

**CITY OF NEWARK  
DELAWARE**

**COUNCIL MEETING MINUTES**

**September 24, 2012**

Those present at 6:30 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, Luke Chapman  
District 6, A. Stuart Markham

Staff Members: City Manager Carol Houck  
City Secretary Patricia Fogg  
City Solicitor Bruce Herron  
Finance Director Robert Uyttebroek  
P & D Director Maureen Feeney Roser  
Code Enforcement Supervisor Steve Wilson

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1. MOTION BY MR. ATHEY, SECONDED BY MR. CLIFTON: THAT COUNCIL ENTER INTO EXECUTIVE SESSION WITHOUT THE PRESS TO DISCUSS PERSONNEL.

MOTION PASSED UNANIMOUSLY: VOTE: 7 to 0.

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

Council entered into Executive Session at 6:30 pm and returned to the table at 7:00 pm for the regular Council meeting.

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

Mr. Funk reported that there were meetings today between several landlords and the Planning Department. As a result, staff asked to table Item 6-D.

MOTION BY MR. CLIFTON, SECONDED BY MR. CHAPMAN: THAT ITEM 6-D, BILL 12-32 – AN ORDINANCE AMENDING CHAPTER 17, HOUSING AND PROPERTY MAINTENANCE, CODE OF THE CITY OF NEWARK, DELAWARE, BY ADOPTING THE 2012 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE WITH AMENDMENTS, BE TABLED.

MOTION PASSED UNANIMOUSLY: VOTE: 7 to 0.

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

3. MOTION BY MR. ATHEY, SECONDED BY MR. CLIFTON: THAT ITEMS 2-F, APPOINTMENT OF ANDY HEGEDUS TO PLANNING COMMISSION, 2-G, APPROVAL OF SPECIAL COUNCIL MEETING MINUTES – SEPTEMBER 19, 2012 AND 2-H, APPROVAL OF SPECIAL

COUNCIL MEETING MINUTES – SEPTEMBER 20, 2012, BE ADDED TO THE CONSENT AGENDA.

MOTION PASSED UNANIMOUSLY: VOTE: 7 to 0.

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

**4. 1. ITEMS NOT ON PUBLISHED AGENDA**

A. Public

**02:42**

Sherry Hoffman, a Newark resident and retired Deputy Attorney General, discussed fair housing in the City as it related to students and other young people in the community. She said the City's policy for many years restricted students to certain neighborhoods. The Delaware Fair Housing Act, unlike the Federal Fair Housing Act or Pennsylvania Fair Housing Act, contained a protective category for individuals between the ages of 18-26. As Council was considering rental housing issues, she suggested they consider the City's position with respect to laws impairing young adults from obtaining housing in Newark.

5. Ron Walker, a Newark resident, expressed shock after attending the City Manager candidate meeting last Tuesday where the purpose of the meeting was to introduce the public to the two candidates. He was displeased with the lack of respect shown to the Council and to the residents by a group expressing issues related to landlords. He urged Council to continue to protect the people who love and care about the City.

6. Robert Baltrusch, a Newark resident, said by passing legislation that does not allow students or makes it difficult for students to rent houses or gives the City the opportunity to go in students' houses, the City was actually decreasing property values.

7. Adalberto Castelo, a Newark resident, said he rented as a UD student and now owned a property in the City. He was appalled Council would consider an ordinance that would limit recourse to people to their own privacy and would remove limits from inspections and searches. He urged Council to remove any such features from future ordinances.

8. Dan Beaver, a Newark landlord, thanked Council for tabling Bill No. 12-32 which he thought needed revision. He looked at this bill as renewing the rental permit inspection program which he thought was fatally flawed with unintended consequences. He said fewer rental properties were being inspected monthly as tenants recognized there was nothing wrong with their properties and they would rather not have them inspected by the City. He thought the City should look closely at occupancy restrictions based on violating individual rights.

9. Bruce Harvey, a Newark resident and President of the Newark Landlord Association, spoke about the process regarding the bill. He said the NLA was trying to redefine itself after the lawsuit settlement approved last month, and many of their members were convinced there would be some sort of reprisals. They had not yet made a peace treaty between landlords and the City of Newark, and he hoped they moved in that direction. He was pleased to have started discussing landlord, government and community issues with Ms. Feeney Roser, Ms. Houck and his fellow landlords. Ms. Feeney Roser reached out to them in July about the issues of inspections and the Fourth Amendment. It was a difficult balance between the safety aspects of the program and Constitutional protections against government intrusion. In 2010 some Code revisions were proposed that would have allowed inspectors into homes without anyone's voluntary permission. Those Code amendments were rejected in favor of due process. Further, the use of entry permission forms changed. Previously, occupants had to put refusal of inspections in writing before City officials would

believe they did not want an inspection. Under Ms. Feeney Roser the form was now used to request entry to protect the City by getting written consent. The form also advised occupants they had the right to refuse entry, allowing them to make an informed choice. Regarding communications, the NLA took the step of inviting City officials to the landlord email system normally restricted to landlords. Ms. Houck and Ms. Feeney Roser agreed to attend the October NLA meeting. Although there were still a lot of issues, Mr. Harvey said the sooner they stop working against each other and start working with each other, the sooner some long-standing issues could be replaced with mutual successes.

10. Eric R. Boye stressed for the need to find balance between governance and freedom. He felt the Fourth Amendment issue was not really addressed and was thankful the legislation was being tabled.

11. **1-B. UNIVERSITY**

**22:12**

1. Administration – Mr. Brainard noted the University would participate in the Westside Family Health Care and Brookside Community Fair on Saturday from 10 am to noon at the Brookside Community Center.

12. **1-B-2. STUDENT BODY REPRESENTATIVE**

There were no comments forthcoming.

13. **1-C. COUNCIL MEMBERS**

**22:58**

**Mr. Morehead**

- Mr. Morehead announced that the DEA drug take back would be held on Saturday from 10:00 am - 2:00 pm at the Newark Senior Center.

14. **Mr. Chapman**

- Mr. Chapman thanked everybody who came out to meet the two City Manager candidate finalists. He also appreciated the constituents and City stakeholders for reaching out to him to share their views.

15. **Mr. Clifton**

- Mr. Clifton attended the dedication of the new County Police Training Center with Mr. Funk in honor of Lt. Joseph Szczerba who was murdered while on duty on a year ago.

- Mr. Clifton attended the graduation of Newark Police Officer Bill Anderson from the Delaware State Police Academy.

- Mr. Clifton participated in a ride along with the Police Department on Saturday night. He said it was a hectic night that clearly demonstrated the need for police staffing.

- Mr. Clifton extended birthday wishes to City Solicitor Bruce Herron.

16. **Mr. Tuttle**

- Mr. Tuttle thought it was important to clarify the water rate proposal conversation at the 9/10/12 Council meeting since the *News Journal* article implicated that the City was proposing differential rates for residents vs. other customers of the City. He said that was not the case – the City never had differential rates but had one set of water rates that applied to everybody. He pointed out that the City discounted the first 1,273 cubic feet of water which meant most residential customers paid for the majority of their water at a lower rate. However, once that threshold was passed it was all the same rate for commercial or residential customers.

17. **Mr. Funk**

- Mr. Funk encouraged participation in the Taste of Newark on Sunday.

18. **2. APPROVAL OF CONSENT AGENDA**

- 29:21**
- A. Approval of Regular Council Meeting Minutes – September 10, 2012
  - B. Receipt of Alderman’s Report – September 20, 2012
  - C. ***First Reading – Bill 12-28*** – An Ordinance to Amend the Amended Pension Plan for Certain Employees – ***Second Reading – October 8, 2012***
  - D. ***First Reading – Bill 12-29*** - An Ordinance Amending Chapter 2, Administration, Code of the City of Newark, Delaware, to Amend the Eligibility Requirements for Health Insurance Coverage for Retired Management Employees and Their Spouses – ***Second Reading – October 8, 2012***
  - E. Reappointment of Jim Bowman to Planning Commission – Three-Year Term to Expire September 2015
  - F. Appointment of Andy Hegedus to Planning Commission – 3-Year Term to Expire September 2015.
  - G. Approval of Special Council Meeting Minutes – September 19, 2012
  - H. Approval of Special Council Meeting Minutes – September 20, 2012

Ms. Fogg read the Consent Agenda in its entirety.

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

MOTION PASSED UNANIMOUSLY: VOTE: 7 to 0.

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

19. **4. FINANCIAL STATEMENT:** *None*

20. **5. RECOMMENDATIONS ON CONTRACTS & BIDS:** *None*

21. **6. ORDINANCES FOR SECOND READING & PUBLIC HEARING:**

- A. **Bill 12-27** – An Ordinance Amending Chapter 11, Electricity, Code of the City of Newark, DE, By Adding a New Provision With Respect to the Aggregation of Demand Response on Behalf of Retail Customers in the City of Newark

**30:40**

Ms. Fogg read Bill 12-27 by title only.

MOTION BY MR. CLIFTON, SECONDED BY MR. MARKHAM: THAT THIS BE THE SECOND READING AND FINAL PASSAGE OF BILL 12-27.

Mr. Uyttebroek introduced Scott Lynch, Energy Services Manager for Delaware Municipal Electric Corporation. Mr. Lynch explained that he managed the Demand Response Program for DEMEC and thus he brought the ordinance to the City’s attention. During the past summer PJM, the regional transmission grid, notified DEMEC that the resolution passed in March would qualify for the summer to allow Newark’s commercial and industrial utility customers to participate in the Curtailment Service Program. DEMEC then learned that a resolution would not suffice going forward into the next programmatic year. An ordinance was needed to take its place because it carried greater weight of law. The current capacity year closed at the end of September. In preparation for the

next year starting June 1, 2013, they asked all member communities to pass an ordinance to allow participation in the Curtailment Service Program with PJM next year. Eight of the nine municipalities that were part of DEMEC already passed ordinances, and Newark would make nine. The ordinance would streamline the approval process for curtailment service providers by allowing the City Manager to make approvals and would prevent non-approved providers from operating in the City.

Mr. Lynch explained how Converge worked with DEMEC by using a planning program based upon weather and historical load to select the five coincident peak days in a year. Then they work with the commercial or industrial customer to tell them when to turn off, what to turn off and how to turn off. Mr. Lynch felt having one curtailment service provider was also a great benefit to DEMEC for compliance with the State's energy efficiency resource mandate. He confirmed the minimum load shift for commercial/industrial customers to participate in the program was 100 kWh.

Mr. Markham asked how often the load management was done in light of the Beasley power plant in Smyrna. Mr. Lynch explained the need would come on an emergency basis from PJM when they saw the regional grid getting to a critical point where a brownout or a blackout could occur. There were eight occurrences this past summer where DEMEC called for load reduction, and a curtailment was requested by PJM on July 18.

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, Chapman, Clifton, Funk, Markham, Morehead, Tuttle.  
Nay – 0.

**(ORDINANCE NO. 12-24)**

**22. 6-B. BILL 12-30 – AN ORDINANCE AMENDING CHAPTER 7, BUILDING, CODE OF THE CITY OF NEWARK, DELAWARE, BY ADOPTING THE 2012 EDITION OF THE INTERNATIONAL CODE COUNCIL (ICC) CODES WITH AMENDMENTS**

**39:46**

Ms. Fogg read Bill 12-30 by title only.

MOTION BY MR. CLIFTON, SECONDED BY MR. ATHEY: THAT THIS BE THE SECOND READING AND FINAL PASSAGE OF BILL 12-30.

Ms. Feeney Roser and Mr. Wilson presented the 2012 ICC Codes and the City's proposed amendments. The PowerPoint presentation provided background about the ICC and the Codes. Ms. Feeney Roser said adopting the 2012 ICC Codes would keep the City up to date with the most modern building and construction methods and materials, resulting in stronger, safer and more durable buildings for residents and for the safety of emergency response personnel. Further, adopting the 2012 Code should result in a higher rating from the Insurance Services Office for the City which in turn should translate into lower insurance premiums for Newark residents.

The intent of the Codes was to provide regulations that established the minimum acceptable requirements to safeguard public health, safety and welfare and to provide protection to fire fighters and emergency responders in emergency situations. Therefore, the City offered amendments to the ICC Codes to make the minimum standards more stringent.

All of the ICC Codes were included in three chapters of the City's Municipal Code. Chapter 7, Building, covered the vast majority of the ICC Codes. Chapter 14, Fire Prevention, included the International Fire Code and Chapter 17 (tabled) contained the International Property Maintenance Code.

The first amendment for Chapter 7 expanded the definition section to cover activities previously undefined. These would clarify which activities triggered certain Code requirements and eliminate confusion caused by ambiguous terms. Definitions were added for additions, alterations, reconstruction, renovation and repairs.

Another recommended amendment codified the City's administrative practice of requiring separate permits for building, electrical, elevators, fire protection, HVAC, plumbing and signage except when the value of a contract exceeded more than \$1 million in which case one permit may be issued.

Ms. Feeney Roser said they also recommend revisions to the contractor license requirements including changes to the contractor performance bond requirement to address concerns previously discussed by Council. They added new categories to the limited general contractor and the general contractor categories. The new minor renovations contractor category was added to manage concerns that the size of the bond required should be realistic to the cost of work performed. Previously there were three categories for contractors – there were now six categories with nine varying bond requirements based on the cost of the project.

Another recommendation was an amendment to deal with delinquent taxes and fees. The intent of this section was to require that any applicant for a permit or certificate from the Code Enforcement Division not be delinquent in City property taxes or other required municipal fees. This Good Standing Ordinance appeared not only in this chapter but also in the Fire Code amendments.

Next was an increase in the range of fines the Alderman could impose for violations of Chapter 7 from fines of not less than \$100 or more than \$500 to new fine levels of not less than \$250 or more than \$750. Also recommended was an increase in the minimum fine for demolition of historic structures without a certificate of economic hardship. The amendment was to raise it from \$100 to \$250. According to Ms. Feeney Roser a review of fines charged by other jurisdictions indicated that penalties imposed for violations of Building and Fire Codes varied significantly from one jurisdiction to another, ranging from a minimum of \$25 to a maximum of \$1,500. Changes were also recommended for handicapped access to buildings which will limit the distance from the site arrival point to the building entrance of no more than 250 feet.

Changes were recommended for materials and locations for water discharge pipes requiring them to be metallic for at least the first 12 inches to improve functionality and that they extend to within six inches of the floor and drain into a proper drain in order to protect interior spaces beneath them.

Backwater valves were recommended to prevent storm water from backing into buildings. Also recommend was an amendment requiring that ducts be made of rigid or semi-rigid metal since recent permit applications proposed flexible plastic piping for ducts which can be flammable and troublesome for exhaust systems.

Another amendment proposed that underground storage tanks which were abandoned be removed within 30 days unless removal required structural alteration to an existing building in which case the tank could be abandoned in place. If there were extenuating circumstances preventing removal within 30 days, the time frame could be extended.

No substantive changes to the City's sprinkler ordinance were proposed. Ms. Feeney Roser believed Council's direction on policy involving existing structures would be necessary to guide any further revisions to the sprinkler ordinance.

Mr. Athey suggested that the City's Good Standing Ordinance should be strengthened similar to the County's in regard to delinquent taxes and fees. Ms. Feeney Roser said staff would research this and might come back with an amendment.

Mr. Athey thought Council should have a discussion within the next calendar year about the requirement for sprinklers with a 50% renovation. He felt this might be a hindrance to people who wanted to modernize aging housing stock and asked Ms. Feeney Roser to look at how this was handled by other cities.

Mr. Funk questioned the first paragraph on page 30 regarding *Liability of new home builders*. He said in the County the builder was responsible for two years and the warranty company was responsible for years 3 – 10. The wording proposed said the builder was responsible for 10 years. Ms. Roser noted this wording was currently in the Code and was never before questioned, but she would look at it.

Mr. Funk pointed out that the City was the only place in the State that required removal of an underground tank. In cases where this was a structural issue, Ms. Feeney Roser said they wanted to make sure the tank could be abandoned in place. However, the requirements could be so onerous that it could be much cheaper for the homeowner to remove the tank where possible. Mr. Funk thought a six month time limit was reasonable.

Mr. Markham questioned the change in the Court's fines and thought the Alderman should be given latitude to lower fines for minor infractions. Messrs. Funk and Herron explained since the statute did not say mandatory minimum the judge had the right to suspend whatever portion of the fine he/she felt reasonable.

Mr. Morehead asked what the thinking was behind keeping the existing Code as part of the new requirements. The requirements included the International Building Code, the Energy Conservation Code and the existing Building Code. Ms. Feeney Roser said existing referred to the structures still there, not new construction. Mr. Wilson said the reason behind adopting the existing International Building Code was that it gave relief to historical and other older buildings rather than making them meet the new standards.

Mr. Morehead commented that a business owner in Newark was unhappy with the requirement for plumbed water coolers and asked if that requirement was included in this Code. Ms. Feeney Roser said it was and was part of the International Plumbing Code, 2006 version but changed in 2009 to an actual water fountain. Mr. Funk commented since we change the International Code in different places, why not just change this one. In that light Mr. Morehead said he was concerned that Council was voting on the abbreviated version and thought it would be helpful to understand how this Code changed from the last one. Mr. Wilson said in 2013 ICC would come out with a 200 page document detailing the significant changes made between the 2009 and 2012 Codes.

Mr. Clifton understood the complaint of the business owner based on the low volume business being faced with that requirement. Ms. Feeney Roser said the problem was the City either had to adopt the Code or create its own. She thought the City could come up with equivalents and add them as long as they were not any less stringent. Further research would be done on amending hard piping of water coolers vs. water fountains.

The Chair opened the discussion to the public.

Jeff Lang, a Newark resident and developer, discussed the sprinkler requirement in relation to renovated properties. He stated there were a lot of older houses in Newark and felt the City should not de-incentivize people to invest in that housing stock. He knew there were a number of ways not to penalize property owners who wanted to improve their property and suggested a discussion to clarify what was considered a renovation. Mr. Clifton asked when Council would be discussing the sprinkler aspect of the Code. Ms. Feeney Roser replied staff would do the research Council requested, send a report and then schedule a discussion.

AMENDMENT BY MR. CLIFTON, SECONDED BY MR. TUTTLE: ON PAGE 34, ITEM 31, M 2201.7-TANKS ABANDONED – ANY TANK, ABOVEGROUND OR UNDERGROUND AND ALL ASSOCIATED PIPING, ABANDONED DUE TO CONVERSION OR REMOVAL OF ANY APPLICANCE, OR REPLACED WITH A NEW TANK, SHALL BE REMOVED WITHIN **180** DAYS. (CHANGED FROM 30 DAYS)

AMENDMENT PASSED UNANIMOUSLY: VOTE: 7 to 0.

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

Question on the Motion as Amended was called.

MOTION AS AMENDED PASSED UNANIMOUSLY: VOTE: 7 to 0.

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

**(ORDINANCE NO. 12-25)**

**23. 6-C. BILL 12-31 – AN ORDINANCE AMENDING CHAPTER 14, FIRE PREVENTION, CODE OF THE CITY OF NEWARK, DELAWARE, BY ADOPTING THE 2012 EDITION OF THE INTERNATIONAL FIRE CODE WITH AMENDMENTS**

**01:21:09**

Ms. Fogg read Bill 12-31 by title only.

MOTION BY MR. CLIFTON, SECONDED BY MR. ATHEY: THAT THIS BE THE SECOND READING AND FINAL PASSAGE OF BILL 12-31.

Ms. Feeney Roser recommended the adoption of the 2012 International Fire Code with amendments to reflect local conditions and priorities as follows: the first three amendments listed were for consistency in the Code chapters so that as with Chapter 7, they recommended an amendment to deal with delinquent taxes and fees (Good Standing Ordinance); an amendment to insure that contractors were required to be licensed and supplied a compliance bond for the work under this chapter, and an identical range of penalties that the Alderman could impose for failure to comply with provisions of Chapter 14. Also added to the Group Home section of the Fire Code were Assisted Living Homes, Fraternities, Sororities and Boarding Houses. In response to recent fires at multi-family dwelling units a regulation was added prohibiting open flame cooking devices on decks and wording was added to govern the proper storage of open flame cooking devices. The required width of secondary fire lanes would change from 24 feet to 16 feet (primary remained at 24 feet), removing an obstacle to development in urban environments while satisfying safety needs. No changes were made to the sprinkler ordinance at this time.

As part of the open flame cooking, Mr. Clifton understood that even on the first floor they could not store propane anywhere within the building. Mr. Wilson

confirmed proper storage required the propane canister to be within a fire proof cabinet.

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, Chapman, Clifton, Funk, Markham, Morehead, Tuttle.  
Nay – 0.

**ORDINANCE NO. 12-26)**

24. **6-D. BILL 12-32 – AN ORDINANCE AMENDING CHAPTER 17, HOUSING AND PROPERTY MAINTENANCE, CODE OF THE CITY OF NEWARK, DE, BY ADOPTING THE 2012 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE WITH AMENDMENTS**
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TABLED – SEE ITEM #2.

25. **7. PLANNING COMMISSION/DEPARTMENT RECOMMENDATIONS:**  
*None*

26. **8. ITEMS SUBMITTED FOR PUBLISHED AGENDA:**  
A. Council Members: None

27. **8-B OTHERS:**  
1. **Greater Newark Economic Development Partnership Report**

**01:24:57**

Mark Kleinschmidt, President of New Castle County Chamber of Commerce, provided an update on the Greater Newark Economic Development Partnership's progress since its inception last year.

The Governance Board was formed and consisted of Bob Chadwick and Mark Kleinschmidt from the Chamber, Scott Douglass, Chris Hudson and Andy Lubin from UD and Carol Houck and Maureen Feeney Roser from the City. Program Manager Michael Smith was hired in January 2012. Another primary accomplishment this year was hiring a consultant to do a brand study to identify and market Newark. That project was developed into a state-of-the art website containing a database of all available commercial properties. October 23rd will mark the unveiling of the marketing program, positioning statement and website. Next year Mr. Kleinschmidt envisioned moving forward and doing outreach marketing to businesses that might have an interest in coming to the City.

Ms. Houck pointed out that funding of \$75,000 would be included in the Operating Budget to cover the second year of the project.

28. **9. SPECIAL DEPARTMENTAL REPORTS:**  
A. Special Reports from Manager & Staff: None

29. MOTION BY MR. ATHEY, SECONDED BY MR. CLIFTON: THAT COUNCIL RETURN TO EXECUTIVE SESSION.

MOTION PASSED UNANIMOUSLY: VOTE: 7 to 0.

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

Council entered into Executive Session at 8:35 p.m. and returned at 9:15 p.m.

MOTION BY MR. CLIFTON, SECONDED BY MR. ATHEY: THAT AN AGREEMENT IN PRINCIPLE WAS REACHED WITH CAROL HOUCK TO BE APPOINTED AS CITY MANAGER OF THE CITY OF NEWARK, DE, PENDING THE TERMS AND AGREEMENTS OF THE FINAL CONTRACT.

MOTION PASSED UNANIMOUSLY: VOTE: 7 to 0.

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

**30. Meeting adjourned at 9:15 p.m.**

Patricia M. Fogg, CMC  
City Secretary

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