

**SPECIAL
LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE**

A Special Legislative, Finance, and Administration Committee meeting was held on March 27, 2012 at 5:00 p.m. with Chairman McGlumphy presiding. Members present were Mr. Anderson (arrived at 5:39 p.m.), Mr. Hare, Dr. Jones (arrived at 5:02 p.m.), and Mr. Shevock. Members of Council present were Mrs. Russell, Mr. Hutchison, Mr. Lynn, and Council President Leary. Mayor Carey was also present.

AGENDA ADDITIONS/DELETIONS

Mr. Hare moved for approval of the agenda, as presented, seconded by Mr. Shevock and unanimously carried.

Consideration of Re-titling and Re-grading - City Clerk and Assistant City Clerk Positions

Members considered a request for the retitling and regrading of positions within the City Clerk's Office. Mrs. Traci McDowell, City Clerk, reviewed information that supported the retitle/regrade of the Assistant City Clerk to a pay grade of 124 at a salary of \$58,571 (current salary \$40,452), with the title Deputy Director of Council Affairs and Constituent Services and the retitle/regrade of the City Clerk's position to a pay grade of 133 at a salary of \$90,864 (current salary \$66,459.92), with the title of Director of Council Affairs and Constituent Services. She assured members that funds were available in the FY12 Budget to implement the requested regrades on May 13, 2012 at the proposed rates.

Chairman McGlumphy noted that several individuals had requested the opportunity to speak on this subject; therefore, he suggested that public testimony be heard prior to the Committee's deliberations.

Mr. Bob Hartman, 35 Lotus Street, questioned the reasons for the submission of the proposal and the City's process in bringing this matter before the Committee. He assured members that it was not his intention to criticize any employee currently serving in these positions, explaining that he felt that the City Clerk and Assistant City Clerk are outstanding employees who work very hard. However, with budget shortfalls threatening the City year after year and the City's financial obligations increasing, Mr. Hartman questioned how management could consider submitting a proposal that would increase annual salaries for any employee by such an "embarrassing" amount. He reminded members that ultimately it would be City taxpayers and fee payers who pay the City's bills, including salaries. He stated that the proposed salary increases were outrageous and urged members to deny the request. Mr. Hartman felt that such proposals should be brought forth for consideration across the organization and that individual requests should not be considered.

Mrs. Ann Marie Townshend, Director of Planning and Community Development and resident at 52 Washington Street, stated that she was hesitant to address members regarding this matter; however, as a staff member who works very closely with the City Clerk's Office, she felt called upon to speak. Mrs. Townshend read the following statement into the record:

"I don't believe I need to sell you on the value of the City Clerk's Office, because you probably know their value better than anyone. Of the City departments and staff, I probably have more interaction and work more closely with the City Clerk's Office"

than anyone in the City. This is why I feel compelled to share my support for their staffing requests. I want to summarize this support into three areas: Expertise, Retention, and Succession.

The City Clerk and her staff are the City's experts on many of the legal requirements and processes within which the City works. This is not to equate them to our legal staff, but they are knowledgeable about the City Code, the City Charter, and the State statutes that affect municipalities. The Clerk is knowledgeable on parliamentary procedure, open meeting requirements, FOIA, record retention, elections, and many other things that are important to the competent management of the City. To summarize, they keep us out of trouble. There are many questions that come up during the course of business, where the best answer we can give in our department is, "Ask the Clerk's Office." They ensure that legal notice requirements are met for code amendments, that matters are referred to the proper committee, and that department staff follow up on requests by Council and Council committees. The amount of training and experience required to ensure that the City Clerk is able to provide the level of expertise expected is overwhelming to think about.

That brings me to my second point, retention. The City Clerk's Office is responsive to the needs of constituents and Council alike. They make sure that the little things don't fall through the cracks. They make sure that packets are prepared in time for delivery, which frequently includes reminders to departments of items they need to submit. They are responsible for ordinance preparation and review of ordinances prepared by department staff. The workload and the demands on the Clerk's Office are a lot, and everything has firm deadlines and legal implications. The staff is committed, so is often here late hours, even when there isn't a meeting, simply because the work needs to get done. This high-stress situation causes burnout, which has made it difficult for the Clerk's Office to retain staff.

In order to avoid burnout, adequate staffing and fair compensation are necessary.

And finally, succession. I hate to think about this, but Traci is eligible for retirement. While I think we all know her commitment to the City, the reality is that she won't be here forever. In order to ensure that there is viable succession when Traci ultimately decides to retire, a job description and title with the appropriate level of compensation is necessary. Adequate staffing to reduce burnout and staff turnover is important to the long-term success of the City."

Mrs. Jody Stein, 522 Woodsedge Road, read the following statement into the record:

"My name is Jody Stein and I have been employed in the Clerk's Office for the past 3½ years. I just wanted to give you an idea of what it is like to work in the Clerk's Office. The Clerk's Office has the potential to be the greatest place in the world to work. You couldn't ask for a more dedicated, hardworking or supportive supervisor or co-workers. The work is interesting, varied, and the days just fly. You deal with

a huge variety of people: senators; council representatives, staff from every department, and of course the public, ranging from irate individuals who just want someone to vent to, to the thankful group that brought me fresh daffodils for performing a minor service this week.

I know that Council and Committee members are familiar with the meeting process but often do not see the work that precedes and follows actions and the different factors involved:

- 1) Preparing for and following up on Council's decisions involves a large number of detailed procedures. We have worked hard to develop written guidelines for some of the processes. [She displayed examples of Alley Abandonment and Elections Procedures and a meeting packet.] We have not had the time to document others and must rely heavily on staff experience. You are familiar with our meeting packets, but may not be aware of the "blood, sweat, and tears" that goes into them.*
- 2) While performing work, there is a constant stream of interruptions, including telephone calls, office visitors, and email.*
- 3) All work is driven by the cyclical preparation and follow up on Council, Committee, and Board meetings, which dominates everything that happens in the Clerk's Office. These are deadlines that must be met while performing the regular duties (FOIA, records, Council's calendar, etc.) and special projects, such as Charter changes that wreak havoc with priorities.*
- 4) There is a huge variety of technology, including Wordperfect, Word, Excel, Quattropro, Adobe, Access, Fortis, and website posting. It takes time to learn these programs, and technology is constantly changing, so additional learning is required. Staff must become and remain well versed in these programs. Training is on the fly and much of the learning is accomplished through making mistakes.*

I recently submitted my resignation. You may be wondering why I would want to leave a job that I enjoy so much.

The problem with working in the Clerk's Office is that the volume of work exceeds what can be done in a 40 hour week. No tasks are optional and many have legal consequences, so we are constantly having to make the choice about which responsibilities will be neglected, and sooner or later that catches up with you. There are frequent regular night meetings and many unscheduled ones that crop up, so it is difficult to plan your home life. Numerous hours of comp time are accumulated and remain unused (particularly with the new policy that limits accumulation to 80 hours). Everything that we do is very detailed and there are constant interruptions; it is very difficult to concentrate on the task at hand. You

constantly worry about what you are forgetting. After a time, the pressure gets to you. You feel that if only you could work smarter or faster you should be able to keep up with it.

During my 3½ years in the Clerk's Office, I saw two very capable and dedicated co-workers leave to accept other positions, in one case for a higher salary, and in another for similar pay for a job that involves very little pressure and no extra hours.

I also witnessed my supervisor working countless hours; providing invaluable procedural and legal advice to Council members, staff, and the public; guiding the City through the development and passage of ordinances and Charter amendments; and preventing significant losses to the City through the wealth of experience she has accumulated, while being compensated at a lower rate than nearly every other department head in the City.

When our staff was cut from four to three, I concluded that my work situation was no longer sustainable. I was fortunate enough to be offered a position with the State. The training and experience that I have accumulated over the last three years with the City of Dover has highly qualified me for position with the Delaware Public Archives that will require me to work 37.5 hours per week at a salary that (within one year) will be comparable to my present salary.

I urge members to give careful consideration to allowing for the staffing needs of the City Clerk's Office."

Mr. Lynn relayed appreciation for the service Mrs. Stein provided to the City.

Mr. Hare noted that, as a neighbor, he spoke with Mrs. Stein regarding her leaving the City's employment and realized that there is a quality of life issue working in the City Clerk's Office. Responding, Mrs. Stein stated that there were two (2) considerations: 1) equitable compensation for the amount of work involved, noting that paid salaries amounted to lower hourly rates due to extra hours worked, and 2) stress due to the reduced staffing in the office that cannot be compensated for.

Dr. McGlumphy also relayed appreciation for the service provided and wished her well in her future endeavors.

Mr. Eugene Ruane, 122 Shadow Court (previously served as a member of Council), stated that the issue is not strictly monetary but also recognition for what the positions are and what they do, and that one way to do this is with money. He reminded members that there has been discussion regarding the upgrading of these positions for a minimum of 10 years and he appreciated that the proposal was finally presented for consideration. He advised members that the Dover City Clerk's Office is considered the number one clerk's office in the State of Delaware. He stated that the current and former City Clerks for the City of Dover have had a reputation for being model City Clerks in the State of Delaware, and he felt that they should be recognized as such. During the 10 years he served as a member of Council, Mr. Ruane stated that there were innumerable times

when a new issue would be presented (such as double taxation) whereby the City Clerk would be required to gather information, conduct research, develop presentations, etc. He noted that the City Clerk's Office serves nine (9) members of Council, all of whom utilize the office for providing information or performing requested work. He explained that the employees of the office are required to have a variety of experience and understanding, as well as a willingness to stick to tasks. In addition, he explained the importance of the confidentiality required of the Office and that a price cannot be put on respecting the Code of Ethics as has been done by the employees of the City Clerk's Office.

Mrs. Traci McDowell, City Clerk, relayed appreciation for the supporting comments and understanding of the concerns stated by Mr. Hartman. She explained that the matter was being presented at this time due to the upcoming budget review process. Mrs. McDowell advised members that each year, prior to the preparation of the budget, the City Manager asks department heads if there are any position regrades and/or retitlings that should be considered. She advised members that this information was prepared last year; however, due to the economy, she decided not to submit the request. Prior to September 2011, she stated that the City Clerk's Office had a full complement of staff, which consisted of four (4) employees. In September 2011, one employee left to work with the Delaware Public Archives and, since the City was in a hiring freeze and she wished to be a "team player," that position has remained vacant. She stated that the amount of work required in the City Clerk's Office is a lot for four (4) employees and too much for the three (3) that have continued to serve, which is why the request was submitted (see next agenda item).

Mrs. McDowell advised member that there was a crisis looming in the Clerk's Office. She noted that the revised job descriptions detail the unique nature of the work and the stresses associated with the office. Mrs. McDowell stated that the only way the work can be accomplished is by having a dedicated and experienced staff to protect the City's interests and that longevity of staff is very important. She indicated that employee retention has been an ongoing program in the Clerk's Office due to the workload and stress.

Mrs. McDowell noted that she began working in the Clerk's Office in 1998 and made a promise at that time to ultimately assume the City Clerk position, although that was not her desire due to the workload and stress involved. She explained that it was her goal to put a full staff in place prior to retiring; however, the recent loss of one staff member in September 2011 and the resignation of Mrs. Stein were presenting challenges to this goal. Mrs. McDowell stated that she did not wish to minimize the contributions of other City employees, noting that the City has a "great team of hardworking, dedicated people." However, she advised members that she felt it was inequitable that identical job descriptions and qualifications are applied to all Administrative Assistant positions in the City and that this position in the Clerk's Office is the lowest paid of all the Administrative Assistants, in spite of the long hours and stressful conditions involved.

Mrs. McDowell noted that some of the employees who have transitioned out of the Clerk's Office have made lateral moves to reduce the pressure; others have been promoted within the City to jobs that may not be quite as stressful or require the number of hours. She advised members that 14 individuals have transitioned through the Clerk's office since 1994.

Mr. Lynn explained his concerns regarding the potential for litigation issues. He advised members that, although he has been to law school and performs legal research, he has had to call on the City Clerk on several occasions regarding legal issues and he received accurate information from her. He felt it was extremely important for the City to have staff with this type of knowledge. In addition, Mr. Lynn relayed concerns regarding the succession planning issue and requested a commitment from the City Clerk to remain with the City beyond the eligible date of retirement. Responding, Mrs. McDowell stated that her plan is not to retire, explaining that she could not leave until the City and, more particularly, the City Clerk's Office, is in much better condition.

Council President Leary advised members of a recent incident whereby a City board attempted to move a published meeting to an alternate location, which would have been a violation of the Freedom of Information Act (FOIA). He explained that, due to the knowledge and response of the City Clerk, the meeting location remained as published and the FOIA violation was avoided. It was his opinion that the vacant positions in the City Clerk's Office should be filled and he felt that no organization could be expected to continue with such a lack of manpower.

Mr. Hare indicated that he was aware of the City Clerk working on weekends on several occasions and was advised that, due to the numerous interruptions through the week, she could accomplish much more when the office is closed. He noted that, following a recent surgery, Mrs. Stein brought work to his home after work hours. Mr. Hare stated that members of Council, as well as the City, could not function without the City Clerk's Office. It was his opinion that it was time to take action and approve the retitling and regrading of the positions within the City Clerk's Office.

Mrs. Russell stated her support of the request and commended Mrs. McDowell and her staff for their dedication and professionalism.

Referring to comments made by Mr. Hartman, Mr. Lynn stated that the increase in salaries would be justified if members applied a cost-benefit analysis, explaining that the increase in salaries is a small sum of money compared to the legal fees and court costs that would be engendered if the City did not have the experience that is currently in the City Clerk's Office. Not providing proper notices, violations of FOIA, etc., all have financial consequences, both in terms of hiring legal staff and potential damages. He felt that the requested salary increases was a meager sum of money to avoid such legal issues. Mr. Lynn advised members that Mrs. McDowell has demonstrated the ability to assist the City in avoiding those types of problems. As a result, he urged members to approve the retitling and regrading of the City Clerk and Assistant City Clerk and also approve the hiring of the two (2) vacant positions (see next agenda item).

Responding to Mr. Shevock, Mrs. McDowell confirmed that City Charter authorizes the position of City Clerk and that it has been her observation that some municipalities use the title "City Clerk" along with a different title.

Dr. Jones relayed appreciation to the employees of the City Clerk's Office for their efficiency and professionalism. Responding to the question regarding the crisis situation facing the Clerk's Office, Mrs. McDowell stated that the crisis was created both by the need to retitle and regrade the positions and the need to fill the vacant positions. She indicated that extremely qualified, compatible

individuals can be hired to fill the vacant Administrative Assistant positions; however, if there is no differentiation in compensation, frustration results. She stated her feeling that these positions in the City Clerk's Office are not properly titled, explaining that any member of Council, staff, or the public can call the office with a question regarding the Dover Code, Delaware Law, etc., and any employee of the office can respond; they do not have to depend upon the City Clerk.

Responding to Dr. Jones, Mrs. McDowell stated that the most recent pay raises provided to the employees of the City Clerk's Office was in July 2010 and that the percentage was consistent with what was provided to all non-bargaining employees.

Mr. Hutchison relayed his appreciation for the work provided by the City Clerk's Office. Having almost 40 years of experience working with the office, he indicated an understanding of the value of the Clerk's Office. He felt that no other department in the City is regularly required to "change gears" several times during the course of a day.

Mr. Anderson noted that the City Clerk's Office has experienced evolution, explaining that it once served as a clerical office and now serves as a complex, administrative office, handling a host of specialized functions; however, the salaries have not changed to reflect the change in responsibilities. It was his feeling that the City Clerk's Office employees have been underpaid for several years and he relayed support for the request, with the possibility of phasing in the changes over the next couple of years.

Mr. Hare moved to recommend approval of the retitling and regrading of the City Clerk and Assistant City Clerk positions, as recommended by staff, seconded by Mr. Shevock and carried by a roll call vote of four (4) yes and one (1) no (Dr. McGlumphy).

Dr. McGlumphy explained his opposition to the request was due to it being excessive and his belief that the Pay for Performance evaluation process is severely flawed. He noted that the Salary and Benefits Compensation Comparison Committee would present its findings in the near future regarding this issue. Although he supported filling the vacant positions, he stated that the retitling and regrading would cause other departments to submit similar requests.

Responding to Dr. Jones, Mr. Koenig stated that when the Management Advisory Group (MAG) study was conducted, a desk audit approach was not taken; however, it has been mentioned by several members of Council in the past. He stated that concerns regarding inequities are raging and will continue. He agreed that the City should conduct desk audits.

In response to Dr. McGlumphy, Mr. Hare advised members that he has performed many desk audits and explained that it is not necessary for an outside firm to perform the work and that it could be accomplished internally.

Review and Recommendation - Filling Critical Positions

During their Regular Meeting of January 23, 2012, City Council approved an amendment to the process for filling critical positions, which was approved by City Council on August 22, 2011, to specify that if a position becomes vacant that will affect public or employee safety or cause financial

harm to the City, Permission to Recruit, Hiring Justification Outline, and Wage and Benefit Information for Employee Hiring and Transfers forms shall be submitted to the Legislative, Finance, and Administrative Committee, and that such requests would be forwarded to the City Manager and Controller/Treasurer for their review and recommendation prior to the Committee's consideration.

Administrative Assistants (2) - City Clerk's Office (This Request Includes Re-titling and Re-grading of the Positions)

Mrs. Traci McDowell, City Clerk, reviewed a request to fill two (2) vacant Administrative Assistant positions within the City Clerk's Office. She reviewed documentation provided to members which outlined the request to re-title, re-grade, and fill two (2) vacant or soon to be vacant positions within the department and to hire one (1) temporary, full-time position to assist the department until the vacant positions are filled. Due to department vacancies in the current fiscal year, she assured members that funds were available to hire the requested positions at the proposed rate. In addition, she stated that the FY 2013 budget should be able to accommodate the level of staffing as a result of vacancies throughout the organization.

With regard to the request to hire a temporary employee, Mrs. McDowell advised members that there is a retiree who would be interested and has served in the office during previous occasions on a temporary basis; therefore, due to her familiarity with the City's departments and functions of the office, it would not be necessary to train or familiarize this individual.

Mrs. McDowell explained that the positions being requested were critical to the function of the City Clerk's Office and must be filled. The estimated FY 2012 budget impact of the upgrades would \$17,142.67, which she stated was available in the City Clerk's Office budget. She indicated that the recommendation was being made to address the Clerk's Office employee retention issue and her belief that the requested re-titling, re-grading, and recruitment was in the best interests of the department and the City of Dover.

Staff requested approval to fill the two (2) Administrative Assistant positions to include the re-titling to "Assistant to the Director of Council Affairs and Constituent Services" and re-grading from 112 to 118, and the hiring of a temporary Administrative Assistant at a pay grade of 112.

In response to Dr. Jones, Mrs. McDowell stated that the temporary position would serve until the two (2) permanent employees were hired. Dr. Jones suggested that in-house candidates be considered for filling the vacancies. Responding, Mrs. McDowell stated that due to current employees' knowledge of the work required in the office, rarely are there in-house applicants; however, she assured members that consideration would be given to any current employee who applies for a position in the office.

Mr. Anderson encouraged the City Clerk to consider the lack of diversity that exists in City employment.

Mr. Shevock moved to recommend approval of the request to fill the two (2) Administrative Assistant positions, with the re-titling and re-grading of the positions, and the hiring of a temporary Administrative Assistant, as recommended by staff. The motion was seconded by Mr. Anderson and carried by a roll call vote of four (4) yes and one (1) no (Dr. McGlumphy).

Dr. McGlumphy explained his opposition was not to filling the critical positions but rather the retitling and re-grading of the positions due to his belief that the Pay for Performance (PFP) evaluation process is severely flawed.

Mr. Hare relayed his concurrence with Dr. McGlumphy with regard to the job descriptions for the City and the PFP; however, he explained that his support for the request was based on the amount of work, time, expertise, etc., that is required of the positions in the City Clerk's Office.

Mr. Anderson agreed that the current system, although a good concept, was fatally flawed and broken.

Payroll Specialist - Finance Department

Mrs. Donna Mitchell, Controller/Treasurer, reviewed a request to fill a Payroll Specialist position within the Finance Department. She explained that the department has struggled to maintain focus on deadlines and matters that impact the financial well-being of the City during the past fiscal year. The vacancy is the result of the extended military deployment of Mr. Turhan Jordan.

Mrs. Mitchell stated that the vacancy has resulted in certain staff members working as many as 10 to 12-hour days and weekends and that several employees are experiencing health and family issues. She reminded members that the vacancy resulted in a request for two (2) extensions for the City's annual audit. She noted that the total cost of the position for annual wages and benefits is estimated at \$60,571.

Responding to Mr. Shevock, Mrs. Mitchell stated that Mr. Jordan has not been able to provide an estimated date of return and that his absence has exceeded the extended military deployment timeframe. She assured members that the Human Resources Director and City Manager are aware of the military leave procedure and that, upon his return, the City would be required to offer Mr. Jordan a comparable position within the organization.

Council President Leary noted that the employees in the Finance Department have also been required to put in extra hours, including weekends, to get the job done and that there are critical financial issues involved.

In response to Dr. McGlumphy, Mrs. Mitchell stated that there was no change in the pay grade for the Payroll Special position; however, she included a revised job description to include experience in the ADP system. In addition, she stated that qualifications for the position previously included only preference for Associate's degree and that the revised job description now requires the individual to have accounting knowledge.

Mr. Hare moved to recommend approval of the request to fill the position of Payroll Specialist in the Finance Department, as recommended by staff. The motion was seconded by Mr. Shevock and carried by a unanimous roll call vote.

Inspector I - Planning and Community Development

Mrs. Ann Marie Townsend, Director of Planning and Community Development, reviewed the request to fill an Inspector I position in the Code Enforcement Division of the Planning and Community Development Department. She explained that the vacancy is the result of the recent resignation of Mr. Ed Graves.

Mrs. Townshend stated that leaving the position vacant would hamper the City's ability to move forward to resolve problem property cases, follow up on vacant buildings, proceed with the demolition of dangerous buildings, and provide support to other City divisions and departments in offering services to maintain and improve the quality of life in Dover. This would also make it harder to respond to citizen complaints in a timely manner and resolve the violations that are generating complaints.

Mr. Hare moved to recommend approval of the request to fill the position of Inspector I in the Code Enforcement Division of the Planning and Community Development Department, as recommended by staff. The motion was seconded by Mr. Shevock and carried by a roll call vote of four (4) yes and one (1) no (Mr. Anderson).

Library Clerk I (4) - Dover Public Library

Members were provided a request for permission to recruit for four (4) part-time Library Clerk I positions. Dr. McGlumphy noted the receipt of correspondence, as follows: 1) Bob and Beverly Bresnahan; 2) Judi Leaming; and 3) N.C. Vasuki (*Attachment #1*).

Mr. Scott Koenig, City Manager, reviewed the request of Ms. Margie Cyr, Library Director, to hire four (4) permanent, part-time Library Clerk I positions, designated at 18 hours per week, for the Dover Public Library. He explained that the request was the result of a need at the current Library that has been present since the beginning of the budget year. Members were advised that in December 2011, due to staffing levels, operating hours were reduced from 68 hours per week to 63 hours per week. Since then, there has continued to be a reduction in staffing levels at the Dover Public Library. Mr. Koenig stated that staff recently received another resignation from a part-time employee, which created the Library's eighth vacancy. As a result, he submitted a recommendation, via a memo to City Council, to further reduce the scheduled hours of the Library from 63 hours to 59 hours per week and close the facility on Sundays. Subsequently, Mr. Lynn contacted him and inquired if an alternative action could be taken. Responding, Mr. Koenig stated his intention to discuss the Library vacancies at the Council Retreat, which occurred on March 26, 2012. He stated that his intent is to submit a request to Council to fill those vacant positions that are in the budget for the Library before the opening of the new building. Mr. Koenig stated that in next year's budget, it was anticipated that the library staff would expand to include a part-time librarian and a custodial position. During the Budget presentation at the Council Retreat, this request was not submitted. Instead, Mr. Koenig recommended opening the new Library with the existing staff complement authorized in the budget and then analyzing the Library's ability to deliver service.

Mr. Koenig explained his long-range plan to expand the hours of the existing temporary employees to cover system operations for the new Library and then conduct a service audit to determine if those positions that were originally identified for future budgets were necessary to maintain a high level of service at the Library. He stated that the short-range plan is to hire four (4) Library I positions, maintain the reduced schedule at the Library, and have staff focus on the closing of the old Library and the opening of the new Library, which is scheduled for September 2012. Mr. Koenig noted that the four (4) Library I positions would earn an hourly was of \$12.65, which equates to approximately \$228 per week, per person. He felt that this was a minimal expense to maintain the current level of service and prepare for moving into a new facility.

Referring to the previous request for filling the Inspection I position in the Planning and Community Development Department, Mr. Anderson explained his opposing vote was not due to his opposition to fulfilling the request but rather due to the requirement to consider filling positions that are critical to the safety, financial well-being, or legal liability of the City. He questioned how this request fell into the required criteria for approval of such requests. Responding, Mr. Koenig indicated that the request was being submitted in an effort to maintain the current level of public service. However, he reminded members that the new library has a \$10M commitment from the State for financing; therefore, it was his opinion that the City has a commitment to adequately staff the new facility.

Responding to Mr. Lynn, Mr. Koenig explained that the request for the four (4) Library I positions was the "first wave," referred to as Tier I during the City Council Retreat, and that the Tier II request will include several utility-related positions he intends to present to the Committee during their second meeting in April. He stated that there may be a change in the pay rate of Page positions, which represents three (3) of the four (4) additional openings. The remaining positions are slated as a Tier III request and will be presented for consideration in late May/early June in order to have staff in place prior to the opening of the new Library. He stated that if he knew that the hiring freeze would be lifted effective July 1, 2012, it would not be necessary to submit these requests for consideration.

At the request of Mr. Lynn regarding the plan to fill the remaining vacancies, Mr. Koenig stated that one of the positions was related to custodial services. Rather than filling a new position, it was planned to utilize existing custodial employees to accommodate the new Library as well as the City Hall complex.

Mr. Koenig advised members of concerns relayed by the Governor's Office regarding recent newspaper articles that mentioned the reduction of hours of operation at the existing Library and their expectation that the new Library would open at a service level that is respectful of the current level of service and mindful of new services that will be offered at the new Library. In regard to the actual level of staff that will be required at the new Library, Mr. Koenig stated the need to evaluate how that building will actually be funded before determining definitively whether another librarian or additional part-time employees are necessary, if the hours of part-time staff should be expanded, etc. He stated that a facility audit will be conducted to determine if service is being met at a level that Council and the patrons expect.

Mr. Hare moved to recommend approval of the request to fill the four (4) Library Clerk I positions for the Dover Public Library, as recommended by staff. The motion was seconded by Mr. Anderson and carried by a unanimous roll call vote.

Assignment of Emergency Management Coordinator Responsibilities

Mr. Scott Koenig, City Manager, advised members that the lack of an Emergency Management Coordinator (EMC) was recently discussed at the Safety Advisory and Transportation Committee Meeting. He provided members with a history of the EMC, noting that over the past ten (10) years, the duties of EMC have been executed by various positions and departments throughout City government. These departments include the former Community Services Department, the Police Department and, most recently, the Public Services Department. After September 11, 2001, federal and state emergency management requirements became more complex, including requiring and tracking National Incident Management System (NIMS) training and having a NIMS compliant Emergency Management Plan. These complexities caused a need for a full-time Emergency Management Coordinator. The City's first EMC, Mr. Wayne Hutchison, was promoted from an Inspector position in the Fire Marshall's Office on June 2, 2008, and he retired on December 23, 2010. His final salary and benefit load was roughly \$75,566 (\$53,216 + \$22,350). Mr. Hutchison performed an admirable job and completely rewrote the City's Emergency Management Plan, created an emergency call center, developed notification protocols, equipped an EMC trailer, and applied for Homeland Security grants. In addition, Mr. Hutchison was assigned safety-related duties such as the routine inspection of Silver Lake Dam and providing safety training for various City employees. Due to the economic environment at the time of Mr. Hutchison's announced retirement, staff elected to not fill the position at that time. The duties of the position were divided among various staff members including the Public Services Manager, the Public Affairs Coordinator, and the City Manager.

Mr. Koenig advised members that Ms. Kay Dietz-Sass, who currently serves as the City's Public Affairs Coordinator, has been a key member of the City's Emergency Management Team. He stated that, after considerable thought, he felt the best option for continuing the City's Emergency Management efforts was to request permission from City Council to assign the EMC responsibilities to Ms. Dietz-Sass on a permanent basis. Ms. Dietz-Sass has degrees in Business Management, General Business, and Marketing. In addition, he stated that she has completed the entire Professional Development Series for Emergency Management as well as successfully completing the Advanced Public Information Officer course through the Federal Emergency Management Agency (FEMA). He provided members with a list of completed courses through the U.S. Department of Homeland Security, FEMA, and the Delaware Emergency Management Agency (DEMA). Mr. Koenig noted that Ms. Dietz-Sass worked closely with Mr. Hutchison on various emergency procedures for the City and has proven to be a well-organized, decisive, and a dedicated individual in several emergency situations. She played a key role in opening a shelter for 126 fire victims when Dover experienced its largest apartment fire in many years. She has also worked closely with the NASCAR events, attended meetings for the implementation of the Dover Downs Joint Operations Center, and handled weather and emergency notifications and bridge calls with the

State of Delaware, DEMA, the National Weather Service, and more. In addition, Ms. Dietz-Sass was the primary point of contact for the City's most recent FEMA reimbursements related to a hurricane in 2011.

As a result of an organizational assessment of this function, Mr. Koenig stated his opinion that it would be in the best interest of the City to permanently assign the duties of the EMC position to the City's Public Affairs Coordinator. If this request were approved, he explained that Ms. Dietz-Sass would have the dual title of Public Affairs Coordinator/Emergency Management Coordinator. He noted that staff conducted a preliminary analysis of the combined position using the Point Factor Analysis (PFA) system. The preliminary review yielded a grade of 129 for the position with a salary range of \$62,784 (minimum) - \$76,010 (market) - \$98,701 (maximum). If authorized, staff would finalize the analysis, confirm a pay rate, and inform members of Council of the final results of the analysis.

Staff recommended authorization to permanently assign the duties of the Emergency Management Coordinator position to Ms. Kay Dietz-Sass. The proposal salary would be based on a final analysis of the position using the PFA system with a preliminary grade of 129 for the dual-titled position.

Responding to Dr. Jones, Mr. Koenig stated the need to complete the analysis and required paperwork; therefore, he anticipated an effective date of the first of May.

In response to Mr. Hare, Mr. Koenig stated that Mr. Hutchison's final salary was \$53,216.

Dr. McGlumphy suggested that the Committee defer taking action to allow staff the opportunity to prepare the necessary paperwork for a title and grade change.

Mr. Koenig stated that he would not be present at the April 9, 2012 Committee Meeting; however, he requested the opportunity to submit a recommendation for consideration during that meeting.

Responding to Mr. Anderson, Mr. Koenig stated that recent action authorized City Hall to be designated as the Emergency Operations Center for the City and that the Police Department serve as a backup location.

Mayor Carey requested the opportunity to provide information regarding this matter. It was suggested that he discuss the recommendation with the City Manager prior to providing members this information.

Mr. Anderson moved to recommend postponing action regarding the assignment of Emergency Management Coordinator responsibilities until the Legislative, Finance, and Administration Committee Meeting scheduled for April 9, 2012. The motion was seconded by Mr. Hare and unanimously carried.

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

Meeting Adjourned at 6:59 P.M.

William P. McGlumphy
Chairman

WPM/DD/jg/js/tm

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Attachment to Original

Attachment #1 - Correspondence - Filling of Library Clerk I Positions

McDowell, Traci

From: Bob and Bev Bresnahan <rbres2@comcast.net>
Sent: Sunday, March 25, 2012 11:11 PM
To: Hutchison, James L.; Williams, Beverly C.
Cc: tmcdowell-bcw; Cyr, Margery
Subject: Dover Public Library Staffing

As you are aware, the present staffing at the library is in a precarious state. Authorization by the City Council to fill vacant positions needs your support to prevent even further cutback in hours that the library will remain open to serve its constituents.

We request your support for authorization to fill positions recently vacated due to staff resignations. Reducing library operating hours any further is unacceptable.

Bob and Beverly Bresnahan
14 Muirfield Court
Dover DE 19904
302.736.0213

McDowell, Traci

From: judi leaming <leamingjudi@gmail.com>
Sent: Sunday, March 25, 2012 2:43 PM
To: Anderson, David; Hutchison, James L.; McGlumphy, William; Bonar, David L; Hare, Bill; Lynn, Sean M.; Bev444@comcast.net
Cc: Cyr, Margery; McDowell, Traci
Subject: Funding for vacant library positions

518 Pennsylvania Avenue – Dover, Delaware

March 25, 2012

I am unable to be physically present at Tuesday's Legislative and Finance Committee Hearing but I want to express to you my deep concerns about the sub-standard staffing issues at The Dover Public Library. The failure to allow vacant positions to be filled has resulted in a vastly overworked staff as well as a cut in the hours that the Library is open. This, of course, means less service to the public.

IF you take the time to visit the library, you will note the diversity and number of our citizens that rely on the Library as their source for information gathering. Many of these patrons have nowhere else to go for both books and computer access.

The public has shown their support for the library by their overwhelming support of the current building project and yet Council appears to have responded negatively by not allowing staffing to continue at its prescribed level at a time when the staff is already overworked in preparation for evaluating and preparing the present collection for a move into the new building.

I sincerely hope that you will restore the funding that will allow for the current vacancies to be filled and that you as an individual will take the time to become personally acquainted with our library which serves as a valuable resource for so many of our Dover citizens.

Sincerely,

Judi Forney Leaming

McDowell, Traci

From: chokkanna@comcast.net
Sent: Monday, March 26, 2012 11:42 PM
To: thomasjleary@yahoo.com
Cc: McDowell, Traci
Subject: Dover Budget issues

Mr. Thomas J Leary
President, Dover City Council
27 Shinnecock Road
Dover DE 19904

Dear Council President Thomas Leary:

As Councilors of the City you are one of the Board of Directors of the "Dover Public Corporation" - a body politic established by the Delaware General Assembly. As a Board, you have the fiduciary responsibility to assure high quality services to the residents of Dover in return for the taxes and user fees levied.

We built our first house in Dover in 1970 because the City offered high quality utility and public safety protection services in addition to being a clean, friendly, attractive small city. Over the decades we have dutifully and promptly paid City taxes and user fees to pay for those services. In return the City has provided very good and reliable service to its residents and businesses.

We realize that unpredictable external pressures have created revenue shortfalls in the City budget and recognize that you are collectively trying to resolve both short term and long term budget problems. One method the City Council has pursued is to institute across the board budget cuts and placing a freeze on hiring even replacement staff. In the short term this policy could show some financial savings. But the remaining staff is pushed to its limits while trying to maintain service quality. This cannot last long.

For example: the Dover public library staffing level has reached a critical stage. Nine (9) persons out of a total of twenty five (25) have resigned and moved on – a 36 % reduction. If the City Council refuses to fill the positions in order to show budget savings, it is heading for a disaster. It is our understanding that these nine positions are part time (18 hours/week) and there are no fringe benefits paid.

Despite this extreme situation, the remaining library staff members have cheerfully continued to provide good service to children, students and the public. Decimation of staffing has resulted in cutting library hours and services.

We respectfully request you to authorize filling those part time vacancies

Having paid property taxes and user fees we have the right to demand high quality services. If the City is unable to do that, then the taxes and user fees should be reduced proportionately.

If that option is not acceptable you should at least inform the tax payers and residents that taxes and user fees must be increased to cover the revenue shortfall.

It is also our understanding that the City receives sufficient revenues to fund the current approved budget (and hence services). Apparently, the City Council's quandary is the required payments to the City employees' pension and health insurance fund. Over the decades, prior City Councils have overlooked this financial pitfall. If timely attention had been paid, the current City Council would not be in this predicament. Most cities seem to have this problem and Dover is not unique in this respect.

Please be upfront with the public and do let us know if we have to pay more to receive good quality services. Doing nothing and reducing service quality is not an acceptable option.

The table given below shows how much each person paid in FY 2011 for Dover City services

DOVER BUDGET FY 2011				
ITEM	ACCOUNT	BUDGET AMOUNT	PROPERTY TAX ALLOCATION	COST PER PERSON PER MONTH
1	FIRE	709,862	709,862	1.60
2	GROUNDS	1,055,557	1,055,557	2.38
3	LIBRARY	1,126,227	1,126,227	2.54
4	RECREATION	778,469	778,469	1.75
5	LIFE SAFETY	501,835	501,835	1.13
6	CODE ENFORCEMENT	276,481	276,481	0.62
7	PLANNING	423,193	423,193	0.95
8	INSPECTION	423,193	423,193	0.95
9	ECONOMIC DEV.	247,488	247,488	0.56
10	POLICE	12,458,373	12,458,373	28.06
11	POLICE EXTRA DUTY	449,516	449,516	1.01
12	STREETS	802,029	802,029	1.81

	TOTAL	19,252,223	19,252,223	43.36	

The financial information was gleaned from the City Budget report for FY 2011. In the calculations, Dover's population was assumed to be 37,000. Please keep in mind that it is a simplified presentation that is useful to explain how our tax dollar is spent for each service. You could use a similar table to show us how much more we would be charged in FY 2013 to maintain high quality services.

Again I respectfully request you to approve filling the nine part time positions in the Dover Library and continue the good service.

Sincerely,

N.C.Vasuki, P.E, BCEE

235 Carnoustie road

Dover, DE 19904

chokkanna@comcast.net

March 26, 2012