

REGULAR COUNCIL MEETING

The Regular Council Meeting was held on June 11, 2018 at 7:30 p.m. with Council President Slavin presiding. Council members present were Mr. Anderson, Mr. Sudler, Mr. Neil, Mr. Lewis (arrived at 7:34 p.m.), Mr. Cole, Mr. Polce, Mr. Hare, and Mr. Lindell.

Staff members present were Police Chief Mailey, Ms. Peddicord, Mrs. Mitchell, Mr. Hugg, City Solicitor Rodriguez, and Mrs. McDowell. Mayor Christiansen was also present (departed at 7:52 p.m.).

OPEN FORUM

The Open Forum was held at 7:00 p.m., prior to commencement of the Official Council Meeting. Council President Slavin declared the Open Forum in session and reminded those present that Council was not in official session and could not take formal action.

Mr. Ken Abraham applauded the City for adopting the ANGEL Program, which offers help to those dealing with an opiate addiction, and suggested that the program be advertised and promoted.

Mr. Steven Fuller, 7 Nixon Lane, spoke in opposition to the discontinuation of city trash collection for out-of-city residents.

Mr. Allan Angel, 101 Nixon Lane, spoke in opposition to the discontinuation of city trash collection for out-of-city residents.

The invocation was given by Bishop Thomas L. Holsey, followed by the Pledge of Allegiance.

AGENDA ADDITIONS/DELETIONS

Mayor Christiansen requested that item #2 - Certificate of Recognition and Congratulations - Nicholas H. Rodriguez, be removed from the agenda.

Mr. Sudler moved for approval of the agenda, as amended. The motion was seconded by Mr. Neil and unanimously carried (Lewis absent).

Mrs. Mitchell requested that item #7-B-1 - Sale and Disposition of Excess Real Property, be removed from the Consent Agenda.

Mr. Hare moved for approval of the Consent Agenda, as amended, seconded by Mr. Neil and carried by a unanimous roll call vote (Lewis absent).

ADOPTION OF MINUTES - SPECIAL COUNCIL MEETING OF MAY 14, 2018

The Minutes of the Special Council Meeting of May 14, 2018 were unanimously approved (Lewis absent) by motion of Mr. Hare, seconded by Mr. Neil and bore the written approval of Mayor Christiansen.

ADOPTION OF MINUTES - ANNUAL COUNCIL MEETING OF MAY 14, 2018

The Minutes of the Annual Council Meeting of May 14, 2018 were unanimously approved (Lewis absent) by motion of Mr. Hare, seconded by Mr. Neil and bore the written approval of Mayor Christiansen.

PRESENTATION - RELOCATION OF DOVER POST OFFICE

Mr. Richard Hancock, United States Postal Service (USPS), advised that he was the real estate specialist and new space acquisition project manager for the USPS. He noted that the lease for their current location expires at the end of March 2020 and they were looking to relocate the post office. Mr. Hancock advised that whenever the Postal Service considers relocating a retail post office, they present that concept to the local government, as well as to the public, explain their process, and solicit feedback and suggestions for a new location. He noted that he was the point of communication for the project and the next action step would be to provide the public with at least a 30-day comment period.

Mr. Sudler asked if the USPS had considered Value City as a location, due to accessibility and parking. He also asked what other major challenges they may have in looking for another location. Responding, Mr. Hancock advised that they were familiar with the Value City building and the requirements for the new location would be approximately 23,000 square feet of space, 160 parking spaces, and three (3) and a half acres of property. He stated that their goal was to maintain the retail operation as close as possible to its current location; however, they would consider splitting their operations if they cannot find a property that works for both.

Responding to Mr. Anderson, Mr. Hancock advised that he could be contacted via email at Richard.A.Hancock2@usps.gov or by phone at (336) 665-2848.

Mr. Anderson expressed concerns about rumors of shrinking the footprint for mail delivery and he wished Mr. Hancock well in finding a great location to serve the City of Dover.

Mr. Neil noted that the City is currently looking for space for a garage and asked if either Mayor Christiansen or Mr. David Hugg, Director of Planning and Community Development, were sharing information with Mr. Hancock to help him with locations. Responding, Mr. Hancock stated that they were. Mayor Christiansen advised that they had also been working with the federal delegation to expedite the process.

PUBLIC HEARING - ELECTRIC REVENUE FUND BUDGET

A public hearing on the Electric Revenue Fund Budget is required for compliance with City of Dover Electric Revenue Bonds Resolutions prior to adoption of the budget. Notice of the public hearing was properly advertised for this time and place.

Council President Slavin declared the public hearing open. There being no one present wishing to speak during the public hearing, Council President Slavin declared the public hearing closed.

Council President Slavin noted that the First Reading of the Budget Ordinances would take place during the latter part of the meeting and that the Final Reading and adoption of the Ordinances were scheduled for the Regular Council Meeting of June 25, 2018.

SETTING OF ELECTRIC RATES AND TARIFFS

Mrs. Donna Mitchell, City Manager, reviewed the proposed electric rates and tariffs, noting that implementation of a Purchased Power Adjustment (PPA) Credit of \$.00382 was proposed to begin July 1, 2018, resulting in an estimated reduction to customer charges of \$2.8 million. She stated that the 2018 rate study was updated to improve commercial and industrial rate competitiveness. Mrs. Mitchell advised that New Gen Strategies & Solutions was tasked with re-balancing appropriate allocation of cost recovery while developing regionally competitive electric rates. The study was completed with consideration of the forecasted power supply. Mrs. Mitchell recommended re-visiting the Business Retention Rates upon request, as each entity has different load requirements and should be analyzed on an individual basis.

Mr. Hare moved to adopt the rates and tariffs as presented for Fiscal Year 2019, setting the power cost adjustment to a credit of (\$.00382), and not reinstating the business retention rate that expired on July 1, 2016. The motion was seconded by Mr. Lindell and unanimously carried.

PUBLIC HEARING - RESOLUTION NO. 2018-04 APPROVING ISSUANCE OF CERTAIN BONDS OR NOTES BY ROBBINS HOSE COMPANY NO. 1 OF DOVER, DELAWARE

Members were provided Proposed Resolution No. 2018-04 approving the issuance of certain bonds or notes by Robbins Hose Company No. 1.

Ms. Lori Peddicord, Controller/Treasurer, advised that it would be necessary to revise the Resolution due to additional information that she recently discovered. She noted that one of the most important pieces of information was that, due to the forthcoming electric bond refunding for \$18M, the financing for the fire apparatus would no longer qualify for a bank-qualified debt, which is tax-exempt financing. Ms. Peddicord advised that they had asked the bank to provide them with some non-bank-qualified debt rates, noting that the bank-qualified rate is currently 4.076% and the non-bank-qualified rate is 4.128%. She noted that, although it is not a huge variance, it will require revisions to the Resolution.

Ms. Peddicord advised that the total value to be financed was changed from \$635,291 to \$639,254. Additionally, there could be a change in the terms from a bond or note to general financing because they may be considering a lease purchase agreement.

Ms. Peddicord recommended adoption of Resolution No. 2018-04, noting the necessary revisions.

Responding to Mr. Sudler, Ms. Peddicord advised that the necessary revisions were not included in the packet for Council member's review. Mr. Slavin advised that the revisions were not received in time for the packet and suggested that it would be prudent to defer this item for transparency.

Responding to Mr. Polce, Ms. Peddicord confirmed that the rate difference was a tenth of a percentage point and that the revisions were nominal.

Mr. Neil moved to defer this matter until the next Council meeting. The motion was seconded by Mr. Lindell and carried with Mr. Sudler voting no.

COUNCIL COMMITTEE OF THE WHOLE REPORT - MAY 15, 2018

The Council Committee of the Whole met on May 15, 2018 at 6:01 p.m., with Council President Slavin presiding. Members of Council present were Mr. Sudler, Mr. Neil, Mr. Cole, Mr. Polce, Mr. Hare, and Mr. Lindell. Mr. Anderson, Mr. Lewis, and Mayor Christiansen were absent. Civilian members present for their Committee meetings were Mr. Caldwell and Dr. Warfield (*Parks, Recreation, and Community Enhancement*), and Mr. Shevock and Dr. Stewart (*Legislative, Finance, and Administration*).

PARKS, RECREATION, AND COMMUNITY ENHANCEMENT COMMITTEE

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

Update - Dover Park Master Plan

Mrs. Margery Cyr, Library Director, reminded members that the City had contracted with Whitman, Requardt and Associates, LLP to draft a Master Plan for Dover Park and advised that staff began work with Whitman, Requardt and Associates, LLP on April 10, 2018. She stated that it was agreed that community and neighbor input was critical to the accuracy of any Master Plan; therefore, a three-day charrette was organized to involve the community in the planning process. Mrs. Cyr reviewed a flyer regarding the Dover Park Master Plan May 2018 Events. She noted that the open house, scheduled for Wednesday, May 16, 2018 from 4:00 p.m. until 7:00 p.m., would be held at the Dover Public Library due to the anticipated inclement weather.

Mrs. Cyr advised that, in preparation for the charrette, Whitman, Requardt and Associates, LLP was provided with feasibility studies, public input, and all documentation that had been gathered during recent years relating to options for Dover Park development. She stated that neighbors and community leaders had been interviewed to gather further data, and a WikiMapping survey had been published to allow members of the community to provide online input. Mrs. Cyr noted that the WikiMapping survey would be available online until Tuesday, May 22, 2018.

Mrs. Cyr stated that, in June, the consultants would work with the data collected to create the master plan. She anticipated that staff would begin reviewing the first draft of the Dover Park Master Plan by mid-July, and that the Plan would be complete and ready to bring forward to the Committee by mid-August.

Mr. Neil stated that he looked forward to joining Mrs. Cyr at the Library for the Kick-Off and Open House event. He noted that although he would have to leave early, he had already talked to the representative from Whitman, Requardt and Associates, LLP and made his thoughts known.

LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE

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

Sale and Disposition of Excess Real Property

Mr. Kirby Hudson, Assistant City Manager, reviewed the background and analysis regarding the sale and disposition of nine (9) City owned properties.

Staff recommended the following: 1. Determine that the property is excess property; 2. Authorize the City Manager to convey the excess property in accordance with Chapter 2, Section 2-422 d - Standard Method of Disposition unless requested by the City Council to dispose in accordance with Chapter 2, Section e - Exception to Standard Method of Disposition; and 3. Authorize the City Manager's Office to negotiate a final sale price.

Mr. Sudler asked where exactly the properties on College Road and Slaughter Street were located. Referring to the property at 1502 College Road, he asked specifically where on College Road it was located, for example, near the annex building for Delaware State University or near the intersection. Responding to Mr. Sudler, Mr. Hudson explained that he was going to provide an aerial photo of the properties; however, he did not. Referring to "Exhibit A, City of Dover Properties Proposed for Sale - Summary," he noted that the two (2) properties listed as "land" were uniquely shaped and he considered them landlocked, since there is no real access to the properties except by going across someone else's property. Mr. Hudson indicated that, in these cases, staff would probably contact the adjacent property owner to determine if they would make a deal where they would just take the land, noting that he did not think that these properties would sell.

Mr. Sudler asked who previously owned 715 Slaughter Street. In response, Mr. Hudson stated that since these were all monition sales, he did not have that information, however, he offered to provide it.

Mr. Neil asked whether the National Council on Agricultural Life and Labor Research Fund, Inc. (NCALL) or Habitat for Humanity would be able to build homes on any of these properties at this time. Responding, Mr. Hudson stated that he was hoping that is the case. He reminded members that several of these properties were with R & R Realty and they struggled to sell them. Mr. Hudson recalled that R & R had started with a list of 10 to 12 properties and were successful in selling a few but struggled to sell these. He indicated that staff was asking for the authority to negotiate pricing so that they can approach entities like NCALL to determine if they are interested.

The Committee recommended approval of staff's recommendation, as follows: 1. Determine that the property is excess property; 2. Authorize the City Manager to convey the excess property in accordance with Chapter 2, Section 2-422 d - Standard

Method of Disposition unless requested by the City Council to dispose in accordance with Chapter 2, Section e - Exception to Standard Method of Disposition; and
3. Authorize the City Manager's Office to negotiate a final sale price.

During the Council meeting, Mrs. Donna Mitchell, City Manager, advised that the list of properties that was provided to the Council Committee of the Whole/Legislative, Finance, and Administration Committee on May 15, 2018 contained errors and noted the following corrections:

145 North Ann Avenue was listed as 145 North Ann Street
The land at 237 Rear College Road should have been 237 Rear Mifflin Road
Some of the parcel i.d. numbers were missing zeros

Mrs. Mitchell assured members that the ad for the public hearing would contain the correct property information.

Mr. Hare moved for approval of the Committee's recommendation, as follows: 1. Determine that the property is excess property; 2. Authorize the City Manager to convey the excess property in accordance with Chapter 2, Section 2-422 d - Standard Method of Disposition unless requested by the City Council to dispose in accordance with Chapter 2, Section e - Exception to Standard Method of Disposition; and 3. Authorize the City Manager's Office to negotiate a final sale price. The motion was seconded by Mr. Lewis and unanimously carried.

Mr. Lewis moved for acceptance of the Council Committee of the Whole Report, seconded by Mr. Hare and unanimously carried.

SETTING OF PUBLIC HEARING - SALE AND DISPOSITION OF EXCESS REAL PROPERTY

In accordance with Chapter 2 - Administration, Article V - Finance, Section 2-422 - Sale and Disposition of Real Property, (d) Standard Method of Disposition (2) of the Dover Code, City Council, after receiving a positive recommendation from the Legislative, Finance, and Administration Committee to dispose of a surplus parcel of land, shall, as part of its deliberations publicize the pertinent information concerning the surplus parcel and its availability for purchase to the general public at least once a week for two weeks in a local newspaper and make public, and a part of the record, all written correspondence received and, after the publicizing requirements of subsection (2)(d) are met, hold a public hearing to receive any other citizen input.

Staff recommended setting the public hearing for Monday, July 23, 2018 at 7:30 p.m.

Mr. Sudler moved for approval of Staff's recommendation, seconded by Mr. Neil and unanimously carried.

MONTHLY REPORTS - APRIL 2017

By motion of Mr. Hare, seconded by Mr. Neil, the following monthly reports were accepted by consent agenda:

City Assessor's Report
City Council's Community Enhancement Fund Report
City Manager's Report
City Planner's Report
Controller/Treasurer's Budget Report
Police Chief's Report

SPECIAL ELECTION TO FILL VACANCY - ROBBINS HOSE COMPANY- SECOND ASSISTANT FIRE CHIEF - BENJAMIN SMETANA (TERM TO EXPIRE DECEMBER 31, 2018)

Members were advised that a letter of resignation was received from Second Assistant Chief Glenn D. Whitt. In accordance with the City Code and the By-Laws of the Robbins Hose Company, nominations were held during the June 4, 2018 Regular Monthly Meeting and, due to there being only one nominee, Benjamin Smetana was elected by the Secretary's Ballot to fill the Second Assistant Fire Chief vacancy with a term to expire December 31, 2018.

By consent agenda, Mr. Hare moved for acceptance of the Second Assistant Fire Chief for Robbins Hose Company No. 1, as submitted, with a term to expire December 31, 2018. The motion was seconded by Mr. Neil and carried by a unanimous roll call vote (Lewis absent).

APPOINTMENTS/REAPPOINTMENTS

By Consent Agenda, by motion of Mr. Hare, seconded by Mr. Neil, the following appointments/reappointments were approved by a unanimous roll call vote (Lewis absent):

City Chaplain - One-Year Term to Expire June 2019 - Recommended by Council President Slavin

Bishop Thomas Holsey

Committee of the Whole Subcommittees - One-Year Terms to Expire May 2019

Legislative, Finance and Administration Subcommittee

Recommended by Council President Slavin

William F. Hare - Chair

Daniel T. Shevock

Parks, Recreation, and Community Enhancement Subcommittee

Recommended by Council President Slavin

Roy Sudler, Jr. - Chair

M. Milford Caldwell, Jr.

Safety Advisory and Transportation Subcommittee

Recommended by Council President Slavin

Brian E. Lewis - Chair

Recommended by Committee Chair

William T. Garfinkel

Utility Subcommittee

Recommended by Council President Slavin

Scott W. Cole - Chair

Kathleen Doyle

Recommended by Committee Chair

Margaret A. Scarborough

Construction and Property Maintenance Code Board of Appeals - One-Year Terms to Expire May 2019 - Recommended by Council President Slavin

David L. Anderson
Brian E. Lewis
Fred A. Neil

Dover Housing Authority - Six-Year Term to Expire August 15, 2023 - Recommended by Mayor Christiansen

Robert F. Merritt (to fill the expired term of Cherritta L. Matthews)

Economic Development Committee - One-Year Term to Expire May 2019 - Recommended by Council President Slavin

Clayton E. Hammond II (Minority Voting Member)

General Employee Pension Plan Board - One-Year Term to Expire May 2019 - Recommended by Council President Slavin

David L. Anderson
Brian E. Lewis

Other Post-Employment Benefits (OPEB) Board - One-Year Term to Expire May 2019 - Recommended by Council President Slavin

Scott W. Cole
Matthew J. Lindell

Police Pension Plan - Retirement Committee - Recommended by Council President Slavin

David L. Anderson
Brian E. Lewis

FIRST READING - PROPOSED ORDINANCE #2018-05

Council President Slavin reminded the public that copies of the proposed ordinance were 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. Final action by Council on the proposed ordinances will take place during the Council Meeting of June 25, 2018.

Mrs. Donna Mitchell, City Manager, reviewed the major objectives of the Fiscal Year 2019 budget.

In accordance with Section 1-9 of the Dover Code, Council acknowledged the First Reading of the proposed Ordinance as read by the City Clerk, by title only, as follows:

FISCAL YEAR 2018/2019 CITY OF DOVER BUDGET ORDINANCES

CITY MANAGER'S ANNOUNCEMENTS

Mrs. Donna Mitchell, City Manager, announced that the contractor finished installing the William Street water main, the entire length of the project. The only remaining work on that project was providing services to the homes.

Mrs. Mitchell reminded members that the Firefly Music Festival was being held that weekend.

COUNCIL MEMBERS' ANNOUNCEMENTS

Mr. Sudler announced that there would be a Fourth District Community Meeting for the Woodcrest community on June 20, 2018 from 6:00 p.m. to 8:00 p.m. in the City Hall Council Chambers. He noted that a few of the agenda items would be the update on the exterior infrastructure repairs, sidewalks, and code of appeals. Additional community concerns regarding public safety and the stormwater drainage system, also referred to as retention pond nuisance, would be discussed.

Mr. Anderson thanked Councilman Sudler for his diligence as they worked together on those issues.

Mr. Anderson announced that the Dover Elk's Lodge conditional use permit had been removed from the Planning Commission agenda for June 18, 2018 due to a lack of sufficient public notice. He stated that it was an important change that was of interest to many people in their neighborhoods. Mr. Anderson stated that no changes should occur without the input of the residents from the beginning and he urged the proprietors of the Elk's Lodge to make sure that they have a consensus in the community prior to bringing their application forward. He noted that the Elk's Lodge's non-conforming use status was withdrawn by the City as a result of illegal behavior on the part of the Elk's Lodge.

Mr. Cole, noting that he and Councilman Neil represent many in the Third District, stated that whenever they have concerns, staff members answer questions and resolve issues very quickly. He requested Mrs. Mitchell to thank staff for him and to let them know that he cannot show his appreciation enough.

Mr. Neil, noting that many of the Third District constituents would be would be partially closed off during Firefly, stated that he hoped the influx of people would benefit not only the City of Dover, but the entire State of Delaware. He also thanked the Police Department who would be working very hard to keep them safe during that period of time.

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

Meeting adjourned at 7:58 p.m.

TRACI A. McDOWELL
CITY CLERK

All ordinances, resolutions, motions, and orders adopted by City Council during their Regular Meeting of June 11, 2018, are hereby approved.

ROBIN R. CHRISTIANSEN
MAYOR

/TM