 summonses for the same period last year. Note: Of those summonses issued in September, 12 DCO's were issued for handicapped parking violations and 12 for fire lane parking violations, 131 for false alarms (71 for 1-2 alarms, 37 for 3-5 alarms, 16 for 6-9 alarms, 5 for 10-15 alarms, and 2 for 16 or more alarms) and 7 for noise violations 6 for vehicle violations and 1 for residence violations).



SEX OFFENDER STATISTICS/SEPTEMBER

	VERIFICATIONS	NOTIFICATIONS	MONTHLY REVERIFICATIONS	NON COMPLIANT WARRANTS
TIER 1	0	0	0	0
TIER 2	10	930	41	2
TIER 3	11	1623	27	1

ACTIVE SEX OFFENDERS THAT RESIDE IN THE CITY OF DOVER (please note, Tier 1 offenders are not contacted by Dover Police Sex Offender Agents).



(Please note, Tier 1 offenders are not contacted by Dover Police Sex Offender Agents).

Please visit our website at www.doverpolice.org for up to date information on crimes and activities in the City of Dover.

Respectfully Submitted,

Marvin C. Mailey
Chief of Police

Memorandum

Office of the City Manager
PO Box 475
Dover, DE 19903
Phone: (302) 736-7005
FAX: (302) 736-7002
E-mail: khudson@dover.de.us

To: City Council

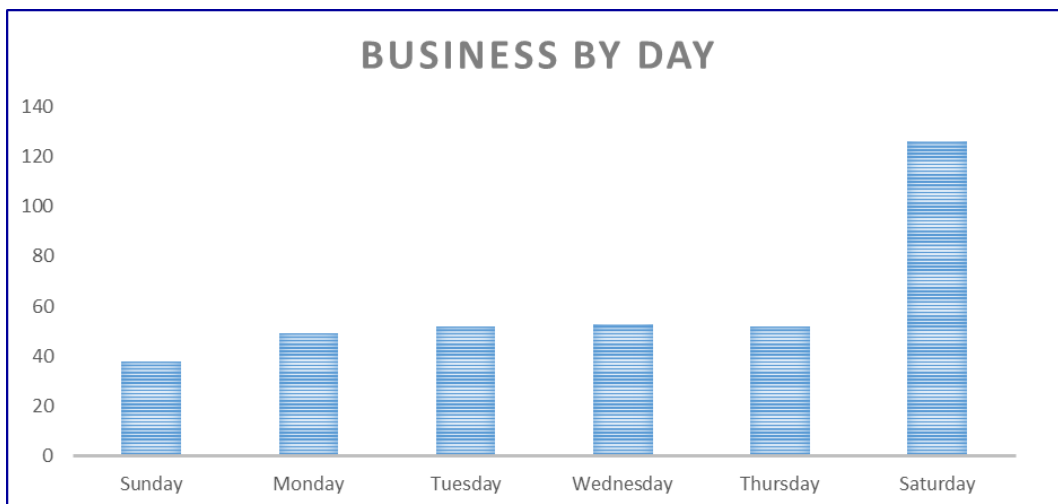
From: Kirby A. Hudson, M.P.I.A.
Assistant City Manager

Date: November 1, 2017

Subject: Passport Operations Report

Quarterly Report (12 Weeks) Passport Services July 31 – October 22, 2017

Week #	Week of Reporting	Customers	Passports	# Days Open	Library Received	Costs (Staff Hourly + FICA)	Net Earnings
1	July 31-Aug 5, 2017	19	15	5	\$ 640.05	\$ (575.00)	\$ 65.05
2	Aug 7-Aug 13, 2017	34	33	6	\$ 1,140.00	\$ (575.00)	\$ 565.00
3	Aug 14-Aug 20, 2017	24	15	5	\$ 661.75	\$ (564.00)	\$ 97.75
4	Aug 21-Aug 27, 2017	28	20	5	\$ 765.05	\$ (564.00)	\$ 201.05
5	Aug 28-Sept 3, 2017	28	21	6	\$ 808.40	\$ (564.00)	\$ 244.40
6	Sept 5-Sept 10, 2017	29	23	5	\$ 888.40	\$ (564.00)	\$ 324.40
7	Sept 11-Sept 17, 2017	32	28	6	\$ 1,045.00	\$ (564.00)	\$ 481.00
8	Sept 18-Sept 24, 2017	45	30	6	\$ 1,250.10	\$ (564.00)	\$ 686.10
9	Sept 25-Oct 1, 2017	26	24	6	\$ 891.70	\$ (575.00)	\$ 316.70
10	Oct 2-Oct 8, 2017	22	20	6	\$ 743.35	\$ (575.00)	\$ 168.35
11	Oct 9-Oct 15, 2017	29	21	6	\$ 725.00	\$ (575.00)	\$ 150.00
12	Oct 16-Oct 22, 2017	31	25	6	\$ 941.75	\$ (575.00)	\$ 366.75
Total for Quarter (12 weeks)		347	275		\$ 10,500.55	\$ (6,834.00)	\$ 3,666.55



ACTION FORM

PROCEEDING: City Council

DEPARTMENT OF ORIGIN: City Council

PREPARED BY: Traci A. McDowell, City Clerk, on behalf of Council President Slavin

SUBJECT: Council and Committee Meetings - Holiday Schedule **DATE SUBMITTED:** 10-27-2017

RELATED PROJECT: N/A

APPROVALS: N/A

EXHIBITS: N/A

EXPENDITURE REQUIRED: \$ N/A **AMOUNT BUDGETED:** \$ N/A

FUNDING SOURCE (Dept./Page in CIP & Budget): N/A

TIMETABLE: N/A

RECOMMENDED ACTION: Cancellation of December 25, 2017 City Council Meeting, December 26, 2017 Council Committee of the Whole Meeting, and December 27, 2017 Economic Development Committee Meeting.

BACKGROUND AND ANALYSIS

As we have done in the past, due to the holiday season, it is recommended that the City Council Meeting scheduled for December 25th, the Council Committee of the Whole Meeting scheduled for December 26th, and the Economic Development Committee Meeting scheduled for December 27th be cancelled. Please keep in mind that if the need arises, Special Meetings will be called.

TAS/tm

S:\CAFS\Holiday Schedule 11-13-2017.wpd

CITY OF DOVER PROPOSED ORDINANCE #2017-14

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

That Chapter 30, Code of Conduct and Ethic Commission, be amended by inserting the text indicated in blue font, deleting the text indicated in red strikethrough, and moving the text indicated in green font, as follows:

Chapter 30 - ~~CODE OF CONDUCT~~ STANDARDS OF ETHICAL CONDUCT AND ETHICS
COMMISSION

~~ARTICLE I. - IN GENERAL~~

~~Secs. 30-1 - 30-30. Reserved.~~

~~ARTICLE II. - CODE OF CONDUCT~~

ARTICLE I. - IN GENERAL

Sec. 30-31. - Applicability; ~~statement of policy~~.

~~(a) - Applicability.~~ This ~~article~~ chapter shall be applicable to all elected and appointed officials and all employees of the city.

Sec. 30-2. - Statement of intent and purpose.

~~(ba) - Statement of policy~~ Intent. The proper operation of democratic government requires that public officials and employees be independent, impartial, and responsible to the people; that governmental decisions and policies be made in the proper channels of the governmental structure; that public office not be used for personal gain; and that the public has confidence in the integrity of its government. ~~In recognition of these goals, there is hereby established a code of conduct for all city employees and officials. The purpose of this code of conduct is to establish ethical standards of conduct for all such officials and employees by setting forth those acts or actions that are incompatible with the best interests of the city and by directing disclosure by such officials and employees of private financial or other interests in matters affecting the city.~~ It is the intent of the city that all elected and appointed officials and all employees of the city adhere to high levels of ethical conduct, honesty, integrity and accountability to assure that the public has confidence in all aspects of city government and the city officials that exercise discretionary powers. These standards of ethical conduct are intended to uphold the public trust in the persons in positions of public responsibility who are acting for the benefit of the public. All elected and appointed officials and all employees of the city shall comply with both the letter and the spirit of the standards of ethical conduct and strive to avoid situations that create impropriety or the appearance of impropriety. The standards define and discourage certain actions that may create impropriety or the appearance of impropriety that undermine public trust in elected and appointed public officials and employees.

(b) Purpose. The standards of ethical conduct should promote public confidence in the integrity of city officials; state principles of conduct and ethics which are to be applied in public service; inform the public of the standards to which their city officials are expected to adhere; and help motivate city officials and public employees to pursue productive conduct and ethical ideals which exceed minimum standards. The city council finds and declares as

matters of public policy goals and objectives for all city employees and elected and appointed officials, the following:

- (1) *Public trust.* In our democratic form of government, the conduct of officials and employees of the city must hold the respect and confidence of the people. They must, therefore, avoid conduct which is in violation of their public trust or which creates a justifiable impression among the public that such trust is being violated.
- (2) *Standards.* To ensure propriety and to preserve public confidence, officials and employees of the city must have the benefit of specific standards to guide their conduct and disciplinary mechanisms to guarantee uniform maintenance of those standards. Some standards of this type are so vital to government that violation thereof should subject the violator to criminal penalties.
- (3) *Public service.* In our democratic form of government, it is both necessary and desirable that all citizens should be encouraged to assume public office and employment, and that, therefore, the activities of ~~officers~~officials and employees of the city should not be unduly circumscribed.
- (4) *Performance of duty.* Elected city officials are obligated to uphold the fundamental legal principles of our system of government, as set forth in the United States Constitution, the state constitution, and the city Charter, as well as all applicable provisions of federal, state and local law and court decisions. They are bound to do so, and the failure to so act shall constitute malfeasance in office.
- (5) *Fairness.* City officials and employees shall strive for the highest standard of fairness in all of their activities and shall not grant any special consideration, treatment, or advantage to any citizen beyond that which is available to every other citizen.
- (6) *Use of private information.* In the course of their official responsibilities, city officials and employees are often privy to categories of information which are of a private nature and are legally protected from public disclosure. City officials and employees shall maintain the privacy of such information, and they shall not take advantage of such information for personal gain, or the personal gain of friends or family.

(Code 1981, § 2-8; Ord. of 7-13-1998)

Sec. 30-3. – Acknowledgment of policies; required disclosures, and required annual training.

In order for the mayor, councilmembers, mayoral and council appointees, and city employees to better serve the constituents of the City of Dover in an open, transparent fashion and to further be held accountable, the following actions shall be taken by each of the designated persons:

- (a) *Acknowledgment of policies.* Each elected and appointed official and all city employees shall be furnished copies of Chapter 30 – Standards of Ethical Conduct and Ethics Commission, either electronically or, if requested, in hard copy, before entering upon the duties of their office or employment and shall sign a written acknowledgment of receipt of the copy. The documents shall be read, reviewed, and signed by all appointees by the time of their appointment or re-appointment.
- (b) ~~Disclosure statement~~*Financial disclosure report.* Any city employee or elected or appointed official who has a financial interest in any private enterprise which is subject to the

regulatory jurisdiction of, or does business with, any city agency (and any city official who has a financial interest in any private enterprise which is subject to the regulatory jurisdiction of, or does business with, the city agency on which he serves as an appointee) shall file a financial disclosure report with the ethics commission ~~a written statement~~ fully disclosing the same. Such disclosure shall be confidential and the ethics commission shall not release such disclosed information, except as may be necessary for the enforcement of this ~~article~~chapter. The filing of such financial disclosure ~~statement~~report shall be a condition of commencing and continuing employment or appointed status with the city. The financial disclosure report shall be submitted by August 1st of each calendar year. [Moved from Sec. 30-34-Established, (d) Disclosure statement]

(c) Disclosure of interest in legislation.

- (1) A councilman who has a financial or other private interest in any legislation shall disclose on the records of the council or other appropriate authority the nature and extent of such interest. This provision shall not apply if the councilman disqualifies himself from voting on such legislation.
- (2) Any other city official or employee who has a financial or other private interest in any legislation and who participates in discussion with or gives an official opinion to the council shall disclose on the records of the council or other appropriate authority the nature and extent of such interest.
- (3) Any city employee or city officer who has a financial interest in any private enterprise which is subject to the regulatory jurisdiction of, or does business with, any city agency, shall file with the ethics commission a written statement fully disclosing the same. Such disclosure shall be confidential and the ethics commission shall not release such disclosed information, except as may be necessary for the enforcement of this subchapter. The filing of such disclosure statement shall be a condition of commencing and continuing employment or appointed status with the city.
- (4) *Required annual training.* All city employees and elected and appointed officials shall undergo and receive annual training on the City of Dover's ethics policies and procedures.

Sec. 30-~~32~~4. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Close relative means a person's parents, spouse, children (natural or adopted), and siblings of the whole and half-blood.

Commission and *ethics commission* mean the city ethics commission as established by this chapter.

Compensation means any money, thing of value, or any other economic benefit of any kind or nature whatsoever conferred on or received by any person in return for services rendered or to be rendered by the official or employee, or by another.

Employee includes all persons who receive compensation as an employee of the city or a city agency, and shall not include persons that are elected or appointed to serve as mayor, city councilmember or a member of any city committee, commission or board, whether paid or unpaid.

Financial interest. A person has financial interest in a private enterprise if:

- (1) He has a legal or equitable ownership interest in the enterprise of more than ten percent (one percent or more in the case of a corporation the stock of which is regularly traded on an established securities market);
- (2) He is associated with the enterprise and received from the enterprise during the last calendar year, or might reasonably be expected to receive from the enterprise during the current or the next calendar year, income in excess of \$5,000.00 for services as an employee, officer, director, trustee, or independent contractor; or
- (3) He is a creditor of a private enterprise in an amount equal to ten percent or more of the debt of that enterprise (one percent or more in the case of a corporation the securities of which are regularly traded on an established securities market).

Matter means an application, petition, request, business dealing, contract, subcontract, or any other transaction of any sort with the city.

Official means any elected or appointed official of the city and all members of any committee, commission or board appointed by the mayor of the city or appointed by the city council.

Official responsibility means any direct administrative or operating authority at any level, either exercisable alone or with others, either personally or through subordinates, to approve, disapprove, recommend or otherwise direct action on behalf of the city.

Personal or private interest means an interest in a matter which tends to impair the independent judgment of an official or employee in the performance of his duties with respect to that matter.

Private enterprise means any activity conducted by any person, whether conducted for profit or not for profit, and includes the ownership of real or personal property. The term "private enterprise" does not include any activity of the city, of any political subdivision, or of any agency, authority, or instrumentality thereof.

***Public official.* All elected and appointed officials and all employees of the city.**

Sec. 30-5 – 30-19. – Reserved.

(Code 1981, § 2-9; Ord. of 7-13-1998)

ARTICLE II. – STANDARDS OF ETHICAL CONDUCT.

Sec. 30-20. – Established. High ethical standards among public officials and employees are essential to gain and maintain the confidence of the people, because such confidence is essential to the conduct of free government. Public officials and employees are agents of the people and hold office for the benefit of the public. They are bound to observe in their official acts the highest standards of morality and to discharge faithfully and impartially the duties of their offices, regardless of personal considerations, recognizing that the public interest must be their primary concern. Their conduct in both their official and private affairs should be above reproach. These

standards of ethical conduct are adopted in order to secure this desired high level of public trust, ensure the impartiality of public officials and employees, and impose standards of accountability.

(a) *General responsibilities of officials and employees.*

(1) Officials and employees have the common obligation of serving the public. In performing their duties, they shall treat the public and each other with respect, concern, and responsiveness, recognizing that their common goal of exceptional public service can only be achieved by working together. Disputes that arise among public servants shall be resolved at the lowest possible level; keeping in mind that public money spent on resolving these disputes is money not spent on important public needs.

(2) Officials and employees shall treat their position as a public trust, with a fiduciary duty to use the powers and resources of public office only to advance the public interest and not to obtain personal benefits or pursue private interests.

(3) Officials and employees shall conduct themselves in a manner that justifies the confidence placed in them by the people, at all times maintaining the integrity and discharging ethically the high responsibilities of public service.

(4) Full disclosure of real or potential conflicts of interest shall be a guiding principle for determining appropriate conduct. At all times, reasonable efforts shall be made to avoid undue influence and abuse of office in public service.

~~(+)~~(5) No official or employee may request or receive, and no person may offer any money, thing of value or promise thereof, other than any city pay received, that is conditioned upon or given in exchange for promised performance of an official act.

[Moved from Sec. 30-34. – Established]

~~(+)~~(b) *Appearance of violation.* Each city employee and official shall endeavor to pursue a course of conduct which will not raise suspicion among the public that he is engaging in acts which are in violation of his public trust and which will not reflect unfavorably upon the city and its government.

(c) *Private interest; gifts.* No city employee or official shall have any interest in any private enterprise, nor shall ~~be~~ he incur any obligation of any nature which is in substantial conflict with the proper performance of his duties in the public interest. No city employee or official shall accept other employment, any compensation, gift, payment of expenses or any other thing of monetary value under circumstances in which such acceptance may result in any of the following:

(1) Impairment of independence of judgment in the exercise of official duties;

(2) An undertaking to give preferential treatment to any person;

(3) The making of a governmental decision outside official channels; or

(4) Any adverse effect on the confidence of the public in the integrity of the government of the city.

(d) *Interest in private enterprise.* No city employee or official shall acquire a financial interest in any private enterprise which he has reason to believe may be directly involved in decisions to be made by him in an official capacity on behalf of the city.

~~Sec. 30-33.~~

(e) *Prohibitions relating to conflicts of interest.* No councilman or other official or employee, whether paid or unpaid, shall engage in any business or transaction or shall have a financial or other personal interest, direct or indirect, which is incompatible with the proper discharge of his official duties in the public interest or would tend to impair his independence of judgment or action in the performance of his official duties. Personal as distinguished from financial interest includes an interest arising from blood or marriage relationships or close business or political association

Provided, that upon request from any person with official responsibility with respect to the matter, any such person who has such a personal or private interest may nevertheless respond to questions concerning any such matter.

(a1) *Restrictions on exercise of official authority.*

(1)a. *Prohibited participation.* No city employee or official may participate on behalf of the city in the review or disposition of any matter pending before the city in which he has a personal or private interest, provided that, upon request from any person with official responsibility with respect to the matter, any such person who has such a personal or private interest may nevertheless respond to questions concerning any such matter. A personal or private interest in a matter is an interest which tends to impair a person's independence of judgment in the performance of his duties with respect to that matter.

(2)b. *Impairment of judgment.* A person has an interest which tends to impair his independence of judgment in the performance of his duties with respect to any matter when:

a.i. Any action or inaction with respect to the matter would result in a financial benefit or detriment to accrue to the person or a close relative to a greater extent than such benefit or detriment would accrue to others who are members of the same class or group of persons; or

b.ii. The person or a close relative has a financial interest in a private enterprise which enterprise or interest would be affected by any action or inaction on a matter to a lesser or greater extent than like enterprises or other interests in the same enterprise.

(3)c. *Statutory responsibility.* In any case where a person has a statutory responsibility with respect to action or inaction on any matter where he has a personal or private interest and there is no provision for the delegation of such responsibility to another person, the person may exercise responsibility with respect to such matter, provided that, promptly after becoming aware of such conflict of interest, he files a written statement with the ethics commission, fully disclosing the personal or private interest and explaining why it is not possible to delegate responsibility for the matter to another person.

(b2) *Restrictions on representing another's interest before the city.*

(1)a. *Prohibited.* No city employee or official may represent or otherwise assist any private enterprise with respect to any matter before the city.

~~(2)~~**b.** *Exception.* This subsection (b) shall not preclude any city employee or official from appearing before the city or otherwise assisting any private enterprise with respect to any matter in the exercise of his official duties.

~~(e)~~**3)** *Restriction on contracting with the city.*

~~(4)~~**a.** *Prohibited.* No city employee or official shall benefit from any contract with the city, nor solicit any contract, and shall not enter into any contract with the city (other than an employment contract).

~~(2)~~**b.** *Ownership of enterprise.* No private enterprise in which a city employee or official has a legal or equitable ownership of more than ten percent (more than one percent in the case of a corporation the stock of which is regularly traded on an established securities market) shall enter into any contract with the city (other than an employment contract) unless such contract was made or let after public notice and competitive bidding.

~~(d)~~**f)** *Postemployment restrictions.* No person who has served as a city employee or official shall represent or otherwise assist any private enterprise on any matter involving the city, for a period of two years after termination of his employment or elected or appointed status with the city, if he gave an opinion, conducted an investigation or otherwise was directly and materially responsible for such matter in the course of his official duties as a city employee or official, nor shall any former city employee or official disclose confidential information gained by reason of his public position, nor shall he otherwise use such information for personal gain or benefit.

~~(e)~~**g)** *Unauthorized disclosure of confidential information.* No person shall disclose any information required to be maintained confidential by the ethics commission under section ~~30-34~~~~(d)~~**30-3(b)**, ~~30-35~~~~(b)~~**30-73** or ~~30-73~~**30-74(b)**.

~~(f)~~**h)** *Abuse of office.*

(1) *Political contributions.* No elected city official shall agree to sponsor legislation, or to influence in any manner the formulation or passage of legislation, in exchange for political contributions or promises thereof.

(2) *Substantial interest.* No elected city official shall vote for, or promote in any manner whatsoever, legislation affecting any subject matter in which he has a substantial interest. Any such interest shall be disclosed by said elected official prior to a vote on any such legislation, and said elected official shall vote "abstain" when called upon to vote.

(3) *Use of city property.* No city official or employee shall request or permit the use of city-owned vehicles, equipment, materials, or property for personal convenience or profit, except when such services are available to the public generally or are provided for the use of such official or employee in the conduct of official business as a matter of municipal policy.

(4) *Personal gain.* No city official or employee shall utilize the influence of his office or position for personal pecuniary gain, or to avoid the legal consequences of his personal conduct.

~~(g)~~**i)** *Criminal sanctions.*

(1) *Penalties.* Any person who knowingly or willfully violates any provision of this section shall be guilty of a misdemeanor, punishable for each such violation by imprisonment of not more than one year and by a fine as provided for in Appendix F—Fees and Fines.

(2) *Time limitations.* A prosecution for a violation of this section shall be subject to the time limitations of 11 Del. C. § 205.

(h) *Contracts voidable by court action.* In addition to any other penalty provided by law, any contract entered into by any city agency in violation of this chapter shall be voidable by the city agency; provided that in determining whether any court action should be taken to void such a contract pursuant to this subsection, the city agency shall consider the interests of innocent third parties who may be damaged thereby. Any court action to void any transaction must be initiated within 30 days after the city agency involved has, or should have, knowledge of such violation.

~~Sec. 30-34. — Established:~~

~~(a) — Appearance of violation. Each city employee and official shall endeavor to pursue a course of conduct which will not raise suspicion among the public that he is engaging in acts which are in violation of his public trust and which will not reflect unfavorably upon the city and its government.~~

~~(b) — Private interest; gifts. No city employee or official shall have any interest in any private enterprise, nor shall be incur any obligation of any nature which is in substantial conflict with the proper performance of his duties in the public interest. No city employee or official shall accept other employment, any compensation, gift, payment of expenses or any other thing of monetary value under circumstances in which such acceptance may result in any of the following:~~

~~(1) — Impairment of independence of judgment in the exercise of official duties;~~

~~(2) — An undertaking to give preferential treatment to any person;~~

~~(3) — The making of a governmental decision outside official channels; or~~

~~(4) — Any adverse effect on the confidence of the public in the integrity of the government of the city.~~

~~(c) — Interest in private enterprise. No city employee or official shall acquire a financial interest in any private enterprise which he has reason to believe may be directly involved in decisions to be made by him in an official capacity on behalf of the city.~~

~~(d) — Disclosure statement. Any city employee or official who has a financial interest in any private enterprise which is subject to the regulatory jurisdiction of, or does business with, any city agency (and any city official who has a financial interest in any private enterprise which is subject to the regulatory jurisdiction of, or does business with, the city agency on which he serves as an appointee) shall file with the ethics commission a written statement fully disclosing the same. Such disclosure shall be confidential and the ethics commission shall not release such disclosed information, except as may be necessary for the enforcement of this article. The filing of such disclosure statement shall be a condition of commencing and continuing employment or appointed status with the city. [Moved to Sec. 30-3 – Acknowledgment of policies...(b) Financial disclosures]~~

(ek) *Private gain.* No city employee or official shall use his public office to secure unwarranted privileges, private advancement or gain.

(f) *Confidential information; prohibited activity.* No city employee or official shall engage in any activity beyond the scope of his public position which might reasonably be expected to require or induce him to disclose confidential information acquired by him by reason of his public position.

(gm) *Disclosure of information.* No city employee or official shall, beyond the scope of his public position, disclose confidential information gained by reason of his public position, nor shall he otherwise use such information for personal gain or benefit.

(n) *Ex Parte Communications.* No official or employee shall encourage, make or accept any ex parte or other unilateral application or communication that excludes the interests of other parties in a matter under consideration when such application or communication is designed to influence official decision or conduct of the official or other officials, employees or agencies in order to obtain a more favored treatment or special consideration to advance the personal or private interests of himself or herself or others. The purpose of this provision is to guarantee that all interested parties to any matter shall have equal opportunity to express and represent their interests.

Any written ex parte communication received by an official or employee in matters where all interested parties should have equal opportunity for a hearing shall be made part of the record by the recipient.

Any oral ex parte communication received under such conditions should be written down in substance by the recipient and also made a part of the record.

A communication concerning only the status of a pending matter is not regarded as an ex parte communication.

(ho) *Sexual favors.* No city employee or official, in the course of his public responsibilities, shall use the granting of sexual favors as a condition, either explicit or implicit, for an individual's favorable treatment by that person or a city agency.

(Code 1981, § 2-11; Ord. of 7-13-1998)

Sec. 30-21 – 30-29. – Reserved.

~~Sec. 30-35. – Waivers of restrictions and advisory opinions.~~

~~(a) – Authority of ethics commission. Notwithstanding the provisions of sections 30-33 and 30-34, upon the written request of any city agency or of any individual who is or was a city employee or city official, the ethics commission may grant a waiver to the specific prohibitions contained therein if the ethics commission determines that the literal application of such prohibition in a particular case is not necessary to achieve the public purposes of this chapter or would result in an undue hardship on any employee or official. Any such waiver may be granted only by written decision of the ethics commission. Any person who acts in good faith reliance upon any such waiver decision shall not be subject to discipline or other sanction hereunder with respect to the matters covered by the waiver decision, provided there was a full disclosure to the ethics commission of all material facts necessary for the waiver decision.~~

~~(b) – Waiver information confidential; exceptions. Any application for a waiver, any proceeding and any decision with respect thereto shall be maintained confidential by the ethics commission, provided that:~~

~~(1) – Applicant's request. Public disclosure shall be made by the ethics commission upon the written request of the applicant;~~

~~(2) – Violations. The ethics commission may make such public disclosure as it determines is required in connection with the prosecution of any violation of this chapter;~~

~~(3) Evidence of crime. The ethics commission shall report to appropriate federal, state and/or city authorities substantial evidence of any criminal violation which may come to its attention; and~~

~~(4) Public record. In the event that a waiver is granted, the waiver decision and the record of all proceedings relating thereto shall be open to public inspection.~~

~~(e) Advisory opinion authorized. Upon the written request of any city employee or official, the ethics commission may issue an advisory opinion as to the applicability of this chapter to any particular fact or situation. Any person who acts in good faith reliance upon any such advisory opinion shall not be subject to discipline or other sanction hereunder with respect to the matters covered by the advisory opinion, provided there was a full disclosure to the ethics commission of all material facts necessary for the advisory opinion.~~

~~(d) Advisory opinion confidential; exceptions. Any application for an advisory opinion, any proceeding and any decision with respect thereto shall be maintained confidential by the ethics commission, provided that:~~

~~(1) Applicant's request. Public disclosure shall be made by the ethics commission upon the written request of the applicant;~~

~~(2) Violations. The ethics commission may make such public disclosure as it determines is required in connection with the prosecution of any violation of this article; and~~

~~(3) Evidence of crime. The ethics commission shall report to appropriate federal, state and/or city authorities substantial evidence of any criminal violation which may come to its attention.~~

~~(Code 1981, § 2-12; Ord. of 7-13-1998)~~

Secs. 30-36—30-70. - Reserved.

ARTICLE III. - ETHICS COMMISSION

Sec. 30-71. - Established; composition; removal; terms of office; vacancies; chairperson; quorum; compensation; legal counsel.

(a) *Established; composition; removal.* The city ethics commission is hereby established to administer and implement this chapter. The ethics commission shall consist of five members appointed by the mayor and confirmed by the city council. No member of the commission shall hold any elected or appointed office under the government of the United States or the state, county, or city. Members of the ethics commission may be removed by the mayor, with the concurrence of the city council, for substantial neglect of duty, gross misconduct in office or a violation of this chapter.

(b) *Terms of office; vacancies.* A member of the ethics commission shall be appointed for a term of office of five years and until his successor has been appointed and has qualified. The members shall be appointed for staggered terms of office, and until their successors have been appointed. When a vacancy occurs in the membership of the ethics commission, it shall be filled by appointment for the unexpired portion of the term in the same manner as the original appointment.

(c) *Chairperson; quorum.* The ethics commission shall elect a chairperson from among its membership. Three members of the ethics commission shall constitute a quorum and, if a quorum is present, a vacancy on the ethics commission shall not impair the right of the remaining members to exercise all the powers of the ethics commission. Disciplinary hearings may be conducted and

sanctions may be imposed only by the affirmative action of at least three members; otherwise, the ethics commission may delegate authority to the chairperson to act for the ethics commission between meetings.

(d) *Compensation.* Members of the ethics commission shall receive no compensation.

(e) *Legal counsel.* The city solicitor shall provide legal counsel to the ethics commission and shall be the legal representative of the ethics commission in connection with its duties hereunder, on a case-by-case basis, or determine that outside counsel is needed and obtain such outside counsel for a particular matter.

(Code 1981, § 2-13; Ord. of 7-13-1998; Ord. No. 2010-23, 8-23-2010)

Sec. 30-72. - Powers and duties.

(a) The powers and duties of the ethics commission shall be:

(1) ~~Rules of conduct~~ *Standards of ethical conduct.* To recommend to the mayor and council, from time to time, such rules of conduct for public employees and officials as it shall deem appropriate.

(2) *Advisory opinions.* To issue written advisory opinions, upon the request of any city employee or official, as to the applicability of this chapter to any particular factual situation.

(3) *Referrals to solicitor.* To refer to the city solicitor for investigation any alleged violation of this chapter and, after notice and hearing, to recommend such disciplinary action as it may deem appropriate to such appropriate official or agency as the ethics commission shall determine, or to take such other disciplinary action as authorized by section 30-73(d) or other provisions of the city Charter or this Code. The ethics commission may dismiss, without reference to the city solicitor, any complaint which the ethics commission determines is frivolous or fails to state a violation.

(4) *Report of crimes.* To report to the appropriate federal, state or city authorities any substantial evidence of a violation of any criminal law which may come to its attention in connection with any proceeding, whether advisory or disciplinary.

(5) *Records.* To maintain a file of its proceedings, waiver decisions and advisory opinions with a view toward achieving consistency of opinions and recommendations subject to the confidentiality requirements of sections 30-3574(d) and 30-73(ht).

(6) *Procedures.* To follow the procedural rules specified in section 30-73 and to establish such other procedural rules as shall be consistent with the rules prescribed therein.

(7) *Witnesses, evidence.* To subpoena witnesses, compel their attendance and testimony, administer oaths and affirmations, take evidence and require, by subpoena, the production of books, papers, records or other evidence needed for the performance of the ethics commission's duties or exercise of its powers.

(8) *Assistance to city personnel.* To provide assistance to any city employee, official or agency in administering the provisions of this chapter.

(9) *Provide information.* To prepare any necessary reports and studies to advance the purpose of this chapter, to provide any necessary materials explaining the duties of individuals covered by

this chapter, and to supply instructions and public information materials to facilitate compliance with, and enforcement of, this chapter.

- (10) *Request city agencies for assistance.* To request appropriate city agencies to provide such professional assistance as it may require in the discharge of its duties.

(Code 1981, § 2-14; Ord. of 7-13-1998)

Sec. 30-73. — **Rules of procedure;** ~~€~~complaints; hearings; dispositions.

(a) ~~(a)~~ — Any person, either personally or on behalf of an organization or governmental body, may file a sworn complaint for the ethics commission with the city clerk. The complaint must be in writing, be signed, and show the address of the person who submitted it. The complaint must state that, to the best of the person's knowledge, information, and belief formed after reasonable reflection, the information in the complaint is true. The complaint must describe the facts that constitute the violation of the standards of ethical conduct in sufficient detail so that the ethics commission and the person who is the subject of the complaint can reasonably be expected to understand the nature of any offense that is being alleged. The commission may request any additional information deemed necessary to screen the complaint or to render a decision. No complaints shall be accepted or considered which relate to actions that took place more than one (1) year prior to the date of filing. The individual filing the sworn complaint has sixty (60) days from the date that the issue is brought to his or her attention to file a complaint.

(b) After the sworn complaint has been filed, none of the parties or their representatives may communicate on an ex parte basis with any commission members pertaining to the complaint. All communications pertaining to the complaint shall be submitted to the city clerk.

(c) Within seven (7) days of receiving a sworn complaint the city clerk shall send copies of the complaint to each member of the ethics commission, the city solicitor, and the official or officials against whom such complaint has been filed. Hereinafter, the complaining party shall be referred to as the "complainant" and the official against whom a complaint has been lodged shall be referred to as the "respondent."

(d) The commission recognizes that distribution to the public of a sworn complaint prior to screening by the commission as required below could harm the reputation of an innocent person and is contrary to the public interest; therefore, the public release of the complaint is prohibited until the screening process has been completed. The commission shall consult in confidence to screen the complaint within fourteen (14) days of receiving the complaint. The commission may immediately dismiss a complaint if:

- (1) It has no jurisdiction; or
- (2) The alleged violation, if true, would not constitute a violation of the standards of ethical conduct; or
- (3) The alleged violation is a minor or de minimis violation; or
- (4) The complaint is, on its face, frivolous, groundless, or brought for purposes of harassment; or

(5) The matter has become moot because the person who is the subject of the complaint is no longer an officer, official or employee; or

(6) The respondent had obtained an advisory opinion under section 30-74(c) permitting the conduct; or

(7) The appointing authority of the respondent has already taken action as a result of finding a violation and the commission believes the action was appropriate.

(e) In issues regarding standards of ethical conduct violations, the enforcement process is intended to be corrective rather than remedial unless the violation is a repeated offense. In the event the ethics commission determines a standards of ethical conduct violation has occurred, and it is minor in nature, with the concurrence of the complainant and the subject of the sworn complaint, the commission may dispense with the hearing process and conduct a more informal mediation process in lieu of a hearing.

~~(a)-~~

(f) If the sworn complaint is not dismissed or otherwise resolved pursuant to subsection 30-73(d), the city clerk shall promptly contact the members of the ethics commission, the city solicitor, the complainant, and the respondent in order to ascertain a date and time when a hearing can be convened on such complaint. As soon as a date and time have been agreed upon for a hearing before the ethics commission, the city clerk shall send written notice of such scheduling and a copy of the rules of procedure to the complainant and to the respondent. No copies of the complaint shall be provided to any other parties before the respondent receives the complaint. ~~Investigation of violations. Upon the sworn complaint of any person or on its own initiative, the ethics commission may refer to the city solicitor for investigation, any alleged violation of the conflict of interest provisions and of the code of conduct provisions in sections 30-33 and 30-34, respectively.~~ The city solicitor shall be the prosecuting attorney in all disciplinary proceedings before the ethics commission. In any such investigation or proceeding, a defendant shall be given an opportunity to be heard after notice, to be advised and assisted by legal counsel, to produce witnesses and offer evidence, and to cross examine witnesses. A transcript of any such proceeding shall be made and retained, subject to the confidentiality requirements of this chapter.

(g) The commission may dismiss a complaint if the complainant does not appear at the hearing and if, in the opinion of the commission, it would be unfair to the respondent not to have the opportunity to examine the complainant.

(h) As promptly as possible after the close of the hearing, the commission shall deliberate to determine if the allegations have been proven by clear and convincing evidence. Only ethics commission members who have been present for the hearing may participate in the deliberations, and any findings and recommendations must be adopted by a majority of the commission. The commission may consider, when making findings and recommendations, the severity of the offense, the presence or absence of any intention to conceal, deceive, or mislead, whether the violation was deliberate, negligent or inadvertent, and whether the incident was isolated or part of a pattern.

(i) Within seven days of the conclusion of deliberations, the commission shall issue an order setting forth its findings and recommendations. In the alternative, the commission where

it deems it appropriate, may issue an advisory opinion in lieu of making findings and recommendations.

(j) If the respondent is an employee, the commission may, if it determines corrective action is necessary, notify the city manager or the council president and recommend that action be taken, including discipline.

~~(b)~~(k) If the respondent is a city official, the commission may propose actions to the city council that are appropriate to the finding as specified in section 30-73(p).

~~(e)~~(l) The commission shall send a written copy of its findings and recommendations to the respondent and the complainant.

(m) *Proceeding relating to member.* A member of the ethics commission shall be ineligible to participate, as a member of the ethics commission, in any ethics commission proceeding relating to his conduct. A member of the ethics commission who has been found by the ethics commission to have violated this chapter shall be ineligible to serve again as a member of the ethics commission.

~~(d)~~(n) *Self-disqualification.* A member of the ethics commission may disqualify himself from participating in any investigation of the conduct of any person upon submission, in writing and under oath, of an affidavit or disqualification stating that he cannot render an impartial and unbiased decision in the case in which he seeks to disqualify himself.

~~(e)~~(o) *Actions by ethics commission.* With respect to any violation with which a person has been charged and which the ethics commission has determined as proved, the ethics commission may take any one or more of the following actions:

(1) *Reprimand.* Issue a written reprimand or censure of that person's conduct.

(2) *Discipline.* With respect to a city employee, remove, suspend, demote or take other appropriate disciplinary action with respect to that person, without regard to any limits imposed by this chapter, but within the limits of the constitution, the laws of the state, the Charter of the city, and ordinances and existing collective bargaining agreements.

(3) *Recommend removal.* With respect to an appointed official, recommend that appropriate action be taken to remove the official from the appointed position.

(4) *Recommend fine.* With respect to an elected city official, recommend that such official be fined in an amount recommended by the ethics commission.

~~(f)~~(p) *Rights of person charged.* In any proceeding before the ethics commission, upon the request of any person charged with a violation of this chapter, such person shall be permitted to inspect, copy or photograph books, papers, documents, photographs or other tangible objects which will be used as evidence against that person in a disciplinary hearing and which are material to the preparation of his defense.

~~(g)~~(q) *Exculpatory information.* In any proceeding before the ethics commission, if the city solicitor or ethics commission at any time receives any exculpatory information concerning an alleged violation against any person, it shall forthwith make such information available to such person.

~~(h)~~(r) *Subpoenas.* Any person charged with a violation of this chapter may apply to the ethics commission for the issuance of subpoenas for the appearance of witnesses and for the

production of documents on his behalf. The application shall be granted upon a concise showing by such person that the proposed testimony or evidence is relevant (or is reasonably calculated to lead to the discovery of relevant evidence) and is not otherwise available. The application shall be denied if not made at a reasonable time or if the testimony or evidence would be merely cumulative.

(s) *Confidentiality of proceedings.*

(1) *City employee.* All proceedings before the ethics commission relating to a violation of this chapter by a city employee shall be maintained confidential by the ethics commission, unless:

- a. Public disclosure is requested, in writing, by the person charged; or
- b. The ethics commission determines after a hearing that a violation has occurred.

(2) *City official.* All proceedings before the ethics commission relating to a violation of this chapter by a city official, appointed or elected, shall be maintained confidential by the ethics commission, unless:

- a. Public disclosure is requested, in writing, by the person charged; or
- b. The ethics commission determines after a hearing that a violation has occurred.

(t) *Appeals; public inspection.* Notwithstanding the confidentiality requirements of subsections **(h)**(1) and (2) of this section, the ethics commission shall make available for public inspection the record of all proceedings relating to any decision of the ethics commission which is appealed to the superior court and the ethics commission shall report to appropriate federal, state and/or city authorities any substantial evidence of a violation of any criminal law which comes to its attention in connection with any proceeding under this chapter.

(u) *Confidentiality procedures.* The chairperson of the ethics commission shall, with the approval of the ethics commission, establish such procedures as, in the chairperson's judgment, may be necessary to prevent the disclosure of any record of any proceedings or other information received by the ethics commission, except as permitted by this chapter.

Sec. 30-3574. - Waivers of restrictions and advisory opinions.

(a) Authority of ethics commission. Notwithstanding the provisions of sections ~~30-3320~~ and ~~30-34~~, upon the written request of any city agency or of any individual who is or was a city employee or city official, the ethics commission may grant a waiver to the specific prohibitions contained therein if the ethics commission determines that the literal application of such prohibition in a particular case is not necessary to achieve the public purposes of this chapter or would result in an undue hardship on any employee or official. Any such waiver may be granted only by written decision of the ethics commission. Any person who acts in good faith reliance upon any such waiver decision shall not be subject to discipline or other sanction hereunder with respect to the matters covered by the waiver decision, provided there was a full disclosure to the ethics commission of all material facts necessary for the waiver decision.

(b) Waiver information confidential; exceptions. Any application for a waiver, any proceeding and any decision with respect thereto shall be maintained confidential by the ethics commission, provided that:

- (1) *Applicant's request.* Public disclosure shall be made by the ethics commission upon the written request of the applicant;
- (2) *Violations.* The ethics commission may make such public disclosure as it determines is required in connection with the prosecution of any violation of this chapter;
- (3) *Evidence of crime.* The ethics commission shall report to appropriate federal, state and/or city authorities substantial evidence of any criminal violation which may come to its attention; and
- (4) *Public record.* In the event that a waiver is granted, the waiver decision and the record of all proceedings relating thereto shall be open to public inspection.
- (c) *Advisory opinion authorized.* Upon the written request of any city employee or official, the ethics commission may issue an advisory opinion as to the applicability of this chapter to any particular fact or situation. Any person who acts in good faith reliance upon any such advisory opinion shall not be subject to discipline or other sanction hereunder with respect to the matters covered by the advisory opinion, provided there was a full disclosure to the ethics commission of all material facts necessary for the advisory opinion.
- (d) *Advisory opinion confidential; exceptions.* Any application for an advisory opinion, any proceeding and any decision with respect thereto shall be maintained confidential by the ethics commission, provided that:
- (1) *Applicant's request.* Public disclosure shall be made by the ethics commission upon the written request of the applicant;
- (2) *Violations.* The ethics commission may make such public disclosure as it determines is required in connection with the prosecution of any violation of this article; and
- (3) *Evidence of crime.* The ethics commission shall report to appropriate federal, state and/or city authorities substantial evidence of any criminal violation which may come to its attention.

(Code 1981, § 2-12; Ord. of 7-13-1998)

Sec. 30-~~74~~75. - Judicial review.

In the event that the ethics commission finds that any person has violated any provision of this chapter, said person shall have a right of appeal to the superior court of any such finding, and of any sanctions imposed with respect thereto, by filing a notice of appeal with the superior court within 30 days of the final action by the ethics commission in a particular case. The appeal shall be on the record without a trial de novo. If the court determines that the record is insufficient for its review, it shall remand the case to the ethics commission for further proceedings on the record. The court's review, in the absence of actual fraud, shall be limited to a determination of whether the ethics commission's decision was supported by substantial evidence on the record. The burden of proof in any such appeal shall be on the appellant.

(Code 1981, § 2-15.1; Ord. of 7-13-1998)

BE IT FURTHER ORDAINED:

That Appendix F, Fees and Fines, of the Dover Code be amended by deleting the text indicated in red strikeout and inserting the blue text, as follows:

Chapter 30. Code of Standards of Ethical Conduct and Ethics Commission		Fees and Fines
Article II. Code Standards of Ethical Conduct		
Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.		
Sec. 30- 33 20. Prohibitions relating to conflicts of interest		
Subsec. (g) (1e) Criminal sanctions, penalties		Not to exceed \$1,000.00

ADOPTED: *

SYNOPSIS

This amendment adds required financial disclosure reports, acknowledgment of receipt of policies, and required ethics training. It also makes organization changes to Chapter 30.
(SPONSORS: LINDELL, POLCE, AND SLAVIN)

ADOPTED: *

S:\ORDINANCES\2017\DRAFT\ORDINANCE #2017-14 CH 30 CODE OF CONDUCT AND ETHICS COMMISSION\Ordinance #2017-14 - Chapter 30-Code of Conduct and Ethics Commission - Revised for 10-24-2017 CCW-LF&A Review.wpd.doc

Actions History:

11/13/2017 – Scheduled for First Reading – City Council
10/24/2017 – Considered by Council Committee of the Whole/Legislative, Finance and Administration Committee
10/10/2017 – Deferred by Council Committee of the Whole/Legislative, Finance and Administration Committee

1. Definitions for Section 1:

- “**Fair market value**” means, if a security, the quoted price as of January 1 of the year in which the report is filed, or, if not a security, the price at which the public officer would sell as of January 1 of the year in which the report is filed. *29 Del. C. § 5812(g)*.
- “**Instrument of ownership**” includes, but is not limited to common or preferred stock, rights, warrants, articles of partnership, proprietary interest, deeds, and debt instruments, if convertible to equity instruments. *29 Del. C. § 5812(k)*.
- “**Business Enterprise**” means corporation, partnership, sole proprietorship or any other individual or organization carrying on a business or profession. *29 Del. C. § 5812(a)*.
- “**Position of management**” means officer, director, partner, proprietor, or other managerial position in a business enterprise. *29 Del. C. § 5812(l)*.
- “**Professional organization**” means an individual engaged in, or an association organized pursuant to, federal or State law for the practice of medicine, law, accounting, engineering, or other profession. *29 Del. C. § 5812(m)*.
- “**Constructively controlled**” means:
 - (a) a financial interest in the name of another which is controlled by a public officer by virtue of any relationship of the public officer to another person which directly benefits the public officer;
 - (b) any financial interest of a public officer held jointly with the spouse or child of such public officer;
 - (c) any financial interest of the spouse or minor child of a public officer. *29 Del. C. § 5812 (d)*.
- “**Time or demand deposits**” means checking and savings accounts in banks or deposits or share in savings and loan institutions, credit unions, or money market funds. *29 Del. C. § 5812(p)*.
- “**Debt Instrument**” means bonds, notes, debentures, mortgages, or other securities having a fixed yield if not convertible to equity instruments. *29 Del. C. § 5812(e)*.
- “**Equity instrument**” means any ownership interest in a corporation or other legal entity giving the rights to the holder upon liquidation of the entity. *29 Del. C. § 5812(f)*.

2. Definitions of terms in the remaining sections are in those sections.

FINANCIAL DISCLOSURE REPORT
(29 Del. C., Chapter 58, Subchapter II)

NAME:

BUSINESS ADDRESS:

STATE POSITION:

Section 1. **(See instruction sheet for definitions of underlined terms)**. Report any legal or equitable ownership in excess of \$5,000 [fair market value](#) or from which income of more than \$5,000 was either derived during the preceding calendar year or might reasonably be expected to be derived during the current calendar year, in the following:

(A) [Instruments of Ownership](#): (This includes retirement accounts, 401K, IRA, etc. Do **not** include dollar amounts. List name of company, instrument and nature of ownership, e.g., Fidelity, mutual fund, shareholder; IBM, stock, shareholder).

(B) [Business Enterprise](#): (This includes corporations, sole proprietorships, and partnerships. List name, type of ownership & any [position of management](#), e.g., JW Foods, partnership, director)

(C) [Professional Organization](#): (This includes, but is not limited to, law firms, accounting firms, engineering firms. List the name, address, type of professional practice (do not identify individual clients), & any [position of management](#), e.g., ABC Law Firm, 123 Public Rd., Dover, DE, legal services, partner)

(D) Any of the preceding which are [constructively controlled](#). (e.g., ABC Mutual funds, trustee for minor child).

DO NOT LIST: [Time or demand deposits](#) (includes checking or savings accounts) or a [debt instrument](#) (CDs) with a fixed yield unless convertible to an [equity instrument](#).

Section 2. List each creditor to whom you were indebted for 90 or more consecutive days during the preceding calendar year in an aggregate amount in excess of \$1,000. Do **not** list the amount owed.

Section 3. If any of the following were received during the preceding calendar year, or reasonably expected to be received during the current calendar year, **list the source**.

- A. **Any** income (including income from the State) for services rendered exceeding \$1,000 from a single source, unless reported in Section 1. ("Income for services rendered" includes salary, wages, consulting fees and professional services.)
- B. **Any** capital gain exceeding \$1,000 from a single source other than the sale of a residence occupied by the public officer. ("Capital gain" means gains that are reported under Internal Revenue Services laws.)
- C. **Any** reimbursement for expenditures exceeding \$1,000 from a single source; ("Reimbursement for expenditures" means payments to a public officer for expenses incurred by the public officer.)
- D. **Any** honoraria; ("Honoraria" means fees received for speeches, written articles, and participating in discussion groups and similar activities. It does not include reimbursement for expenses.)
- E. **Any** gift with a value in excess of \$250 from any person. **Identify the amount** of each gift. ("Gift" means: payment, subscription, advance, forbearance, rendering or deposit of money, services or anything of value unless consideration of equal or greater value is received. "Gift" is not: (1) political contributions otherwise reported as required by law; (2) commercially reasonable loans made in the ordinary course of business; or (3) gifts from: spouse; relatives of the public officer or public officer's spouse within the 3rd degree of consanguinity; or the spouse of any such relative.)
- F. **ELECTED OFFICIAL DISCLOSURE FORM INPUT**

Disclose the name and address of every non-profit organization, civic association, community association, foundation, maintenance organization, or trade group incorporated in the State or having activities in the State, or both, of which you are a council member or board member.

TYPE:

NAME:

ADDRESS:

Section 4. Data in this report is provided as of _____.
(Date)

I HEREBY CERTIFY that I have read the foregoing report, and that, to the best of my knowledge and belief, it is true, correct, and complete. I further certify that I have not and will not hereafter transfer any assets, interests or property while retaining an equitable interest therein for the purpose of concealing said assets, interests or property from disclosure.

Public Officer Signature

CITY OF DOVER PROPOSED ORDINANCE #2017-15

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

That Chapter 34 - Elections, Article III – Absentee Voting of the Dover Code be amended by inserting the text indicated in blue font and deleting the text indicated in red strikeout as follows:

ARTICLE III. - ABSENTEE VOTING

Footnotes: --- (3) ---

State Law reference— Absentee voting generally, 15 Del. C. §§ 5501—5526.

Sec. 34-61. - Purpose.

The intention of this article is ~~that only~~ **to provide** qualified voters of the city ~~may vote under the provisions of this article, who may be absent~~ **who are unable to appear at the polling place of their district to cast their ballot** on the day of an election ~~from the city, with the ability to cast an absentee ballot, because of service in the armed forces of the United States or in the public service of this state or of the United States, or because of his business or occupation, or because of personal sickness or disability, or because of the tenets or teachings of his religion so that he cannot appear at the polling place on the day of any election.~~

(Code 1981, § 2-41; Ord. of 2-11-1985)

State Law reference— Similar provisions, 15 Del. C. § 5501.

Sec. 34-62. - Persons eligible to vote by absentee ballot.

Any qualified elector, duly registered, of this city may cast ~~his~~ **their** vote by absentee ballot in any **regular** municipal election or special municipal election if the elector is unable to appear at the polling place of ~~his~~ **their** election district due to ~~the following~~ reasons: **set forth in 15 Del. C. § 5502 Persons eligible to vote by absentee ballot.**

~~(1) — Public service. Because such person is in the public service of the United States or of this state, or is a citizen of the United States and temporarily residing outside the territorial limits of the United States and the District of Columbia, or such person's spouse or dependents when residing with or accompanying him, or is absent from this state because of illness or injury received while serving in the armed forces of the United States;~~

~~(2) — Armed forces, etc. Because such person is in the armed forces of the United States or the merchant marines of the United States, or attached to and serving with the armed forces of the United States in the American Red Cross or United Service Organizations;~~

~~(3) — *Business.* Because of the nature of such person's business or occupation;~~

~~(4) — *Sick; disabled.* Because such person is sick or physically disabled;~~

~~(5) — *Vacation.* Because such person is absent from the district while on vacation; or~~

~~(6) *Religion.* Because such person is unable to vote at a certain time or on a certain day due to the tenets or teachings of his religion.~~

(Code 1981, § 2-42; Ord. of 2-11-1985)

State Law reference— ~~Similar provisions,~~ 15 Del. C. § 5502.

Sec. 34-63. - Request for ballot; Affidavits statements required of persons applying for absentee ballots.

Any voter **who is qualified under 15 Del. C. § 5502 - Persons eligible to vote by absentee ballot, and who desiring** desires to receive an absentee ballot ~~because such voter qualifies under any of the reasons set forth in section 34-62 shall file an affidavit~~ **may request one by filing a statement** with the city clerk's office, subscribed and sworn to by the voter ~~before authorized by law to administer., no later than 12:00 noon the day before the election.~~

(Code 1981, § 2-44; Ord. of 2-11-1985; Ord. of 11-26-1990, § 3)

State Law reference— Similar provisions, 15 Del. C. § 5503.

~~Sec. 34-64. - Request for ballot.~~

~~Any voter who is qualified under section 34-62 to vote by absentee ballot and who desires to do so shall, not later than the close of business of the last working day prior to any such election, request from the election official an official ballot to be voted at such election.~~

~~(Code 1981, § 2-44; Ord. of 2-11-1985; Ord. of 11-26-1990, § 3)~~

Sec. 34-654. - Distribution of ballots, envelopes and instructions.

Upon receipt of a ~~request~~ **statement** from a voter, ~~together with an affidavit if required by section 34-63,~~ the ~~election official~~ **city clerk's office**, not more than 60, nor less than ~~three~~ **four** days prior to the regular or special election and within three days after the **absentee** ballots, envelopes and instructions for ~~absentee voters completing and returning an absentee ballot~~ become available, shall mail to the voter, postage prepaid, an official ballot, enclosed in an official envelope, along with a voucher envelope marked "voucher envelope," a copy of the instructions ~~to the absentee voter~~ **for completing and returning an absentee ballot** and a mailing envelope marked "mailing envelope." Nothing contained in this section shall prevent the issuance of an absentee ballot to those lawfully entitled thereto prior to 12:00 noon on the day prior to any ~~general~~ **regular** or special election when the request is made less than ~~three~~ **four** days prior to the ~~general~~ **regular or special** election.

(Code 1981, § 2-45; Ord. of 2-11-1985; Ord. of 11-26-1990)

State Law reference— Similar provisions, 15 Del. C. § 550**54**.

71

72 ADOPTED: *

73

SYNOPSIS

74 The amendments revise the requirements to request an absentee ballot to comply with recently amended
75 State law. This amendment becomes effective January 1, 2018.

76 (SPONSORS: ANDERSON AND LINDELL)

77

Actions History:

79 11/14/2017 - Scheduled for First Reading – City Council

80 10/23/2017 - Introduction - Council Committee of the Whole/Legislative, Finance, and
81 Administration Committee



SPONSOR: Rep. Yearick & Rep. K. Williams & Sen. Bushweller & Sen. Pettyjohn
Reps. Baumbach, Bentz, Dukes, Heffernan, Kowalko, Miro, Outten, Paradee, D. Short; Sens. Ennis, Henry, McDowell, Simpson, Walsh

HOUSE OF REPRESENTATIVES
149th GENERAL ASSEMBLY

HOUSE BILL NO. 47
AS AMENDED BY
HOUSE AMENDMENT NO. 1
AND
HOUSE AMENDMENT NO. 2
AND
SENATE AMENDMENT NO. 1

AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO ABSENTEE VOTING.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend § 5503, Title 15 of the Delaware Code by making deletions as shown by strikethrough and insertions as shown by underline as follows and redesignating accordingly:

§ 5503. Request for ballot; ~~affidavits~~ statements for absentee ballots; delivery of absentee ballots.

(a) An elector desiring to vote by absentee ballot in an election for which the elector is a qualified elector may request an absentee ballot from the Department by filing a hand written or electronically prepared ~~affidavit~~ statement with the department no later than 12:00 noon the day before the election.

(b) ~~An affidavit~~ A statement may be filed pursuant to this section by mailing it, delivering it, or causing it to be delivered to the Department.

(d) ~~Affidavits~~ Statements filed pursuant to this section shall:

- (1) Indicate the election or elections for which the elector is requesting an absentee ballot;
- (2) Include at least the following information:
 - a. The elector's name;
 - b. The address of the elector's domicile in the State;
 - c. The address to which the elector requests that the absentee ballot be mailed;
 - d. The elector's date of birth;
 - e. The elector's social security number (optional);
 - f. The elector's political party affiliation;
 - g. The elector's expected location on election day;

h. The reason that the elector cannot appear at the regular polling place for the elector's election district on the day of the election, which shall identify at least 1 of the reasons set forth in § 5502 of this title;

i. A telephone number, if available, to assist in resolving any challenge;

j. An e-mail address, if available, to assist in resolving any challenge; and

k. The elector's signature;

(3) Be subscribed and sworn to by the elector, ~~before an officer authorized by law to administer oaths affirming that under penalty of perjury, the information on the affidavit is correct and true except that the affidavit for a person voting in person at the Department shall not be notarized but shall be accepted upon the voter presenting a form of ID acceptable by a notary;~~

(4) Be dated during the calendar year in which the election is to be held, provided that when a presidential primary election is scheduled and the date of the presidential primary election is less than 90 days before January 1 in the year in which a President of the United States is to be elected, the ~~affidavit~~ statement shall not be dated more than 90 days before the day of the presidential primary election, and further provided that, for special elections conducted pursuant to Chapter 71 of this title, the ~~affidavit~~ statement may be dated as of any date after a writ of election has issued; and

(5) Be promulgated by the State Election Commissioner, in consultation with the Department, and personally approved by the Attorney General of the State; provided however, that the Federal Post Card Application or its successor as promulgated by the Federal Voting Assistance Program or its successor shall also be considered an ~~affidavit~~ statement as used in this chapter.

~~(e) Notwithstanding any other provision of this section to the contrary, the affidavit of any elector desiring to receive an absentee ballot because the person qualifies under any of the reasons set forth in § 5502(1), (2), (4) or (7) of this title or because a person's business or occupation is providing care to his or her parent, spouse, or child who is living at home and requires constant care due to illness, disability, or injury, may be self-administered.~~

(f)(1) If the elector does not indicate the election or elections for which the elector is requesting an absentee ballot, it shall be presumed that the ~~affidavit~~ statement for the next scheduled election in which the elector is eligible to vote; provided however, that an ~~affidavit~~ statement on which the person indicates that the reason the person is requesting to vote by absentee ballot is that the person is temporarily or permanently physically disabled or that the person qualifies under any of the reasons set forth in § 5502(1), (2), (4) or (7) of this title shall be presumed to be for all elections in a calendar year unless otherwise indicated on the ~~affidavit~~ statement.

(2) If the Department is unable to determine the election and/or elections for which a person is requesting an absentee ballot, it shall attempt to contact the person in order to determine the person's intent; provided however, that if time is of the essence and the Department is unable to contact the elector, the Department's county director and deputy county director in the county where such person has requested an absentee ballot shall confer and determine the proper course of action.

(g) ~~Affidavits~~ Statements filed pursuant to this section on which the elector's domicile is different than the address at which the person is registered to vote within the State shall be used to transfer the person's registration.

(h) ~~Affidavits~~ Statements filed pursuant to this section on which an elector indicates that the elector has legally changed the elector's name shall be taken as authorization to transfer the elector's previous registration information, including the elector's voting record to the new name. The Department shall then use the ~~affidavit~~ statement to make the change on the Department's records.

(i) ~~Affidavits~~ Statements filed pursuant to this section on which a person indicates a change in political party affiliation received during a period in which changes in political party affiliation are closed shall be used to change the person's political party affiliation when the period for changing political party affiliation re-opens.

(j) The Department may adopt a printed or electronic ~~affidavit~~ statement form (or both), containing blanks associated with each item required by this section to be listed on ~~an affidavit~~ a statement, which may be completed by any elector wishing to receive an absentee ballot pursuant to this section. An elector may submit a written or electronic request to the Department for the Department-prepared ~~affidavit~~ statement form, which the Department shall forward to the elector upon receipt of a request therefor.

Section 2. Amend § 5504, Title 15 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 5504. Distribution of ballots, envelopes, and instructions; envelope specifications; pre-paid postage.

(a) Upon receipt of ~~an affidavit~~ a statement from an elector pursuant to § 5503 of this title, the Department shall process the same and confirm that the elector qualifies for an absentee ballot pursuant to 5502 of this title.

Section 3. Amend § 5505, Title 15 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 5505. Requirements for ballot envelope; numbering and coding; voter identification label; ~~affidavit~~ statement of eligibility.

Section 4. Amend § 5507, Title 15 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 5507. Voting procedure; execution of ~~affidavit~~ statement; return of ballot.

Section 5. Amend § 5510, Title 15 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 5510. Counting procedure for absentee ballots.

(4) If no challenge has been made, the absentee judges shall:

a. Open the ballot envelopes in such a manner as not to deface or destroy the ~~self-administered affidavit statement~~ thereon or the absentee ballot enclosed;

Section 6. Amend § 5513, Title 15 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 5513. Challenges.

(b) In addition, the vote of an absentee voter may be challenged:

(1) On the ground that the ~~affidavit~~ statement filed by the voter in compliance with § 5503 of this title is false;

or

(2) On the ground that the ~~self-administered affidavit statement~~ in the center of the face of the ballot envelope is not signed.

Section 7. Amend § 5514, Title 15 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 5514. Rejected ballots.

(a) No vote shall be accepted or counted if:

(1) The ~~affidavit~~ statement of the absentee voter that appears on the front of the ballot envelope is found to have been altered or is not signed; or

Section 8. Amend § 5517, Title 15 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 5517. File of absentee voters.

(a) The Department shall maintain records providing for the prevention of fraud and to make possible the tracing and detection of any attempt to do so. Such records shall include, but shall not be limited to, the following entries:

(4) The date the ~~affidavit~~ statement is received by the Department;

Section 9. Amend § 5518, Title 15 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 5518. Members of the armed forces and certain other electors; 1 absentee request to cover all elections; federal post card application (FPCA); electronic transmission of balloting materials.

(b) The receipt of a federal post card application from any person eligible to use the FPCA for an absentee ballot who is not registered to vote in Delaware but is eligible to register to vote in Delaware shall serve as an application to register to vote as well as a request and ~~affidavit~~ statement for an absentee ballot.

Section 2. This Act takes effect on January 1, 2018.