



CITY OF DOVER

ORDINANCE COMMITTEE – MINUTES

Meeting Type: **Ordinance Committee Meeting**
Meeting Location: **City Hall, City Council Conference Room**
Meeting Date: **Monday, October 2, 2023**
Meeting Time: **8:30 a.m.**

1. CALL TO ORDER/ATTENDANCE

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

2. ATTENDANCE

Present: Deputy Mayor Dennis Shanahan, Councilor Fergus Cullen, Councilor Lindsey Williams, City Attorney Joshua Wyatt, and Deputy City Attorney Jennifer Perez.

3. PUBLIC FORUM

No citizens or members of the public present for public forum.

4. APPROVAL OF PRIOR MEETING MINUTES –

- August 7, 2023

Councilor Williams moved to approve; seconded by Councilor Cullen. Vote unanimous in favor.

5. REVIEW OF PROPOSED OR PENDING ORDINANCES

Attorney Wyatt discussed the following changes:

Chapter 9, Section 1, 15 which is a request to codify the Graffiti Committee and make it a permanent committee. If it does pass, committee members will need to be reappointed if the committee has in fact expired.

Chapter 9, Chapter 16 is a technical change removing the Economic Development Director title (which is an outdated term) and adding language about membership. This should not change the function of DBIDA. This change was requested by the City Manager and Deputy City Manager.

Chapter 141, Sections 13, 15, 23, 27, 37, 42, 43, 46, 48, 51 – Attorney Wyatt discussed the following:

Section 13 – clarification to parking garage spaces and people using the electric vehicle (“EV”) charging spaces with non-EV vehicles which is prohibited.

Section 15 – clarification of McConnell Center parking provisions.

Section 23 – technical change relating to Section 13 and Fee Schedule adding fine of \$100 for unlawful parking in an EV charging space.



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Sections 27, 37 – deletion/change of definition of in vehicle parking meter – no longer used.

Section 42 – additions of new stop signs approved by TAC and Dover Police Dept.

Section 43 – housekeeping change

Section 46 – larger addition in this section codifying traffic signals and not just signs. This does include some signs/signals on highways that are State-owned, but that City maintains.

Section 48 – additions to parking provisions to open up more parking spaces in the City.

Section 51- addition of metered spaces on Chestnut Street.

Fine Schedule – Addition of Violations and Penalties provision and addition of \$100 fine to fine schedule in relation to unlawful parking in an EV charging space.

Chapter 17, Section 15 – these changes were proposed to update certain election officials' pay rates to encourage people to run and fill vacant election roles. The suggested rates were derived from review of other communities' pay rates.

6. FURTHER DISCUSSION OF THE STORMWATER UTILITY ORDINANCE

Deputy City Attorney Perez said there was nothing new, a few minor edits and they are putting together a presentation now. Councilor Cullen asked for a projected future time table. Deputy Mayor Shanahan summarized that a public hearing is scheduled for October 17, 2023; November 8, 2023 is a council workshop; first potential final vote by City Council would be November 15, 2023; and December 13, 2023 as an alternative date for final vote.

Councilor Cullen expressed concern, again, that a “lame duck” council will be voting on the final ordinance.

7. GENERAL DISCUSSION

Councilor Cullen explained a concern brought to him by a citizen over prohibition newly enacted last year restricting all hunting, including archery hunting, at the forested areas within “Sullivan Field and Playground”. Councilor Cullen explained that this resident had maintained a tree stand and requested the City consider allowing archery. Attorney Wyatt said he does not believe the statutory prohibition on discharging firearms in the urban compact would apply to archery and, so, to justify a distinction between firearms and archery would just require a basis that is rational, as this is really just a policy matter. Attorney Wyatt also stated Chief Breault had some concern about high-velocity projectiles, but it was unclear



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if the Chief actually objected to an ordinance change. Councilor Cullen continued, stating that the resident had persuaded him (Councilor Cullen) there is a reasonable distinction between use of firearms and archery. Deputy Mayor Shanahan and Councilor Williams indicated they were not necessarily opposed and would be glad to consider and review a potential change. Councilor Williams stated she would be interested to see any data that exists regarding trail or park usage in this area. Attorney Wyatt will work with Councilor Cullen to bring forward a draft ordinance for review and discussion by the council.

Attorney Wyatt also discussed Chapter 170, in that General Code has estimated it will be able to provide a draft (of the new version to be codified), by end of October 2023. Deputy Mayor Shanahan asked if the Planning Board will be involved at this stage of review and Attorney Wyatt said he would check the ordinance to see.

Deputy Mayor Shanahan revisited the various noise complaint issues (motorcycles, engine brakes, chickens, music, etc.). He stated Attorney Wyatt and staff would be developing a comprehensive, confidential memorandum for the November meeting.

8. BUILD AGENDA FOR NEXT MEETING

Deputy Mayor Shanahan confirmed a placeholder for next Ordinance Committee meeting would be November 6, 2023, 2023 at 8:30 a.m., if needed.

9. ADJOURN

Councilor Williams moved to adjourn - seconded by Councilor Cullen. Vote unanimous in favor.

Meeting adjourned at 9:15 a.m.