



CITY OF DOVER

ORDINANCE COMMITTEE – MINUTES

Meeting Type: **Ordinance Committee Meeting**
Meeting Location: **City Hall, City Council Conference Room**
Meeting Date: **Monday, December 6, 2021**
Meeting Time: **8:30 a.m.**

1. CALL TO ORDER

Councilor Shanahan called the meeting to order at 8:30 a.m.

Present: Councilor Dennis Shanahan, Councilor Fergus Cullen, Councilor Lindsey Williams, City Attorney Joshua Wyatt, Deputy City Attorney Jennifer Perez, City Clerk Susan Mistretta and Director of Planning and Assistant City Manager Christopher Parker

2. CITIZENS' FORUM - No citizens present for citizens' forum.

3. APPROVAL OF PRIOR MEETING MINUTES –

- November 1, 2021 Meeting - Motion to approve meeting minutes made by Councilor Williams, seconded by Councilor Cullen. Vote unanimous.

Attorney Wyatt noted for the record that some sections of the recording during the prior Ordinance Committee meeting cut out due to malfunction of the recording device, which City staff hope to be able to soon replace with new recording devices. Councilor Williams noted that she saw that note on the minutes and went back into her handwritten notes and said the minutes that were captioned still encompassed a bulk of the time that was missing.

4. DISCUSSION OF WARD BOUNDARIES ORDINANCE

Chris Parker provided an overview of considerations for drafting an ordinance embodying new ward boundaries. These considerations include deciding the percentage deviation from equal population—1% or 5%. Mr. Parker explained two tables and four boundary maps scenarios, along with the likely need for change to Wards One and Six in light of census data showing fewer residents in those areas, with Wards Two and Three having too many residents. Mr. Parker's four scenarios under discussion today are based on 1%.

Susan Mistretta discussed that Wards Three and Five, with possibly Riverside in Ward 6, need to find other locations to hold polling stations. Riverside is a possibility because of the ongoing pandemic and it not being feasible at the rest home.

Councilor Cullen asked what the timing of process would look like and referenced the letter from Senator Jim Gray in the materials for this meeting. Mr. Parker explained there cannot be a new ordinance adopted prior to January 1 because new charter amendments do not go into effect until January 1. The thought was that by the next meeting on December 20th, the Ordinance Committee gives some direction that gives legal time to create an ordinance and then look to have in January on the agenda refer to public hearing, maybe a workshop in the middle, to have this sort of conversation with the new council and the public the alternatives. Mr. Parker also discussed having a public relations campaign because all of the districts will be affected and we need to let people know where their new polling stations would be. The goal would be to have something adopted in January (the State's request is



CITY OF DOVER

ORDINANCE COMMITTEE – MINUTES

Meeting Type: **Ordinance Committee Meeting**
Meeting Location: **City Hall, City Council Conference Room**
Meeting Date: **Monday, December 6, 2021**
Meeting Time: **8:30 a.m.**

December 31 in the Senator Gray letter) and if something is drafted before then, we would let them know the direction we are going in.

Public input was brought up by Councilor Shanahan. Councilor Cullen is comfortable with bringing the draft ordinance directly to Council for consideration and public input. Councilor Williams remarked that, in general, if meetings with public could be scheduled in the evenings, it may be helpful because she has heard morning meetings with the Committee is tough for the general public, and also making any and all materials available online would be helpful as well.

Councilor Cullen noted that there is not much difference of moving 2500 people or 2800 people or 2200 people. He remarked that moving the fewest number of people as possible is not something that needs to be a rock-solid principle.

Councilor Shanahan asked for a consensus of either 1% or 5%. Councilor Cullen stated that “we are only as good as the data we are given”, so going forward with 1% and knowing the data is already out of date to some extent. Councilor Cullen is comfortable going with 1 or 2%, again, knowing the data is only as good as the data was 1 ½ years ago, and he was in favor of the 1% or 2%, but not the 5%. Councilor Shanahan’s perspective is that getting to 1% is better interest for the City coming together on the changes. Councilor Williams agrees that the 1% is the better scenario as well.

Councilor Williams asked that from a legal perspective is having a public polling location in each ward a legitimate consideration in determining ward boundaries. Attorney Wyatt thinks that is a very legitimate concern to avoid last-minute problems with elections. Attorney Wyatt stated that while there are some criteria that cannot be used in determining ward boundaries, this is not one of them.

5. PENDING ORDINANCES

There are two scheduled for the next meeting:

- Chapter 13 – Removing Audio Broadcasting of Council and School Board Orientation
- Chapter 141 – add “Pay by Plate and certain free parking for certain types of special plates.

Councilor Williams mentioned that she spoke with the Mayor and understands the change to the broadcasting requirement is because of logistical problems with broadcasting the off-site portions of the orientation, where the elected officials visit a public site or location. Councilor Williams will defer discussion to the City Council meeting.



CITY OF DOVER

ORDINANCE COMMITTEE – MINUTES

Meeting Type: **Ordinance Committee Meeting**
Meeting Location: **City Hall, City Council Conference Room**
Meeting Date: **Monday, December 6, 2021**
Meeting Time: **8:30 a.m.**

Attorney Wyatt mentioned that forthcoming ordinances may include a proposed change to the City's ordinances governing trash, to better position the City to undertake enforcement to address long-standing problems.

6. GENERAL DISCUSSION

Councilor Cullen asked if the Ordinance Committee has any idea if the committee will remain the same. Councilor Williams maintains that it is at the Mayor's discretion, but that she has no intention of not participating on the committee. Councilor Shanahan said the same applies for himself.

7. AGENDA FOR NEXT MEETING

December 20, 2021 at 8:30 a.m. will be a special meeting, with Chris Parker and Susan Mistretta attending as well.

8. ADJOURN

Councilor Shanahan moved to adjourn; seconded by Councilor Williams. Unanimous.