CITY OF NEWARK
DELAWARE

COUNCIL MEETING MINUTES

November 28, 2011

Those present at 7:00 pm:

Presiding:	Mayor Vance A. Funk, III District 1, Mark Morehead District 2, Jerry Clifton District 3, Doug Tuttle District 4, David J. Athey District 5, Ezra J. Temko District 6, A. Stuart Markham
Staff Members:	City Manager Kyle Sonnenberg City Secretary Patricia Fogg City Solicitor Bruce Herron Assistant to the City Manager Carol Houck Assistant to the City Manager Charles Zusag Finance Director Dennis McFarland Planning & Development Director Roy Lopata Police Chief Paul Tiernan Water & Wastewater Director Roy Simonson Asst. Water & Wastewater Director Tom Coleman

---

1. The regular Council meeting began with a moment of silent meditation and pledge to the flag.

2. MOTION BY MR. CLIFTON, SECONDED BY MR. ATHEY: THAT ITEM 5-B, RECOMMENDATION TO AWARD EMERGENCY PIPELINE REHABILITATION CONTRACT FOR KELLS AVENUE IN ACCORDANCE WITH A CITY OF WILMINGTON AWARDED CONTRACT, BE ADDED TO THE AGENDA.

MOTION PASSED UNANIMOUSLY: VOTE: 7 to 0.

Aye – Athey, Clifton, Funk, Markham, Morehead, Temko, Tuttle.
Nay – 0.

3. <u>PUBLIC HEARING OF 2012 GENERAL OPERATING BUDGET</u>

00:35

Mr. Sonnenberg presented the proposed 2012 Operating Budget. The financial goals were to maintain the City's credit rating, have sufficient cash reserves, utility rate predictability, manage costs and maintain the infrastructure and service levels. He pointed out that the City tried to maintain a long-term perspective while dealing with short-term constraints in the current economic environment and was making progress in the budget on maintaining the infrastructure. However, there was not much progress on long term sufficient cash reserves. The following summarizes the PowerPoint presentation reviewed by Messrs. Sonnenberg and McFarland.

- 2011 vs. 2012 Budget Summary

The Operating Budget was up less than the rate of inflation. The net Capital Budget was slightly lower. This assumed the City would have lease financing for the deck, so it does not reflect the full cost of the potential parking deck on Lot 3.

Debt service was down, benefitting from the recent refinancing of the Water bonds which will save a considerable amount of money (over $1 million) over the life of the bonds. The unappropriated surplus remained at a minimal level.

- 2011 vs. 2012 Revenues

The net utility revenue was down with lower wholesale power costs. The property tax reflected an increase in the property tax rate. Fines were up based on the experience trend. Permits and licenses were up reflecting expected UD construction on campus. Another notable area of increases was parking where rates were raised and Lot #6 was added, thereby increasing the number of spaces.

- Revenues by Type 2012 Budget

The City continued to rely heavily on utility contributions with utility revenues representing 61%, dwarfing the property tax at 13%.

- 2011 vs. 2012 Operating Budget

In the cost areas, Personnel Services were going up due to contractually obligated increases as well as paying increased costs for post retirement benefits. Materials and Supplies reflected an inflationary increase, and Contractual Services saw a variety of contracts increasing including landfill fees and legal expenses as well as temp services.

- Expenditure by Function 2012 Budget

Personnel services were the overwhelming area of cost for the City, and that was reflected in the distribution of costs.

- 2012 Capital Budget

The Capital Budget was approved on September 12 and reflected a number of efforts to maintain the existing infrastructure throughout the City. The parking fund was a fairly large number due to the anticipated construction of a single-level parking deck on Lot #3.

- Comparative Tax Rate

Compared to other municipalities in northern New Castle County, even with the proposed tax rate increase of four cents, the City's tax rate remained very competitive with those other municipalities.

- Historical Cash Balance

With the issuance of reservoir bonds early in the century, the City had a spike in cash balances which dropped since 2004. Although some progress was made in recent years, the cash balance was expected to drop with next year's budget, so there was still a way to go to reach the targeted level of approximately $25 million in cash.

- Comparative Cost of Residential Municipal Services

Mr. McFarland reported that at the Council workshop in August the issue was raised as to whether the City was a good value to its residents for the cost of services provided. Since then, staff compared the cost of municipal services in Newark with other locales in Delaware north of the canal. The results of that analysis showed the cost of residential services in the City compared to Wilmington, New Castle, Elsmere and New Castle County showed that for all the services typically provided a residential customer, the City was the lowest cost

for these services. The electric rates used in the comparison were the current rates.

- 2012 Rates

The same analysis was conducted but adjusted for proposed changes in 2012 which included the reduction in electric rates of about 9.5 cents, the increase in water rates of 14.5% and a four cent tax increase. When the adjusted numbers were used, the comparison became even more favorable to Newark. Mr. McFarland noted costs to residents were effectively reduced by about $84 in 2012 vs. the 2011 cost to residents.

Mr. Clifton raised questions regarding the property tax increase. Mr. McFarland replied that the tax rate was going up four cents from 64.58 to 68.58 effective July 1. Thus, the City would receive only one half of the revenues that would be collected in 2012. This was a 6.2% increase in the tax rate, but the actual property tax revenues in 2012 would go up somewhat less because of the half year timing. Mr. McFarland also projected some change in the assessed base.

Mr. Clifton questioned what transpired since the budget workshop to necessitate the extra property tax increase. Mr. McFarland said during the workshop a moderate increase in the tax rate was discussed in concept. When the budget was actually put together, a four cent increase was needed to balance the budget and have some surplus. At the time of the August workshop, staff did not know what the expenses or other revenue streams were going to be next year.

The Chair opened the discussion to the public. There being no comments forthcoming, the discussion was returned to the table.

Mr. Clifton commented that the City was asking for a 6.2% tax increase that would yield $216,000. One of the items he brought up in the workshop was looking for areas to recover income that would not necessarily have to be the lowest hanging fruit. At that time there were discussions about eliminating refuse collection which he opposed. Further, he opposed employee layoffs because the City was a service-based government, and he felt Newark did a very good job in providing the services to its residents with a very lean staff. He also felt that by laying off people, especially in this economy, the City became part of the problem and not part of the solution. In reviewing some figures from the Finance Department, Mr. Clifton was disturbed that $58,000 was written off in utility payments which accounted for almost one cent of the tax increase. He learned there was no way to recover any of the costs because the City did not get a credit card on file and did not do any of the other things that a good business would do to assure economic stability. He found it hard to pass along a tax increase when he saw issues like that sitting on the table that the City could go after. Even more problematic to him was looking at the Accounts Receivable aging report which showed $736,000 owed to the City over 30 days old. Mr. Clifton asked what was being done to recapture the money owed to the City and ultimately to the residents. He did not think the budget had been scrubbed as well as it could have been, and thus he could not support passing on a tax increase.

Mr. McFarland reported that the City's charge-off rate for utility services was about 1%, and the national average for utilities written off was 2-3%. In comparison, he felt the City's record with respect to collection was excellent. He said the City Code was enforced with respect to securing deposits from people who opened new accounts, and the aging report did not reflect the deposits being held which would be an offset against any write offs that might take place. More conceptually, in the long run even if those charge-offs were reduced to zero percent that would not affect the City's bottom line because it would roll into the electric cost of service as a lower cost of service. The City would then lower

rates to reflect the fact that the City was not incurring that cost. He added that the City was recovering the cost of write offs in our electric rates today. According to Mr. McFarland, the only part that came to the General Fund was the margin of the electric utility. The operating costs were charged and collected within the electric utility.

In response to comments from Messrs. Funk and Morehead regarding liens against properties for water, sewer and electric services provided by municipalities, Mr. Herron advised that the City could only lien a property for unpaid water charges and taxes.

Mr. Markham questioned how many vacancies currently existed within the City. Mr. McFarland replied there was only one position. Mr. Markham also clarified that the current electric rate trends wholesale rate seemed to be steady or down a little over the next three years. He asked when DEMEC set their electric rate, and Mr. McFarland confirmed that they bill the City once a year at their December Board meeting, and this rate would be at or below what was in the budget.

In regard to Mr. Clifton's comments about looking for more opportunities to save money for the City, Mr. Temko suggested taking a more collaborative approach by involving stakeholders and others. He said even with a conservative budget there were important programs going forward in 2012 - paying parking tickets online, implementing an energy conservation plan, recycling for multi-family units, obtaining tangible funding and plans for at least two skate spots and expanding the Before and After School program to West Park Elementary.

Mr. Athey congratulated Mr. McFarland for a budget that was very easy to understand and well presented. He suggested not taking action until Council had additional time to review internal processes. Mr. Morehead supported Mr. Athey's position.

Mr. McFarland said if the issues raised by Mr. Clifton were the only ones which concerned Council about the budget, even getting those to zero would not impact the bottom line in 2012. These funds would just go into the deferred account on the balance sheet for the electric margin.

Mr. Clifton stated that although the City was below the national average, he wanted to recover what was owed to the stakeholders and to have a good fiscal policy for the collection of utility fees going forward. He wanted to postpone the budget vote until the next Council meeting.

Mr. Tuttle understood Mr. Clifton's point but did not see how it would change any decision that would be made about the operating budget since money would not go back in pockets of constituents until a year from now when the RSA was adjusted for 2013.

Based on the split of Council, Mr. Markham agreed to postpone the budget vote for the next Council meeting.

Mr. Temko agreed with Mr. Tuttle but said there was no advantage to voting tonight vs. voting two weeks from now.

There was no further discussion.

4. <u>1. ITEMS NOT ON PUBLISHED AGENDA</u>

A. Public

31:08

Maria Ruocco, a Newark resident, and her mother planned a charity event to recruit several cyclists to pedal through Newark neighborhoods singing holiday carols in exchange for donations to a charity. They asked for the support of the

City for the event, and Mr. Clifton asked Ms. Ruocco to contact him after the meeting.

5. Niki Suto and Justin Ballione, Newark residents, discussed the Newark Bike project. The project's mission was to promote cycling as an effective and sustainable form of transportation by providing refurbished bicycles, educational programs, and learn to do-it-yourself repair facilities. They were looking to find a suitable space in Newark. Mr. Funk suggested contacting the University to discuss available space.

6. Julie Murphy, Eileen Emig, Mary Jo Frohlich and Susan Mehew, residents of The Village of Twin Lakes, expressed their concerns about the community. When they purchased their condominiums in this over-55 complex, they said they were promised a retirement community that would include a swimming pool and walking trails. To date, these amenities were not completed. Additional problems included unfinished units, street flooding, and lack of maintenance in the complex. When previously approached by Lang Development/Iron Hill Properties about rezoning part of the property from Adult Community to Row or Townhouses, the residents said they reluctantly agreed because of the economic pressures being faced by the developer.

Mr. Funk believed the condominium documents required 80% of the units to be sold before the developer turned it over to the condominium association (to date, 8 of the 16 units were sold.) Mr. Funk also noted the City was holding a security bond on the project and encouraged the residents to forward a list of incomplete items to the City.

Mr. Clifton recommended the residents read Title 81 of the Delaware Code which explained condominiums, their associations and legal responsibilities. He reported that the Attorney General's office would not take jurisdiction over condo issues since they were considered a civil matter.

Mr. Lopata found the comments made by the residents to be very disturbing and said he would follow up with the developer and the residents on the unresolved issues. He believed it was of utmost importance for the City to insure a safe and secure project.

7. **<u>1-B. UNIVERSITY</u>**

1. Administration – None.

8. **<u>1-B-2. STUDENT BODY REPRESENTATIVE</u>** - None

9. **<u>1-C. COUNCIL MEMBERS</u>**

01:04

<u>Mr. Temko</u>

- In reviewing the budget, Mr. Temko noticed that the Parks & Recreation numbers had decreased in all areas except non-resident youth and teen activities. He hoped the numbers could be improved as he felt the Parks & Recreation programs were vital to the Newark community. Mr. Funk said a large part of the decrease resulted from the transfer of the baseball program to the Little League.

- Mr. Temko was pleased to learn about bike programs and hoped there was some way the City could incentivize and promote biking, especially in the downtown area.

10. **<u>Mr. Markham</u>**

- Mr. Markham complimented the Downtown Newark Partnership's volunteer recognition event.

- Mr. Markham noticed the legal issues were worked out with the Community Calendar and assumed this project was ready to move forward.

- Mr. Markham said it was nice to see Main Street decorated and noted the tree lighting was scheduled for the Winterfest event on Friday evening.

11. <u>Mr. Tuttle</u>

- Mr. Tuttle expressed his appreciation to Mr. Lopata for stepping forward and trying to work toward a solution with the Twin Lakes' residents.

12. <u>Mr. Clifton</u>

- Mr. Clifton attended the Thanksgiving Breakfast which was a great event and thanked the volunteers and sponsors who made it happen.

- Mr. Clifton congratulated Mr. Lopata on his well-deserved award from the Downtown Newark Partnership.

- Mr. Clifton noted the passing of Leroy Esh on 11/20/11 at age 63. Mr. Esh was the Commander of the VFW Post and a Vietnam veteran. Mr. Clifton recognized Mr. Esh as a great American and an advocate for veterans who would be missed in the community.

13. <u>Mr. Athey</u>

- Mr. Athey recognized the effort of City Staff for the new Citizen Notification system which provided a number of options for City-wide alerts.

- Mr. Athey suggested that the Community Calendar include contact information for the event organizer.

14. <u>2. APPROVAL OF CONSENT AGENDA</u>

A. Approval of Regular Council Meeting Minutes – November 14, 2011
B. Receipt of Alderman's Report – November 23, 2011
C Cancellation of December 26, 2011 Regular Council Meeting
D. Receipt of Planning Commission Minutes – November 1, 2011
E. Re-Appointments of Edward Gliwa and Robert Detwiler to Property Maintenance Appeals Board – 5 Year Terms to Expire December, 2016
F. ***First Reading* – Bill 11-27 –** An Ordinance Amending Chapter 22, Police Offenses, Article XII, Interference with Lawful Enforcement, Code of the City of Newark, Delaware, By Clarifying What is Considered Imitating the Police Uniform ***- 2nd Reading – December 12, 2011***
G. ***First Reading* – Bill 11-28 –** An Ordinance Amending Chapter 10, Elections, Code of the City of Newark, Delaware, By Reapportioning the Election Districts of the City of Newark ***(Plan A and Plan B Submitted) – 2nd Reading – December 12, 2011***
H. Pension Plan Performance Report – 3rd Quarter

01:11

Ms. Fogg read the Consent Agenda in its entirety.

MOTION BY MR. CLIFTON, SECONDED BY MR. TUTTLE: THAT THE CONSENT AGENDA BE APPROVED AS SUBMITTED.

MOTION PASSED UNANIMOUSLY: VOTE: 7 to 0.

Aye – Athey, Clifton, Funk, Markham, Morehead, Temko, Tuttle.
Nay – 0.

15. <u>3. ITEMS NOT FINISHED AT PREVIOUS MEETING</u>: None

16. 4. FINANCIAL STATEMENT

01:12

Mr. McFarland presented the October 2011 Financial Report which showed continuations of trends already seen this year. The general Governmental Funds were doing well with respect to budget targets, and the Enterprise Funds were right on top of budget. The surplus for the first ten months was ahead of budget, and he anticipated ending the year in the $1 million plus range ahead of budget.

MOTION BY MR. CLIFTON, SECONDED BY MR. MARKHAM: THAT THE OCTOBER 2011 FINANCIAL REPORT BE RECEIVED.

MOTION PASSED UNANIMOUSLY: VOTE: 7 to 0.

Aye – Athey, Clifton, Funk, Markham, Morehead, Temko, Tuttle.
Nay – 0.

17. 5. RECOMMENDATIONS ON CONTRACTS & BIDS:

A. Recommendation to Implement Guaranteed Energy Savings Performance Contract and Financing

01:13

Ms. Houck detailed her memo of 11/21/11 which provided background on the energy audit completed last year. The Honeywell Project overview for the energy performance contract was attached to the recommendations and included the energy performance measures the City will implement. The City will take advantage of the State's low interest loan program to fund incremental payments at an interest rate of 1.99%. The loan funds will be received from the State and placed in an escrow account that would be drawn down to make payments to Honeywell. It was therefore recommended to authorize the City Manager to enter into an agreement with Honeywell for the implementation of the Energy Performance Contract in accordance with the overview and to initiate the financing for the project for the total amount of $588,132.

In answer to several questions from Mr. Markham, Ms. Houck provided the following information. Over the course of the term, the loan would be paid for through the energy savings. An additional $9,000 was added to the cost due to the measurement and verification but there was an opportunity for the City to reduce or stop the measurement and verification once the City was satisfied with the savings. The changes being made would have a minimum life span of 20 years. The estimates of electric cost savings were at the City's wholesale rate. Additional improvements that were uncovered might be done in house.

Mr. Clifton asked the status of the information he passed on to Mr. Sonnenberg about Centurion Energy. Mr. Sonnenberg reported that the City was already in a contract with Honeywell, so Centurion was not a factor. Ms. Houck explained that Honeywell conducted the City's audit and they continued on with the City.

Mr. Morehead observed that the City was spending $588,000 over ten years to save $58,000 a year and in addition would incur charges for the 2% loan. Mr. Markham remarked that during years 11 through 20 the City would recoup half a million dollars with no additional costs. Ms. Houck added that the project highlights listed on the first page of the Honeywell report would be accomplishments the City could tout. Further, the Municipal Building would become more energy efficient and more comfortable. Mr. Markham noted the reduction of 616,312 kWh would aid with the State's congestion problem in the summer.

Mr. Temko said he was excited the City was moving forward with performance contracting and thanked Ms. Houck for her part in making this happen.

MOTION BY MR. CLIFTON, SECONDED BY MR. MARKHAM: THAT THE CITY MANAGER BE AUTHORIZED TO ENTER INTO AN AGREEMENT WITH HONEYWELL FOR THE IMPLEMENTATION OF AN ENERGY PERFORMANCE CONTRACT FOR THE TOTAL AMOUNT OF $588,132.

MOTION PASSED UNANIMOUSLY: VOTE: 7 to 0.

Aye – Athey, Clifton, Funk, Markham, Morehead, Temko, Tuttle.
Nay – 0.

18. 5-B. RECOMMENDATION TO AWARD EMERGENCY PIPELINE REHABILITATION CONTRACT FOR KELLS AVENUE IN ACCORDANCE WITH A CITY OF WILMINGTON AWARDED CONTRACT

01:23

Ms. Houck reported that the recommendation contained in her memo of 11/25/11 would award an emergency pipeline rehabilitation contract for Kells Avenue. The Water Department had been working for some time to correct the water quality concerns in this area. In recent weeks the solution was determined to be cement lining of the lines in the area. The City of Wilmington experienced similar problems, and the City was able to get the same company to hold their unit pricing for the work that is applicable to this project and the terms of the agreement. Wilmington reported a very high satisfaction level with the work. Using the Wilmington contract more importantly allowed the work to be started immediately which was important in order to stop the water flow in cold weather. The estimated cost with the unit pricing was $152,590. Funding was available from Capital Projects for water main renovation totaling $182,500. Ms. Houck recommended that Council enter into an agreement with J. Fletcher Creamer & Son for the rehabilitation of this water line.

Mr. Clifton thanked Ms. Houck for taking the lead on this problem.

Since the project would be funded from the Capital Budget Project, Mr. Markham asked if the funding was being reassigned from something else. Ms. Houck explained it was money available specifically for this type of project.

Mr. Morehead noted Ms. Houck's memo indicated the flushing operation caused this problem and asked if we learned our lesson. Mr. Simonson said we did learn a lesson, and the cleaning done early in the year precipitated the issue. The method tried this summer, if successful, would have been a much less costly option than relining or replacement.

MOTION BY MR. ATHEY, SECONDED BY MR. TUTTLE: THAT THE CITY MANAGER BE AUTHORIZED TO ENTER INTO A CONTRACT WITH J. FLETCHER CREAMER AND SON, INC. FOR THE REHABILITATION OF THE WATER SERVICE LINES ON KELLS AVENUE AT A TOTAL COST OF $152,590.

MOTION PASSED UNANIMOUSLY: VOTE: 7 to 0.

Aye – Athey, Clifton, Funk, Markham, Morehead, Temko, Tuttle.
Nay – 0.

19. 6. ORDINANCES FOR SECOND READING & PUBLIC HEARING:

A. Bill 11-24 - An Ordinance Amending Chapter 20, Motor Vehicles and Traffic, Schedule XVI, Code of the City of Newark, Delaware, By Amending the Gross Weight of Trucks for Local Delivery Only Permitted on Certain Streets

01:28

Ms. Fogg read the ordinance by title only.

MOTION BY MR. ATHEY, SECONDED BY MR. CLIFTON: THAT THIS BE THE SECOND READING AND FINAL PASSAGE OF BILL NO. 11-24.

The Chair opened the discussion to the public. There being no comments forthcoming, the discussion was returned to the table.

Question on the Motion was called.

MOTION PASSED UNANIMOUSLY: VOTE: 7 to 0.

Aye – Athey, Clifton, Funk, Markham, Morehead, Temko, Tuttle.
Nay – 0.

(ORDINANCE NO. 11-23)

20. 6-B. BILL 11-25 - AN ORDINANCE AMENDING CHAPTER 20, MOTOR VEHICLES AND TRAFFIC, SCHEDULE IV, CODE OF THE CITY OF NEWARK, DELAWARE, BY REQUIRING A STOP SIGN ON WESTBOUND COUNTRY CLUB DRIVE AT THE INTERSECTION WITH WINDSOR DRIVE

01:29

Ms. Fogg read the ordinance by title only.

MOTION BY MR. TEMKO, SECONDED BY MR. MARKHAM: THAT THIS BE THE SECOND READING AND FINAL PASSAGE OF BILL NO. 11-25.

The Chair opened the discussion to the public. There being no comments forthcoming, the discussion was returned to the table.

Mr. Morehead asked if the City could paint a dividing line in the middle of this intersection to keep the vehicles coming around the corner on their side. Mr. Sonnenberg would check into this with Public Works.

Question on the Motion was called.

MOTION PASSED UNANIMOUSLY: VOTE: 7 to 0.

Aye – Athey, Clifton, Funk, Markham, Morehead, Temko, Tuttle.
Nay – 0.

(ORDINANCE NO. 11-24)

21. 6-C. BILL 11-26 – AN ORDINANCE AMENDING CHAPTER 26, STREETS, AND CHAPTER 16, GARBAGE, REFUSE AND WEEDS, CODE OF THE CITY OF NEWARK, DELAWARE, BY CLARIFYING THE PUBLIC WORKS DIRECTOR'S AUTHORITY TO ISSUE A SUMMONS FOR CIVIL VIOLATIONS RELATED TO SNOW AND ICE REMOVAL AND THE ACCUMULATION OF TRASH, RUBBISH AND DEBRIS

01:30

Ms. Fogg read the ordinance by title only.

MOTION BY MR. CLIFTON, SECONDED BY MR. TUTTLE: THAT THIS BE THE SECOND READING AND FINAL PASSGE OF BILL NO. 11-26.

The Chair opened the discussion to the public.

Maria Ruocco, a Newark resident, said as a pedestrian she appreciated the sidewalks being shoveled and thought the ordinance was important to enforce. She recognized, however, that it might be difficult for elderly or disabled people to clear their sidewalks and suggested the City maintain a list of vendors

who were willing to provide assistance with shoveling. Mr. Sonnenberg recalled having this information on the City's website.

There being no further comments forthcoming, the discussion was returned to the table.

Mr. Morehead encouraged the City to maintain sidewalks to the fullest as he noticed a lack of enforcement during the building process. Mr. Lopata explained that the condition of sidewalks came under Public Works, not Code Enforcement. This was considered an Instant Ticket matter, and issues during construction did not come under Instant Ticketing. He explained the purpose of the ordinance was for the Public Works Director's use because of repetitive problems with debris, cleanliness and unsightly properties. Mr. Morehead was encouraging the enforcement of this in construction, but Mr. Lopata explained what was used there was to stop the job which was much more effective than an Instant Ticket. Whatever method was used, Mr. Morehead wanted the sidewalks maintained as wide as possible for access all over town.

Mr. Clifton questioned whether Mr. Lapointe had Constable authority. Mr. Lopata said he did, and the ordinance clarified his ability to use the Constable authority with the Instant Tickets.

Question on the Motion was called.

MOTION PASSED UNANIMOUSLY: VOTE: 7 to 0.

Aye – Athey, Clifton, Funk, Markham, Morehead, Temko, Tuttle.
Nay – 0.

(ORDINANCE NO. 11-25)

22. <u>7. PLANNING COMMISSION/DEPARTMENT RECOMMENDATIONS</u>:
None

23. <u>8. ITEMS SUBMITTED FOR PUBLISHED AGENDA</u>

A. Council Members:

1. Resolution No. 11-__: Final Approval of Phase 2 and 3 of the Development Known as The Woods at Louviers, Acceptance of Streets, Incorporating Streets onto the Official Map of the City, and Release of the Surety Bonds

01:37

Mr. Sonnenberg reported this was the final acceptance of the Woods at Louviers. Mr. Funk commented there was no penalty in the Code for a developer taking so long to complete a project.

The Chair opened the discussion to the public. There being no comments forthcoming, the discussion was returned to the table.

MOTION BY MR. MARKHAM, SECONDED BY MR. CLIFTON: THAT THE RESOLUTION BE APPROVED AS PRESENTED.

MOTION PASSED UNANIMOUSLY: VOTE: 7 to 0.

Aye – Athey, Clifton, Funk, Markham, Morehead, Temko, Tuttle.
Nay – 0.

(RESOLUTION 11-M)

24. <u>8-B. OTHERS</u>: None

25. <u>9. SPECIAL DEPARTMENTAL REPORTS</u>:

A. Special Reports from Manager & Staff: None

26. 9-B. REQUEST FOR EXECUTIVE SESSION RE LABOR NEGOTIATIONS

01:38

MOTION BY MR. ATHEY, SECONDED BY MR. MOREHEAD: THAT COUNCIL ENTER INTO EXECUTIVE SESSION WITHOUT THE PRESS TO DISCUSS LABOR NEGOTIATIONS.

MOTION PASSED UNANIMOUSLY: VOTE: 7 to 0.

Aye – Athey, Clifton, Funk, Markham, Morehead, Temko, Tuttle.
Nay – 0.

Council entered into Executive Session at 8:40 p.m. and returned to the table at 9:18 p.m. Mr. Funk advised that no action was required.

27. Meeting adjourned at 9:19 p.m.

Patricia M. Fogg, CMC
City Secretary

/av