

COUNCIL COMMITTEE OF THE WHOLE

The Council Committee of the Whole met on February 13, 2018 at 6:01 p.m., with Council President Slavin presiding (departed at 7:00 p.m. and returned at 7:02 p.m.). Members of Council present were Mr. Anderson, Mr. Sudler, Mr. Neil, Mr. Lewis, Mr. Cole (departed at 6:44 p.m. and returned at 6:46 p.m.), Mr. Polce, Mr. Hare, and Mr. Lindell. Mayor Christiansen was absent. Civilian members present for their Committee meetings were Mr. Caldwell (*Parks, Recreation, and Community Enhancement*), Mrs. Doyle and Ms. Scarborough (*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.

AGENDA ADDITIONS/DELETIONS

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

Presentation - Healthy Neighborhoods/Open Streets Program

Representatives of the Dover/Smyrna Healthy Neighborhoods Initiative, Mr. David Edgell, Principal Planner, Delaware Office of State Planning, and Ms. Chanda Jackson, Community Organizer, NCALL, reviewed a presentation entitled “Dover/Smyrna Healthy Neighborhoods Initiative” (**Attachment #1**). Mr. Edgell noted that he works for the State Planning Office and during the past year and a half, as part of that activity and through the American Planning Association, they did a “Plan for Health” study in Kent County that looked at the intersection between the built environment and public health. He stated that the health data had identified that the state spends a lot on health care; however, the state’s population is not particularly healthy. Mr. Edgell explained that from the Plan for Health work they know that Dover and Kent County in particular have probably some of the least good health indicators in the state, which was their rationale for choosing Kent County for their Plan for Health study.

Mr. Edgell noted that in each of the healthy neighborhoods committees, the idea is to work with community members to identify the health issues that are most pressing in those communities as defined, and to come up with pilot projects that can be modeled and completed to start addressing some of those concerns. He advised that the Dover/Smyrna Healthy Neighborhoods Initiative had identified two (2) task forces to focus on those issues: a Behavioral Health Task Force, which he believed was being led by Mr. Polce, and a Healthy Lifestyles/Chronic Disease Prevention Task Force, which Mr. Edgell stated he had been involved in and would be talking to members about.

Mr. Edgell informed members that the Healthy Lifestyles/Chronic Disease Prevention Task Force had thought about all the health data indicators that they were able to ascertain, and one (1) of the issues in Kent County with obesity and chronic diseases is that people just generally are not being as physically active as is recommended or as they could be. He noted that the Task Force had a lot

of presentations and meetings, and reached out to different parks and recreation groups and service providers, and found that there are a lot of good recreational assets in Kent County and wondered why people aren't taking more advantage of those assets. Mr. Edgell stated that, after a series of meetings and research by members of the Task Force, they came up with the idea to run an "Open Streets" pilot program.

Mr. Edgell advised that "Open Streets" is a world-wide program that first started in Latin America and is widespread throughout the United States, Canada, Latin America, and even Europe. He explained that the basic idea would be that on a regular basis in a community such as Dover a day would be designated, for example a Saturday or Sunday morning or a Wednesday afternoon, and some of the streets would be closed and a loop or a route would be created where people could get out and be physically active. Mr. Edgell noted that the physical activity could be riding a bike, roller blading, skateboarding, walking with children and pets, etc. He stated that there is often another program that goes along with this, for example a yoga studio might set up yoga in one (1) area, or part of the route could be a community park and there could be programming at that park. Mr. Edgell explained that the idea is to try to draw the community out to walk and engage in physical activity in a safe and non-threatening environment. He stated that their Task Force's idea was to try to promote some of these events in Dover this year.

Mr. Edgell advised that the Task Force had already talked to NCALL and Restoring Central Dover and believed that they would be an excellent community partner to be the fiscal agent. He explained that the State Innovation Model (SIM) grant includes funding and there is approximately \$1M statewide that is to be distributed through the three (3) committees for various programs, pilot projects, and things of that nature. Mr. Edgell stated that the role of the Dover/Smyrna Local Council, which he believed he may be the chair of, is to identify partners in the community that can undertake some of these projects, and this grant funding comes through a fairly complicated stream but then through a local committee and can be used for these purposes. He clarified that, at this point, they were not asking the City for funding, they were only looking for the City's support and ideas on whether this would be a good fit and a good match. He stated that, based on their conversations with Restoring Central Dover, it seemed like it would be a good corollary to some of the programs that the City is already doing.

Ms. Jackson stated that she thought that many members were already familiar with Restoring Central Dover. She explained that they currently do a lot of community programs, events, and projects, so when they heard about Open Streets, they thought it was a perfect match. Ms. Jackson advised that in the past they had tried to do similar play street type events and she thought it would be awesome to be able to expand to Open Streets. She stated that she thought that this would align with the Restoring Central Dover Plan under the Transportation, Green Space, and Infrastructure Work Group as open space, as well as the Community Engagement and Resident Engagement Work Group. She noted that the plan is available on the NCALL website at ncall.org. Ms. Jackson stated that she thought this would be a great way to get kids, adults, and families outside socializing and learning with each other, in addition to promoting some of the businesses, especially in the Loockerman corridor. She reiterated that she thought this would be a great fit for Restoring Central Dover and the Dover community, noting that it would definitely build social capital in the area and connect people with downtown businesses.

Mr. Edgell advised that more work still needed to be done to identify a plan, budget, and program, and that would include hearing the City's Parks, Recreation, and Community Enhancement Committee's thoughts, questions, and ideas to help guide the work that they would be doing in the near future. He stated that they would also be reaching out to other partners and facets of the community to see who would want to partner and collaborate on these events. Mr. Edgell noted that they were hoping to move this forward and looking for it to be an activity that could occur sometime before it gets too cold again next fall, because the SIM grant funding has to be closed out by January 2019.

Mr. Anderson asked if they were seeking a recommendation from the Committee that this be endorsed by City Council. Responding, Mr. Edgell stated that this would probably be a good first step, as well as hearing the Committee's thoughts and ideas to help them make this event a reality.

Mr. Anderson asked Mr. Edgell if they would work with the City to promote existing programs like the Police Athletic League (PAL) and maybe get demonstrations of some of the City's current recreation and library programs. In response, Mr. Edgell stated that this would absolutely be the idea, explaining that those were all things that they were thinking about. He advised that a small group had met with Mrs. Margery Cyr, Library Director; Mr. David Hugg, Director of Planning and Community Development; and Mr. Kirby Hudson, Assistant City Manager, a few weeks ago to pitch this idea and got some thoughts about programs that they are working. Mr. Edgell stated that the idea would definitely be to use this to promote what is already going on in Dover from a parks and recreation standpoint, and also to encourage people to get out and experience the things that are here and available to them now that they aren't currently using.

Mr. Anderson noted that inviting Kent County to participate would be good as well. Mr. Edgell stated that the Task Force spent the past four (4) or five (5) months meeting with and talking to people, and one (1) of their findings, which was shocking in a good way, was how many assets there are in Dover and Kent County. He noted that it was also very surprising that more people do not take advantage of these assets.

Mr. Neil stated that he thought that this was a marvelous concept, particularly if it could be used to promote the downtown area. He noted that City Council had previously discussed pop-up parks, which he thought would fit into this concept, and this type of activity would cause excitement as well. Mr. Edgell thanked Mr. Neil, stating that pop-up parks or pop-up trails would be a good tie-in. He explained that part of the concept of this sort of program is that things can be tried out without having to build a park; a park can be made for a day to see how it works.

Mr. Lindell stated that he was in favor of anything that keeps people, regardless of age, active in the community, and bringing the community together is always a great thing. He noted that he hears a constant concern from constituents with children regarding basketball courts in the streets. Mr. Lindell stated that it is a balance between safety and kids having fun. He explained that he grew up on an acre of land in the country and there was plenty of land to play; however, in a city there is not much room and there is a need to balance the safety of traffic, etc. Mr. Lindell stated that providing an opportunity for kids to play basketball or other types of activities was something to look at also. Responding, Mr. Edgell agreed, noting that the idea of Open Streets is that a street or a portion of a street would be closed to make it safe for everybody to play, and this would be a good chance to

demonstrate how to do that safely. He stated that between the ideas of pop-up parks, play streets, and open streets, and depending on where those basketball courts fit or what days of the week would work, these are things that could definitely be addressed.

Mr. Polce noted that another representative of the Dover/Smyrna Healthy Neighborhoods Initiative, Mrs. Marianne Carter, Director, Delaware Center for Health Promotion (DCHP) at Delaware State University (DSU), had joined Mr. Edgell and Ms. Jackson.

Mr. Polce noted that he sits on the other side, looking at the behavioral health and integration and access to care issues that the community is continuing to face; however, he thought that this was an outstanding proposal. He informed members that this money has to hit the streets sooner rather than later, explaining that they have to be very diligent in allocating the SIM monies from the federal government. Mr. Polce stated that this team is working exponentially quickly to get this proposal up and running. He advised that once their plan is ready, it would behoove the City to run with it, knowing that the plan that they are going to outline can be trusted, with the expertise they have sitting around their table. Mr. Polce indicated that members may not know that Mrs. Carter has an extensive background in handling lifestyle and chronic disease issues. He stated that he absolutely supported the initiative.

Mr. Sudler asked if they could elaborate on the Behavioral Health Task Force, specifically what the aim of their health care model for the community is and if they will be offering some kind of therapeutic services. Responding, Mr. Polce suggested that the Committee receive a full update from that group, explaining that there are individuals on that Task Force who are far more eloquent and intelligent than he is. He advised that the Task Force is specifically focused on a term called a "center of excellence," explaining that, in general, centers of excellence in health care look for integrating services into a one-stop shop. Mr. Polce stated that when you think of a boutique that has everything in itself, they want to replicate that in health as a whole, but more specifically in brain health and behavioral health. For example, he stated that they would work with local providers on a center that would be declared a Center of Excellence, having a full range of both behavioral and mental health services and integrating in-patient, out-patient and what has historically been referred to as wrap-around services. Mr. Polce noted that there would also be a labor or work force development component, so individuals would be looked at holistically.

Mr. Polce informed members that the Task Force is also charged with looking at how to best combat some of the issues that plague the city, such as homelessness, and creating a platform that mobilizes that homeless population to housing. He noted that Mr. Hugg had been a part of those conversations and the Mayor's Blue Ribbon Task Force on Homelessness was working well with the Behavioral Health Task Force on that partnership. Mr. Polce indicated that, since this is a broader Kent County group, they have thought partners from Smyrna and Milford and are looking at a larger geographical area, with Dover being the hub as the County seat.

Responding to Mr. Sudler, Mr. Polce stated that he is the chair of the Behavioral Health Task Force.

Mr. Sudler stated that he was thinking that, when it comes to bullying, peer pressure and drug use, maybe members could consider some type of therapeutic services that consist of counseling and how the youth may be able to effectively deal with that, and the emotional challenges that they face, not

only in the school system but also outside of school in family homes. In response, Mr. Polce stated that, as Mr. Sudler sees fit, he would work with him to update the Committee on some of the great work that is being done in that group.

Mr. Anderson moved to recommend endorsement of the City working with the Healthy Neighborhoods Open Streets program. The motion was seconded by Mr. Lewis and unanimously carried.

Potential Land Acquisition - 104 Washington Street and 149 Hazel Road

During the Council Committee of the Whole/Parks, Recreation, and Community Enhancement Committee meeting of January 9, 2018, this item was postponed.

Mr. Gerald Street, 39 Hazel Road, advised members that he and Mr. Charles Salkin, 15 Maple Lane, were present to speak on behalf of the Kent County Conservancy. Mr. Street stated that, as the name implies, this organization is a conservation for lands in Kent County, of which he is the current chairman and Mr. Salkin is the past chairman.

Mr. Salkin advised members that the conservancy is looking at protecting open space throughout Kent County, but they are a small, fairly new organization and their focus has been on the Dover area and particularly the St. Jones watershed. He stated that as they looked at the watershed over the last couple of years, they identified some parcels that they thought were in need of preservation but were not necessarily threatened, or at that point were not necessarily even on the market to be acquired and protected by anyone. Approximately two (2) years ago they began discussions with the Jackson family, who own the two (2) parcels located at 104 Washington Street and 149 Hazel Road. Mr. Salkin indicated that, driving into Silver Lake Park, the parcel on Washington Street is located on the right hand side, which everyone thinks is part of the Park but is actually owned by the Jackson Family Estate. He explained that at the time the Conservancy initiated this, there was also a second parcel, located on Hazel Road, which at that time was the family's home. He stated that this parcel abuts Silver Lake Park where there are woods and wetlands along a small tributary.

Mr. Salkin explained that they sat down with the Jackson family to find out if they had an interest in preserving their land, and potentially either adding to Silver Lake Park or somehow enhancing it through a preservation or conservation project, and they were very agreeable but were still in the early stages of settling their estate. He stated that in May 2017 the Conservancy sent a letter to the Mayor and Council suggesting that the City have a discussion with the Jacksons about the possible preservation of those parcels, and that the Conservancy would be happy to be an intermediary, a facilitator, and a supporter. Mr. Salkin recalled that the matter was presented to the City previously and the reaction at that time was that the City was not interested. He explained that they resurrected this idea in the fall and contacted Mr. Neil because, at that time, the family had not yet sold either property and were willing to consider a bargain sale, which the Conservancy thought changed the terms of the proposal. He stated that this was the first opportunity to formally discuss this matter since that time.

Mr. Salkin advised members that they had sold the Hazel Street parcel, so that was no longer on the table. He noted that he was unsure whether it had actually gone to settlement; however, it was under

contract and would not be available. Mr. Salkin expressed the Conservancy's hope that the future owners of the property would consider some conservation activity, possibly a conservation easement to enhance, buffer, and protect Silver Lake Park.

Mr. Salkin stated that they wanted to discuss the small parcel adjacent to Silver Lake Park at the end of Washington Street. He advised that it is a wooded parcel that is not highly valuable but it is all green, and noted that there is a small tributary, a drainage way, that runs through it. Mr. Salkin stated that it is for sale to be developed, presumably for residential use because that is how it is zoned. He indicated that almost all of the trees on the parcel would have to be cut down to put a house there, and the house would then have a nice view of the park and would also present a very nice view from the park, rather than the green woods that are currently there.

Mr. Salkin stated that he and Mr. Street were present to express the desire of the Conservancy, and others in the community that they had talked to, that Council, through whatever appropriate individuals or method, would soon begin serious discussions with Tom and Terry Jackson, who are the beneficiaries of their parents' estate, about how this parcel can be preserved. Mr. Salkin noted that when the Jackson family proposed consideration of a bargain sale of up to 50% in October, this was before the tax bill passed in congress. He explained that the benefits to them of doing that are now radically reduced because of the change in the tax structure and how that tax structure affects their estate. Mr. Salkin stated that he believed that this was a discussion that the Jackson family was still open to having, noting that he had spoken to Tom Jackson early in the day and they are still willing to talk about selling the property for something less than its fair market value.

Mr. Salkin noted, as indicated in the letters that the Conservancy sent to the City in 2017 regarding this matter, that a grant-in-aid program through the State of Delaware Division of Parks and Recreation could provide half of the cost of this project at whatever the ultimate cost would be. He stated that he thought that, in the greater scheme of things, this is a fairly inexpensive transaction and parcel because the Department of Natural Resources and Environmental Control (DNREC) funding would be available to pay for half of it, whether they were selling it at full price, full fair market value, or some reduced price. Mr. Salkin stated that, based on discussions with the people who manage that program, they consider this a fairly small but important project that would have a very high likelihood of being funded, since land acquisition is the top priority for the program.

Mr. Salkin stated that he and Mr. Street were present to encourage the Committee to endorse this project or to at least begin discussions with the landowners or the Conservancy, if the family would choose them to be their representative.

Mr. Street noted that members may be asking themselves why the City would even bother when this is an incredibly small piece of land and indicated that it would be the message that they would be sending. He advised that the goal of the Kent County Conservancy is Kent County, and Dover is the hub. Mr. Street stated that they do not want to force anything and their goal is to work with people as facilitators, indicating that Mr. Salkin works with DNREC and Mr. Michael Petit de Mange is on their board as well. He explained that the Conservancy is looking for interest by the City in expanding land that is available for recreation because they are interested in preserving land for people to use, enjoy, see, canoe, kayak, etc.

Mr. Street stated that they were not asking for money at this time and were just asking for an endorsement. He indicated that if members think that this is worthwhile, they would spend the time and effort to do the negotiations as best they can, and the City would have final say on anything of that nature. Mr. Street asked that the City let them know now if they do not have any interest, so they can bypass the City in their efforts and move on to other sites. Mr. Street stated that the Conservancy's goal is not only to help preservation but that they also believe in the education of young people and building an interest in them to protect the land. He noted that one (1) of their board members was a former Director of Human Resources for Capital School District.

Mr. Slavin stated that he would have to recuse himself from this issue because it involves the discussion of a parcel that abuts the street that he lives on, which may be perceived as a conflict of interest. Mr. Salkin reminded Mr. Slavin that the Hazel Street property was off the table and was not available to the City.

Mr. Polce asked whether the Washington Street parcel had been appraised. Responding, Mr. Salkin stated that he did not believe that there had been an independent professional appraisal, which would be a requirement for the City and for the grant funding. He indicated that the realtor handling it had identified what they thought the market price was or maybe something higher. Mr. Salkin stated that he believed that the assessed value was in the range of \$60,000; however, he did not know what that meant in the open market.

In response to Mr. Polce, Mr. Salkin stated that he did not believe that the Washington Street parcel had any wetlands but it might. He noted that it might need to be assessed for that but it does not show up on wetland maps. Mr. Salkin advised that it is a drainage way of sorts because it is sloped, but a lot of that area in the past had been filled. He expressed his belief that there was probably nothing that precludes significant portions of the property from being filled to level it for residential construction.

Mr. Polce asked if the Conservancy has any money that it could emit to the purchase and acquisition of the property to make it a potential partnership. Responding, Mr. Salkin advised that the Conservancy does not have any money. He explained that they had looked for other partners or conservation organizations inside and outside of the city that might be able to bring funding to the table, but at this point it looked like the best prospect was the State grant program, which he thought was a pretty attractive offer at 50%.

Mr. Neil stated that he had previously gone through the area with Mr. Salkin and thought there was a possibility of having a pathway there; however, he indicated that he was now uncertain how much of this one (1) parcel could be used for a trail or walkway. He noted that the Committee was also considering the Master Plan for Dover Park, which is in his Council District, and he was concerned regarding the cost and where the City stands with the budget. Mr. Neil stated that he thought it came down to a financial matter. He stated that he wanted to know how much of the parcel is usable, noting that he had seen the two (2) parcels and thought there was marvelous possibility. Mr. Neil stated that he thought that the City needed to discuss the matter but was unsure whether his colleagues were willing to make a commitment on it. He expressed his opinion that the City should continue to take a look at it and see what comes up. Mr. Neil asked, even if it was commercially

available, how feasible it would be to build a house in that particular spot and who would want to build it there.

Mr. Lindell stated that he did not think it would cost anything to at least have a conversation and investigate deeper. He noted that there were still a lot of unknowns and unanswered questions, for example, whether it is a parcel that will benefit the City at Silver Lake with a wide variety of things. Mr. Lindell indicated that it would not hurt to ask staff to take a look at that, and once they have more information, including the firm cost, they could have a real discussion on what they want to do.

Mr. Slavin cautioned members that discussions about the purchase of a property are protected under executive session and should occur in executive session.

Mr. Neil moved to recommend that the Parks and Recreation staff look at the feasibility of obtaining the land and what the cost may be for obtaining the land. The motion was seconded by Mr. Lindell and carried with one (1) abstention (Slavin).

Mr. Slavin stated that this matter could be scheduled to be held in executive session two (2) weeks hence, and members of the Conservancy could participate in portions of the meeting and the dialogue could be continued at that time.

Evaluation of Proposals - Dover Park Master Plan

Members were advised that Dover Park revitalization has become one of the top priorities for the Parks and Recreation Department. Based on constituent feedback and Council direction, staff has begun the process of developing a Master Plan for Dover Park. Mrs. Margery Cyr, Library Director, reviewed the background and analysis for this item.

Staff recommended awarding Whitman Requardt and Associates, LLP the contract for Dover Park Master Planning Services.

Mr. Hare moved to recommend acceptance of staff's recommendation, seconded by Mr. Neil.

In response to Mr. Sudler, Mrs. Cyr stated that the lowest bid was submitted by Landscape Architectural Services, in the amount of \$43,885. She explained that staff recommended Whitman Requardt and Associates, LLP, which had a higher performance score than Landscape Architectural Services. Mrs. Cyr stated that Whitman Requardt and Associates, LLP's bid was \$45,000, which was approximately \$1,100 more than Landscape Architectural Services. She advised that both firms did a preliminary evaluation, Whitman Requardt and Associates, LLP did a site visit and requested local consideration, and Landscape Architectural Services did not request local consideration.

The motion to recommend awarding Whitman Requardt and Associates, LLP the contract for Dover Park Master Planning Services, as recommended by staff, was unanimously carried.

Final Report - Non-Conforming Uses Project (Planning Reference #MI-16-13)

During their Regular meeting of August 22, 2016, City Council received an Update - Residential Appeal Process and Non-Compliant/Non-Conforming Uses/Review of Physical Data (53%

completed) and approved the Council Committee of the Whole/Parks, Recreation and Community Enhancement Committee's recommendation of providing some direction for Mrs. Ann Marie Townshend, former Director of Planning and Community Development, and that any existing business not be unduly affected by a potential rezoning so that the application fee would be waived and the public notice requirement would be conducted by the Planning Office.

Mrs. Dawn Melson-Williams, Principal Planner, reviewed the background and "2016-2017 Sunsetting of Nonconforming Uses in Dover, Delaware: Final Report."

Staff recommended acceptance of the report.

Mr. Anderson thanked staff for the work they had done over a long period of time, noting that he thought that it had brought tremendous value to the community. He stated that it was not an easy project, but it was important and had been 40 years overdue.

Mr. Anderson expressed concern regarding the idea of not allowing one (1) year for residential properties, as indicated in the Code. He noted that if the City does not have any standard, someone could move, two (2) days later someone could move in, and it could be claimed vacant. Mr. Anderson stated that he thought this would be unfair to their property rights and the City could be sued if the Code says one thing and the City does something else. He asked that this be taken into consideration, since it is in regard to residential properties that were properly zoned before the zone changed.

Mr. Anderson asked if the report was up to date in regard to 217 North Kirkwood Street, noting that it indicated that a Conditional Use application had been made to the Planning Commission; however, it was his understanding that it had been withdrawn. Responding, Mrs. Melson-Williams advised that the application was filed as C-17-06 in late 2017 and was scheduled to be heard by the Planning Commission in December; however, the applicant asked to defer consideration of the application to a future meeting. She stated that it had not yet been rescheduled. Mrs. Melson-Williams explained that they were making an application to establish a new conditional use to enact a membership club that is private, serving only their guests. She advised that it is a conditional use in the zoning classification of that property that they, or any future owner could certainly pursue. Mrs. Melson-Williams noted that application C-17-06 is totally separate from this non-conforming use report and is basically being held in abeyance until the applicant wishes to appear in front of the Planning Commission. She advised that it had been identified during the initial review that some additional information should be submitted in order to fully understand their request for conditional use.

Mr. Sudler, referring to 217 North Kirkwood Street, asked whether the City had done any research in regard to what other municipalities have decided when they have faced the same situation where a non-conditional use permit was violated and the owner then tried to reapply for the same usage that was violated. He asked Mrs. Melson-Williams knew of any penalties or any type of repercussion that other municipalities may have enforced or sanctioned. In response, Mrs. Melson-Williams stated that staff had not done any research into additional processes that other jurisdictions have for conditional uses and how they consider them, or if something was originally non-conforming and that use ceased, which is the case here, or if there are any limitations for

someone seeking a new conditional use. She advised that the previous use is considered to have ceased at this point at that property and they are subject to the provisions of the zoning ordinance, noting that this would allow the establishment of a list of permitted and/or conditional uses subject to the appropriate review requirements. Mrs. Melson-Williams explained that it would be just like if somebody had a vacant building that had previously been used for a house and then wanted it to become an office. She stated that if the process existed in the Code for it to be considered as an office, they would certainly be welcome to make that application. She stated that the City could not prohibit them from looking at that new space as an office, if the Code allowed a process in order for it to be considered.

Mr. Sudler stated that his main concern is what happens when the City finds that a business has not shown good faith in dealing with the City and has been proven the opposite of what they said. He noted that it does not sound like there is any incentive for a business to conduct its business in good faith with the City if they can violate the Code with no repercussion and then start over again with the possibility of reopening, with no individual fault. Mr. Sudler stated that he thought that this was something that the City needed to consider revising to include tough stipulations to deter other businesses from disregarding the Code. He noted that it did not seem like there was any type of penalty or incentive to do the right thing. In response, Mrs. Melson-Williams stated that she was not familiar with other jurisdictions and how they deal with this.

Mr. Neil moved to recommend acceptance of the report, seconded by Mr. Lewis.

Mr. Anderson asked, if they decide to revise the conditional use request, that all relevant information that is in the City's records be added to the public record so that the Planning Commission can rightfully consider all relevant information, including past behavior and past law-breaking by the applicants.

Mr. Anderson moved to amend the motion to include that all relevant information, including past law-breaking, be made part of the public record of any conditional use application, seconded by Mr. Sudler and unanimously carried.

The motion to recommend acceptance of the report, and that all relevant information, including past law-breaking, be made part of the public record of any conditional use application was unanimously carried.

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

Meeting adjourned at 7:00 p.m.

UTILITY COMMITTEE

The Utility Committee met with Chairman Cole presiding.

AGENDA ADDITIONS/DELETIONS

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

Evaluation of Proposal - Electric Utility Management and Benchmarking Assessment

During their Regular meeting of April 10, 2017, City Council approved the Council Committee of the Whole/Utility Committee's recommendation to authorize the Acting City Manager to solicit interest for Utility Professional Services. Mrs. Donna Mitchell, City Manager, reviewed the background and analysis for this item.

Staff recommended authorizing the City Manager to enter into a contract with Avant Energy for an Electric Utility Management and Benchmarking Assessment.

In response to Mr. Slavin, Mrs. Mitchell explained that by doing this, she hopes to find efficiencies and best practices that will make the City's utility more competitive. She stated that this is a three-pronged approach: the City is doing the Integrated Resource Plan (IRP) for supply, looking at the City's generation assets and whether it is viable to continue using those assets or do a long-term capacity agreement, and looking at the City's rates and efficiencies and how the utility is run.

Mrs. Mitchell reminded members that, during the Council Workshop of January 26, 2018, Mr. Paul Waddell, Engineering Services and System Operations Superintendent, stated that one (1) of his goals was to create performance manuals for the substations. She stated that the City does not currently have such performance manuals and does not have logs of when these substations are maintained. Mrs. Mitchell explained that when staff goes in and oils breakers or changes out switch gears or any of those items, there are no manuals on its substations and there have not been for a long time. She stated that she is looking for an administrator to come in and be able to run the utility the way it should be run, noting that she had explained all of this to staff.

Mr. Slavin asked Mrs. Mitchell what outcome she was hoping to achieve with this and what the City would get for its investment. Responding, Mrs. Mitchell stated that she is hoping to find out where the City can run the utility better with best practices and possibly at a reduced cost to make the City more competitive with the other utilities.

Mr. Slavin, noting that the contract price was \$95,000, asked how long it would take the City to identify and achieve \$95,000 in savings. In response, Mrs. Mitchell stated that she did not think it would take the City long at all to achieve that.

Mr. Hare asked if they were going to come back and say they think the best thing to do is shut the City's plants down or if there were going to be other options. Responding, Mrs. Mitchell stated that she was looking at that herself with The Energy Authority (TEA) because they are looking at long-term capacity deals. She informed members that she is concerned about the risk the City is taking with the plant right now, with the new CP penalties that begin this June. Mrs. Mitchell stated that between the City not being able to get gas, air permit issues, and the risk if something breaks, there could be millions of dollars in penalties if the City gets into similar situations under the new contract that begins in June.

Mr. Sudler stated that he liked the idea of doing the research and concurred with Mrs. Mitchell's effort.

Mr. Neil noted that Mrs. Mitchell had also referred to dealing with the rate structure. He stated that he thought one (1) of members' concerns had been with the City's commercial customers and asked how the City would be able to decrease their rates and whether that would be something that members would receive from this report. In response to Mr. Neil, Mrs. Mitchell advised members that the rate study is on a separate track. She stated that the City's rate consultant was expected to be done during the first part of March. Mrs. Mitchell informed members that, in the City's current model, the allocations of transmission and distribution are about 50% transmission and 50% distribution; however, when looking at the City's system, it is actually about 90/10, with 90% distribution. She explained that the transmission is becoming over-allocated to the commercial customers, which is where she thought some of the problem was. Mrs. Mitchell stated that she thought that if the City corrects this, members will see the residential rates increase and the commercial rates decrease.

Mr. Cole thanked Mrs. Mitchell for the openness that she had shown, meeting with the utility staff, being up front with everything, and all the work that had gone into making this an objective, transparent process.

Mrs. Mitchell stated that she had explained to staff that this is a culture that the City has always had and she did not think that anyone was intentionally doing anything wrong. She noted that staff was agreeable that if the City has any inefficiencies that need to change, they will change. Mrs. Mitchell noted that things might come back and prove her wrong.

Mr. Sudler moved to recommend authorizing the City Manager to enter into a contract with Avant Energy for an Electric Utility Management and Benchmarking Assessment, as recommended by staff. The motion was seconded by Mr. Hare and unanimously carried.

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

Meeting adjourned at 7:09 p.m.

LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE

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

AGENDA ADDITIONS/DELETIONS

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

Proposed Ordinance #2018-01 - Amending Chapter 66 - Manufactured Homes, Mobile Homes, and Land Lease Communities; Appendix B - Zoning, Article 3 - District Regulations, Section 8 - Manufactured Housing (MH) Zone; Appendix B - Zoning, Article 12 - Definitions; and Appendix F - Fees and Fines (Sponsors: Neil and Hugg)

Members were advised that Proposed Ordinance #2018-01 reorganizes and clarifies a portion of the updates to the Dover Code made in August 2016 through Ordinance #2016-16. The proposed ordinance also brings the updates into compliance with provisions of the Delaware Code related to

manufactured housing and rental housing, particularly Title 25, Chapters 53, 55, 70, and 71. The updates affected include requirements for placing and licensing manufactured homes, standards for management and maintenance of land lease communities, taxation, and code enforcement. A distinction is also made between manufactured homes and permanently placed manufactured homes in the Zoning Ordinance.

Mrs. Dawn Melson-Williams, Principal Planner, reviewed Proposed Ordinance #2018-01.

Mr. Neil moved to recommend adoption of Proposed Ordinance #2018-01. The motion was seconded by Mr. Anderson and unanimously carried.

Review of Training, Conference, and Travel Policy

Ms. Lori Peddicord, Controller/Treasurer, reviewed recommended amendments to the Training, Conference, and Travel Policy (**Attachment #2**).

Staff recommended approval of the proposed amendments.

Mr. Neil moved to recommend acceptance of staff's recommendation. The motion was seconded by Mr. Lindell and unanimously carried.

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

Meeting adjourned at 7:19 p.m.

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

Meeting adjourned at 7:19 p.m.

Timothy A. Slavin
Council President

TAS/TM/dd/js

S:\AGENDAS-MINUTES-PACKETS-PRESENTATIONS-ATT&EXH\Committee-Minutes\2018\02-13-2018 CCW Minutes.wpd

Attachments

Attachment #1 - Presentation entitled "Dover/Smyrna Healthy Neighborhoods Initiative"

Attachment #2 - Revised Training, Conference, and Travel Policy

Dover/Smyrna

Healthy Neighborhoods
Initiative

Marianne Carter

David Edgell

Chanda Jackson

The 1st State Ranks 30th in Health!



**Yet we spend the 3rd highest
amount per capita on healthcare!**

State Innovation Model (SIM)

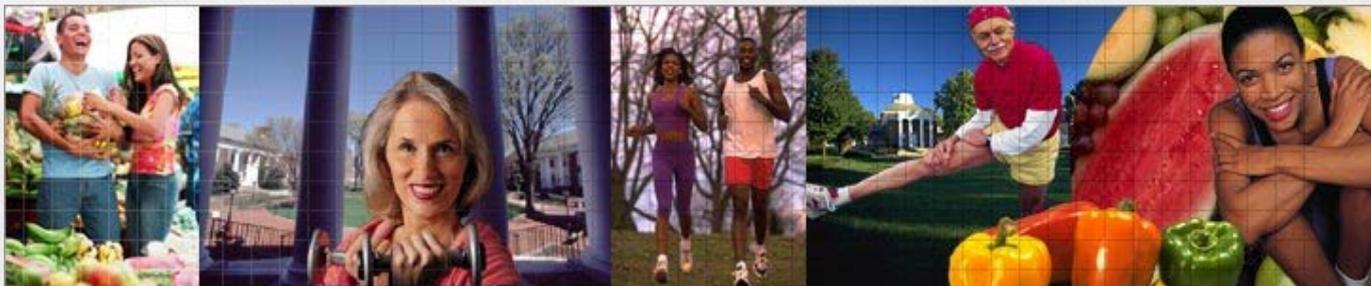
- 4-year Grant (ends 1/19) from CMS
- Goal: transform healthcare in our state and provide high quality healthcare at a lower cost.
- Strive for DE to be in the top 5 healthiest states.
- Part of this grant includes implementing **“Healthy Neighborhoods”** initiatives in all 3 counties.

Dover/Smyrna

Healthy Neighborhoods Initiative

Local Council and 2 Priority Task Forces:

- Behavioral Health
- Healthy Lifestyles/Chronic Disease Prevention



Project Selected
by the Dover/Smyrna
Healthy Lifestyles Task Force

ORFNI
- STREETS -
U LIN
PROJECT



Open Streets Minneapolis

Why Open Streets?

- Extension of Plan4Health
- Opportunity for residents to get moving in a safe environment
- Evidence-based; done in 880 cities
- Good for local businesses

Lead Local Agency/Fiscal Agent



Seeking Additional Partners

“There is always strength in numbers. The more individuals or organizations that you can rally to your cause, the better.”

Mark Shields

Questions??



Contact Information:

Marianne Carter , Delaware State University—
mcarter@desu.edu

David Edgell, Office of State Planning -
David.Edgell@state.de.us

Chanda Jackson, Restoring Central Dover -
cjackson@ncall.org

CITY OF DOVER
TRAINING, CONFERENCE & TRAVEL POLICY

A. INTRODUCTION

1. Purpose

The purpose of this policy is to provide guidelines under which City of Dover employees, public officials, and appointees will be reimbursed for authorized travel expenses incurred in the conduct of business for the City of Dover, hereinafter referred to as "City." In addition to the guidelines, specific procedures with regard to incurring and reporting related expenses are provided.

2. Scope

This policy shall apply to employees of the City of Dover, elected officials, boards, commissions and others, who are engaged in authorized travel and who expend City funds for travel purposes. The Mayor and Members of City Council are not required to submit a Travel Authorization and Completion Form, but are required to follow the financial and budget requirements of this policy.

While this policy does not cover every possible situation, it establishes adequate guidelines for employees and officials to make appropriate and consistent judgments regarding the expenditure of City funds for reimbursable expenses. The City of Dover will provide flexibility to meet the special needs and requirements of their employees during travel.

It remains the responsibility of city management to control and approve travel-related expenditures. The City Manager and Controller/Treasurer may impose more stringent rules when deemed appropriate or necessary.

The City Manager and Controller/Treasurer will review every three years the implementation of this Policy and will provide policy interpretations and assistance to ensure effective and efficient implementation. Any exceptions will be subject to approval by the City Manager and Controller/Treasurer. The City Manager and Controller/Treasurer may also, on a case-by case basis, approve reimbursements exceeding the guideline amounts referenced in this policy. In any such instance, a detailed explanation and substantiation (a receipt) is required. Enforcement of this policy will be the responsibility of the Controller/Treasurer.

3. Responsibility

- a. Employee, Public Official, or Appointee
 - **Traveler should be made aware of and c**omply with all provisions of this policy.
 - Obtain the necessary approvals in advance for overnight travel and out-of-state use of City vehicles. Provide a copy of the approval with the travel prepayment made by direct voucher.
 - All expenses incurred in the course of City business are to be in accordance with the City's Administrative Policies and Rules of Ethics and must be paid solely from appropriated funds.
 - Comply with the ten (10) working-day rule.
- b. Department Director/City Manager/Council Designee
 - Ensure compliance with this policy.
 - Review and approve each of their employees/official's travel approval requests and reimbursable expenses.
 - Ensure sufficient funds are available for all anticipated expenses.

- c. Signatures on the Travel Expense Report (City of Dover Form 030 Exhibit B) certify that the expenses were incurred by the employee/official requesting reimbursement for official City business, are reimbursable in accordance with this policy, and have not been reimbursed except as indicated on this form.

Required signatures for expenses are:

- Employee
- Supervisor
- Department Director or Council Designee

B. TRAINING AND CONFERENCE REGISTRATION FEES

1. Request for payment of registration fees shall be accompanied by the registration form.
2. City Council, Planning Commission and the Mayor are offered opportunities to attend courses designed for governmental officials. Any member of Council wanting to take advantage of these courses offered by the following organizations will submit to the City Clerk's office their request for registration.

- Delaware League of Local Governments
- National League of Cities
- US Conference of Mayors
- International City Managers Association
- Government Finance Officers Association (GFOA)
- American Public Power Association (APPA)
- American Public Works Association (APWA)
- American Planning Association
- Organizations that provide Continuing Education credits for professional license renewals of applicable staff.

Any courses not offered by these organizations will be submitted to the City Manager and Controller/Treasurer for concurrence.

C. TRAVEL AUTHORIZATION

All out-of-state travel that extends beyond one day shall be approved by the City Manager. All requests shall be made on the "Travel Authorization Form" (City of Dover - Form 047 Exhibit A). A copy of the conference or meeting program must be attached to the form. The authorization form must be submitted to the City Manager in a reasonable amount of time prior to the traveling day.

The Department Director or City Manager may impose specific requirements as to the time the authorization form must be submitted prior to travel. Employees and Officials traveling on official City business should be aware that the approval is for travel only, and is not a blanket approval of the expenses incurred.

A travel packet including the authorization form, the meeting program/itinerary, and the purchase orders for advanced costs must be submitted to the Accounts Payable Department. The Purchase Orders for the advanced costs should include the necessary supporting documentation. It does not require the submission of duplicate

information. Please note Purchase Orders for registration costs must include the Registration form unless previously submitted; submission for hotel and airfare costs must include documentation of the individual costs unless previously submitted. **Cancellation and changes to travel should be done in a timely manner to avoid loss of City money. If travel cannot be refunded back to City, an explanation is required.**

D. TRANSPORTATION: COMMON CARRIER

1. General

All trips requiring the use of common carrier must be pre-approved by the appropriate approval authority.

The mode of travel must be justified on the basis of the most economical use of time of the personnel involved, the cost of optional travel modes, and the requirements of the trip.

All common carrier reservations must be consistent with reasonable business travel planning, common carrier will be booked at the lowest available fare. If the lowest available fare is turned down by the traveler, the traveler's explanation for the denial is to be provided with the travel authorization request.

Travelers should be advised to make travel reservations as far in advance as possible to attain the lowest fares, including non-refundable tickets. Travelers may not specify particular airlines or other carriers to accumulate mileage on promotional plans such as frequent flyer programs.

In order to take advantage of special discount rates (supersaver fares, etc.), reimbursement to an employee may be made prior to a trip being taken under the following conditions:

- a. Documentation of the substantial savings that will accrue to the City (e.g., supersaver discounts).
- b. Employee's proof of payment on a statement from the airline, other than credit card receipts.

Most airlines will not give refunds or partial refunds for supersaver airfares.

It is encouraged to examine the advantage of fares requiring early trip departure or delayed return. However, it is important to consider the additional cost of meals and lodging for the required extra day(s) stay when comparing cost.

2. Air Travel

- a. Accommodations - When commercial airlines are used as a mode of travel, accommodations shall be coach/economy class unless some other class accommodations are more economical.
- b. Routing of Travel - All travel will be by the most economical and direct routes.

In the event that a person travels by an indirect route for personal convenience, the extra expense shall be the responsibility of the individual. Reimbursement for expenses shall be based only on the cost of the most economical and direct route.

- c. Conference Airfare Arrangements

When attending a conference, always check conference materials to see if special airline discounts are offered. When a special airline discount rate is offered and conferees are instructed to go

directly to an airline to obtain the discount fare, the employee should compare the conference rates through the internet with all other airline rates available before scheduling airline reservations. The employee should always book the lowest fare possible. (See Section F.3. for Conference Lodging Arrangements).

**City will not pay for, nor reimburse priority boarding, preferred seating, or overweight baggage for personal preference. Detailed explanation and receipt is required. **

3. Rail Travel

- a. Accommodations – When it has been determined that rail travel is the most appropriate mode of transportation, the most economical class accommodations shall be utilized.

E. TRANSPORTATION: PASSENGER VEHICLES

1. City-Owned Vehicles

City-owned vehicles should be utilized for both in-state and out-of-state travel when such use is the most practical and economical mode of transportation, including the cost of tolls, fuel and parking.

2. Use of Privately-Owned Vehicles

- a. The use of privately owned vehicles for any City travel (both in state and out-of-state) should only be used when a City Vehicle is not available. The use of a privately owned vehicle for City travel shall require the prior approval of the City Manager and Department Director. Reimbursement of private vehicle expenses shall be at the Council approved rate as indicated on Exhibit B for actual and necessary miles traveled. Beginning and ending odometer readings are required for the reimbursement for mileage.
- b. In considering approval for use of personal vehicles, the approval authority shall take into consideration the cost of alternative modes of travel and the cost of meals and lodging for the additional travel/transit days. Mileage reimbursements shall not exceed the cost of airfare plus travel to/from the airport.
- c. When two or more employees travel in a privately owned vehicle, only one mileage reimbursement will be allowed at times when one vehicle is sufficient to carry all passengers.

3. Rental Cars

- a. General

The use of a rental car when traveling out of state must be justified as an economical need and not as a matter of personal convenience. Prior approval by the Department Director and City Manager is required before arranging for car rental. All rentals should be at the most economical rate per day including government rates or special rate agreements. When traveling in groups, sharing of cars, when practical, must be done to minimize costs. The city will not pay for the use of a rental car to accommodate family members or non-business associates traveling with the employee, public official, or appointee.

b. Vehicle Size

Whenever possible, compact cars shall be rented or reserved. However, if a larger size vehicle is more economical or more than two city travelers are traveling together the larger vehicle may be appropriate. Any representative of the City requesting an upgrade of the size of a rented vehicle shall provide a written explanation of their reasons to the City Manager. **A receipt is always required.**

c. Insurance

(1) The optional insurance coverage offered by the car rental agency must be declined when the traveler charges the rental car. The traveler will automatically receive primary coverage under the City blanket insurance policy for travel. When insurance is declined, the policy covers collision damage, theft, fire and vandalism. Reimbursements for additional or optional insurance coverage will not be allowed.

(2) Other. Travelers not covered under the blanket insurance policy may be covered by their personal automobile insurance policy or other personal credit cards. Travelers should check their automobile policy and credit card policy for business travel coverage and accept or decline additional coverage accordingly. Reimbursement for additional or optional insurance coverage will not be allowed.

d. Refueling Before Return

To avoid a refueling surcharge, all rental cars shall be refueled before returning the vehicle to the rental company. Any surcharges billed to the employee, public official, appointee, or City shall be explained in the reimbursement request.

e. Reservations

Approved car rental reservations shall be made in advance whenever possible. The employee should compare car rental rates and always look to reserve the lowest rental.

F. PER DIEM EXPENSES

The City uses per diem expenses as set by the U.S. General Services Administration (GSA) for official travel within the United States. M&IE Rates can be found at: <http://www.gsa.gov/perdiem> or [Public Docs\Policies & Procedures\Travel\FY2017_PerDiemRates.xls](#)

GF. LODGING

1. General

City travelers are expected to seek accommodations that are comfortable, convenient, meet business and personal needs and offer good value. Employees are expected to compare local lodging rates in the area prior to reserving lodging.

2. Accommodation

- a. Lodging accommodations for reasonably priced single occupancy rooms are reimbursable when the traveler is away from home overnight due to official travel.
- b. Accommodations shared with family members or others not on official City business are reimbursable at the single occupancy rate only.
- c. Accommodations shared with other City travelers should be billed and reimbursed to one traveler. When required, reimbursements to more than one traveler shall be based on a pro rata share as reported on each reimbursement request.

3. Conference Lodging Arrangements

When hotel rooms are blocked for a conference, seminar, etc., and a special discounted conference hotel rate provided, the employee/official should compare conference rates with the rates for other local hotels within a three (3) block radius of the conference. The employee is urged to reserve hotel accommodations that offer the best value to the City. This includes conference rate, government rate or lower rate, for the employee/official. If a lower rate is not available, the conferees should make their lodging arrangements directly utilizing the conference instructions. Conference lodging will be considered to accommodate persons with special circumstances.

4. Occupancy Tax

The City is exempt from the tax on occupancy of hotel, motel and tourist home rooms within Delaware only. When in-state overnight accommodations are necessary, the employee should be provided with a copy of the Occupancy Tax Exemption Certificate (see Exhibit C) to be presented to the lodging facility. Tax on occupancy of hotels in other states must be paid.

HG.MEAL ALLOWANCES

1. General

The City will pay for or reimburse an employee/official for the necessary and reasonable cost of meals and incidental expenses incurred during out of state travel requiring overnight lodging.

Additional meal costs incurred over and above those provided as part of a conference, **lodging**, or **airfare registration** fee are not reimbursable, unless justified as a special circumstance and approved by the City Manager and Controller/Treasurer (e.g. special meeting or diet restrictions). **Exceptions are to be pre-approved by the City Manager and Controller/Treasurer.**

There will not be any reimbursement for meals when the meals are provided as part of the conference/training or by the host organization and when meals are provided as part of the hotel service and/or airfare.

~~Only per diem rates as prescribed by the Federal Government for official travel will be provided for Meals and Incidental Expenses (M&IE) P:\Policies & Procedures\Travel\FY2018_PerDiemRates.xls~~

If an employee is traveling partial days on any calendar day, the City will prorate the applicable M&IE rate at 75 percent. This applies to both day of departure and day of return. Partial travel days begin when an employee leaves Dover after 12:00 noon on the day of departure and returns to Dover by 5:00 PM on the day of arrival.

When meals are provided at the conference or by the host, the meal allowance will be reduced by 25% for each meal provided. Continental Breakfast provided by the hotel or at the conference is counted as a meal, unless justified as a special circumstance and approved by the City Manager and Controller/Treasurer (e.g. special meeting or diet restrictions).

2. Day Trips, In-state Travel and Before or After Hours

The meal allowance for day trips out of the City will be reimbursed at actual cost, as long as it does not exceed 25% of the normal per diem per the M&IE Allowance. The meal allowance for working before or after hours as a general rule are not encouraged, but may be approved by the City Manager and/or Controller/Treasurer on a case-by-case basis. At no time can the amount exceed the allowances established.

III. CASH ADVANCES

General/Blanket travel advance checks will not be issued to employees, public officials, or appointees. Employees, public officials, and appointees will be reimbursed for specific travel related expenses after the trip or event has been completed.

The City will pay specific travel and lodging costs in advance as long as the request deadlines are met. Employees, public officials, and appointees shall use a City purchase order when requesting travel cost advances. Department Directors should use their City credit card for business travel. Directors may approve the use of their departmental travel credit card when arranging employee travel. Under urgent situations and with prior approval, employees and officials can also use a personal credit card and request reimbursement when they return.

The City will pay in advance the following costs:

Please note: A travel packet including the Travel authorization form, the meeting program/itinerary, and a purchase order for the advanced costs listed below must be submitted to the Accounts Payable Department **no later than 12 days prior to the event.**

- a) **Conference/Training registration fees.** Such payment will be made payable and mailed directly to the organization. This will be done through a purchase order submitted by the department upon receipt of the approved Travel Authorization Form. A copy of the registration form describing the specific event must be attached to the purchase order. The Employee Travel packet must be submitted to Accounts Payable prior to/or along with the purchase order request for advance travel expenses.
- b) **Airfare.** Airfare is normally reserved on-line through the internet and paid with a City credit card after travel approval has been received. (See City Credit Card Policy)
- c) **Lodging.** Upon receipt of the approved Travel Authorization Form, the department may submit a purchase order for lodging. The check will be made payable to the hotel and will be given to the person for whom the lodging arrangements are made. The department must provide supporting

documentation including the daily lodging rates and applicable taxes along with the purchase order. Lodging reservations can be held with the use of a City Credit Card. (See City Credit Card Policy)

- d) **Meal allowance.** An advance for the M&IE Allowance, which includes ~~both~~ meals, **tax and tips and incidental** expenses, will be permitted for meals not provided by the conference, **lodging or airfare or training** as indicated in Section H (1) above. Only per diem rates as prescribed by the Federal Government for official travel will be provided for M&IE Allowance. M&IE Rates can be found at: <http://www.gsa.gov/perdiem> or [Public Docs\Policies & Procedures\Travel\FY2017 PerDiemRates.xls](#)

J. TRAVEL EXPENSE REIMBURSEMENT

1. General

Travel Expense Report (City of Dover Form 30) is due to Accounts Payable within **ten (10) working days** after travel or an expense is incurred (**Ten working-day rule**).

- a. Timely reimbursement can be assured only if an accurate, properly substantiated Travel Expense Report is received **to Accounts Payable ten (10) working days** after completion of the trip.
- b. Failure to submit timely Travel Expense Reports after the completion of a trip will result in administrative action, such as notification to the Department Director and denial of future travel requests.

Travel Expense Reports for local travel and related expenses are to be submitted monthly. **In no case shall a reimbursement be made to an employee for travel/conference/training related expenses incurred in excess of 390 days. Explanation is required if over 30 days and approved by Controller/City Manager.**

Note: This section pertains to only those travel expenses paid by the traveler; not to travel expenses directly billed to/paid by the City.

2. Receipt Requirements and Other Reimbursement Criteria

- a. Tickets booked on common carriers (airline, rail or bus) require original copy of the paid invoice or email confirmation containing total travel costs for arrangements booked on-line.
- b. Hotel/motel bills shall be the original copy of hotel/motel billing marked paid.
- c. Ground transportation, including airport shuttle, taxi or public transit requires a receipt.
- d. Car rental reimbursements require paid invoice from the rental company.
- e. **All M**meals do not require receipts and are not reimbursable above the maximum daily/partial day per meal allowance. **Tax and t**tips are included in the M&IE Allowance and will not be reimbursed separately. When more than one City employee, public official, or appointee's meals are being reimbursed, each employee must submit a separate Travel Expense Reimbursement for their allowance.

f. Hotel/motel related expenses should be documented identifying the date and the cost for each category with the following requirements:

- (1) Out-of-pocket costs for incidental items such as tips, baggage handling and maid service are not individually reimbursable by the City of Dover. Costs included under this category are included in the M&IE per diem rate. Only per diem rates as prescribed by the Federal Government for official travel will be provided for M&IE allowance.
- (2) City-business related telephone calls are reimbursable as incurred and require a receipt from the telephone service provider or included on the hotel/motel billing invoice.

g. Lodging at campgrounds using traveler's camper or recreational vehicle is reimbursable at the actual cost, not to exceed the equivalent cost of hotel/motel lodging. Receipt is required.

h. Other Reimbursement Categories

Reimbursement for the following categories should be submitted on a schedule identifying the date, the cost and the category. All supporting receipts must be attached:

- 1) The City will reimburse employees for hotel and airport self-parking. The City encourages all employees to seek 'economy and budget parking'.
- 2) The City will not reimburse employees for Valet parking, unless prior approval has been granted by the City Manager and Controller.
- 3) The City will reimburse employees the cost of tolls for interstates, turnpike, bridges and/or ferries. All travel expenses require a receipt.
- 4) The City will reimburse employees for necessary airport baggage fee. A receipt is required.

i. Gasoline and/or Other Supplies require a receipt.

Need for emergency repairs incidental to using a City-owned vehicle shall require a Vendor receipt.

j. Department Director pre-approval is required to receive reimbursement for Internet Access Costs for city business. These costs must be substantiated with receipts.

k. While traveling overnight out-of-state, the City will reimburse employees for the cost of up to two (2) personal telephone calls not to exceed \$8 per trip. A receipt is required for reimbursement.

l. Reimbursements for travel expenses incurred without required receipts, as outlined, is strictly prohibited. A "no receipt - no reimbursement" policy applies

3. Non- Reimbursable Expenses

The City shall not reimburse expenses for the following:

- a. Alcoholic beverages.
- b. In-room movies or pay television.
- c. Theater tickets or nightclub entertainment.
- d. Laundry.
- e. Babysitting.

- f. Related expenses of spouse, children and other persons accompanying the authorized employee or official.
- g. Pleasure, historic or other tour related expenses. Expenses for business related tours would be reimbursed.
- h. Donations and gifts made while at training, conference, or meeting.
- i. Loss or damage of personal items.
- j. Meals for other conference attendees.
- k. Purchase of personal items.
- l. Any parking or moving violation fines.
- m. Any personal or pleasure travel while on City business.

KJ. CHARTER AND CODE OF CONDUCT

All City of Dover policies are subject to the City of Dover Charter Part 1, Subpart A, Article II, Section 12 “Compensation and expenses - Mayor and Council and other elected or appointed officials”, whereas, “Members of the council, mayor and other elected or appointed officials shall receive reimbursement for actual and necessary expenses incurred when on official business as prescribed by city ordinance or policy” and; Part II Code of Ordinances Chapter 2, Article 1, Division 4 “Code of Conduct”, which is “applicable to all elected and appointed officials and to all employees of the City of Dover.”

LK. INTERNAL REVENUE CODE - DEFINITION OF PUBLIC OFFICIAL

Generally, if there is any provision in a public law which authorizes the employment of the individual, and the individual is hired or elected under this authority, the individual is considered an employee of the State or political subdivision to which the provision applies.

The following factors indicate that an office is a “public office.”

The office was created by the constitution or through legislation, or by a municipality or other body with authority conferred by the legislature.

The office was delegated a portion of the powers of the government body.

The powers conferred and the duties to be discharged are defined either directly or indirectly law or through legislative authority.

The duties are being performed independently and without control of a superior power other than the law.

The office has some permanency and continuity, and the officer takes an official oath.

Examples of public officers are: the president and vice president, a governor or mayor, the secretary of state, a member of a legislative body, such as a state legislature, county commission, city council, school board, a judge, a justice of the peace, and members of advisory boards and committees.

ML.REVIEW & REVISION

The City of Dover Travel Policy will be reviewed every three years by the City Manager, Controller/Treasurer and City Clerk to provide recommended changes to City Council for approval.

EXHIBITS

- Exhibit A - COD Travel Authorization Form (Form 47)
- Exhibit B - COD Travel Expense Report Form (Form 30)
- Exhibit C - COD Exemption Certificate Form 99A

REVISION RECORD

- Revised: November 24, 2003
- Revised: February 9, 2004
- Revised: July 24, 2006
- Revised: March 23, 2009
- Revised: January 23, 2012
- Revised: February 23, 2015

EXHIBIT A

CITY OF DOVER TRAVEL REQUEST AND ITINERARY							
EMPLOYEE TRAVELING _____						REQUEST DATE _____	
BUSINESS PURPOSE _____							
DEPARTMENT _____				TRAVEL DESTINATION AND DATES _____			
ITEMIZED EXPENSES							
REGISTRATION FEE: _____						ESTIMATED COST:	
MEALS PROVIDED BY CONFERENCE MUST BE DEDUCTED FROM M & IE RATE.							
MODE OF TRAVEL AND COSTS:							
<u>AIRLINE</u>	_____	ONE WAY	_____	ROUND TRIP	_____	_____	0.00
<u>AIRPORT PARKING</u>	_____	PER DAY	_____	TOTAL DAYS	_____	_____	0.00
<u>TRAIN</u>	_____	ONE WAY	_____	ROUND TRIP	_____	_____	0.00
<u>BUS</u>	_____	ONE WAY	_____	ROUND TRIP	_____	_____	0.00
* <u>RENTAL CAR</u>	_____	ONE WAY	_____	ROUND TRIP	_____	_____	0.00
* <u>PERSONAL CAR</u>	_____	TOTAL MILEAGE	_____	0.40 PER MILE	_____	_____	0.00
* <u>TOLLS</u>	_____	ONE WAY	_____	ROUND TRIP	_____	_____	0.00
<u>CITY VEHICLE</u>	_____ " IS ADVISE TO BE USED INSTEAD OF PERSONAL CAR"						
LODGING EXPENSES: BREAKFAST PROVIDED BY HOTEL MUST BE DEDUCTED FROM M & IE RATE							
<u>HOTEL</u>	_____	PER NIGHT	_____	TAXES	_____	NUM OF NIGHTS	0.00
* <u>SHUTTLE</u>	_____	PER TRIP	_____	TAXES	_____	TOTAL TRIP	0.00
* <u>TAXI</u>	_____	PER TRIP	_____	TAXES	_____	TOTAL TRIP	0.00
* <u>PARKING</u>	_____	PER DAY	_____	TAXES	_____	TOTAL DAYS	0.00
MEALS:	<u>M & IE RATE</u> \$ _____						
DATES:	SUN	MON	TUE	WED	THUR	FRI	SAT
TOTAL	0.00	0.00	0.00	0.00	0.00	0.00	0.00
							\$0.00
							TOTAL EXPENSE
EMPLOYEE SIGNATURE _____				DATE _____			
DEPARTMENT HEAD APPROVAL _____				DATE _____			
CITY MANAGER OR COUNCIL DESIGNEE APPROVAL _____				DATE _____			

EXHIBIT B

CITY OF DOVER
TRAVEL EXPENSE REPORT FORM

NAME OF EMPLOYEE

DEPARTMENT

TRIP TAKEN TO (CITY)

PURPOSE OF TRIP

Please attach receipts for hotels, tolls, transportation, etc., and show all costs on this form.

Please use a separate form for each week.

Please note incidental expenses (tips) are included in M & IE Rate.

EXPENSES DATE	MON	TUES	WED	THUR	FRI	SAT	SUN	TOTAL
REGISTRATION FEES								\$ -
TRANSPORTATION - AIR/TRAIN								\$ -
PERSONAL AUTO Miles @ .40 cents a mile								\$ -
AUTO RENTAL								\$ -
PARKING FEES, TOLLS, GAS, ETC.								\$ -
TAXI/BUS FARE/SHUTTLE/BAGGAGE								\$ -
HOTEL/MOTEL								\$ -
TELEPHONE								\$ -
MISCELLANEOUS EXPENSES								\$ -
MEALS (M & IE RATE)								\$ -
MEAL ALLOWANCE OVERTAGE								\$ -
TOTALS	\$ -	\$ -	\$ -	\$0.00	\$0.00	\$ -	\$ -	\$ -

SIGNATURE OF PERSON INCURRING EXPENSE

DATE

TOTAL EXPENSES

\$ -

DEPARTMENT HEAD SIGNATURE
(For Certification)

DATE

LESS PAID BY CITY:

\$ -

FINANCE DEPARTMENT - AUDIT

DATE

REGISTRATION

HOTEL

AIRFARE

FINANCE - FINAL ACTION

DATE

TRAVEL ADVANCE

ACCOUNT NUMBER

DUE EMPLOYEE

DUE CITY

EXHIBIT C

CITY OF DOVER
DEPARTMENT OF FINANCE

EXEMPTION CERTIFICATE
TAX ON OCCUPANCY OF HOTEL AND MOTEL AND TOURIST HOME ROOMS

In accordance with Internal Revenue Code Section 5253(I), no tax shall be imposed under section 4251 upon any payment received for services or facilities furnished to the government of any State, or any political subdivision thereof, or the District of Columbia.

This Part to be Completed by the Operator

Name of Hotel, Motel, or Tourist Home			Fed. EI or SS number
Address	City	State	Zip Code

This Part to be Completed by the Occupant

This is to certify that I, the undersigned, am a representative of the City of Dover, Delaware; that the charges for the occupancy at the above establishment on the dates set forth below has been or will be paid for by the City of Dover, a government unit; and that such charges are incurred in the performance of my official duties as a representative or employee of the governmental unit.

Name (Please type or print)		Signature	
City of Dover	51-6000092		
Governmental Unit	Tax I.D. #	Title	
P.O. Box 475	Dover	DE	19903-0475
Address	City	State	Zip Code

Date(s) of Occupancy _____

If additional information is needed, please contact the City of Dover Finance Director at (302) 736-7018.

NOTE: A separate Exemption Certificate is required for each occupancy and for each representative or employee.

THIS EXEMPTION CERTIFICATE IS TO BE RETAINED BY THE OPERATORS OF HOTELS, MOTELS, AND TOURIST HOMES AS EVIDENCE OF EXEMPT OCCUPANCY.