

**CITY OF NEWARK
DELAWARE
COUNCIL MEETING MINUTES
May 11, 2015**

Those present at 6:00 p.m.:

Presiding: Mayor Polly Sierer
District 1, Mark Morehead
District 2, Todd Ruckle
District 3, Rob Gifford
District 4, Margrit Hadden
District 5, Luke Chapman
District 6, A. Stuart Markham

Staff Members: City Manager Carol Houck
City Secretary Renee Bensley
City Solicitor Bruce Herron
Deputy City Manager Andrew Haines
Finance Director Lou Vitola
Parks & Recreation Director Charlie Emerson
Planning & Development Director Maureen Feeney Roser
Purchasing Administrator Cenise Wright
Communications Affairs Officer Ricky Nietubicz

A. Executive Session pursuant to 29 *Del. C.* §10004 (b)(6) and (9) for the purpose of discussion of the content of documents, excluded from the definition of "public record".

Council entered into Executive Session by unanimous consent at 6:00 p.m. for the purpose of discussion of the content of documents excluded from the definition of public record and returned to the table at 7:00 p.m. Ms. Sierer announced that Council concluded its Executive Session.

1. The regular Council meeting began at 7:00 p.m. with a moment of silent meditation and the Pledge of Allegiance.

2. 1. PUBLIC PRESENTATIONS

A. Proclamation Recognizing May 15, 2015 as Bike to Work Day

03:17

It was suggested to Ms. Sierer that the proclamation be read at Bike to Work Day scheduled on May 15 at Mentor's Circle on the UD campus from 7:30-9:00 a.m.

MOTION BY MR. MARKHAM, SECONDED BY MR. RUCKLE: THAT THE BIKE TO WORK DAY PROCLAMATION BE REMOVED FROM THE AGENDA.

MOTION PASSED UNANIMOUSLY. VOTE: 7 to 0.

Aye – Chapman, Gifford, Hadden, Markham, Morehead, Ruckle, Sierer.
Nay – 0.

3. 1-B. CAMPUS AND COMMUNITY PARTNERSHIP SURVEY PRESENTATION

05:15

A PowerPoint presentation titled "Campus-Community Partnerships in Newark, DE: Inventory and Prospects" was reviewed by University of Delaware students Brooke Hite and Nolan Fennelly, students in Geography 315, under the supervision of Professor April Veness.

The primary objective of the project was to create an inventory of campus-community partnerships in response to the City's proposal for a collaboration with the University. A comparative analysis was done through literature which identified desirable

traits and the typical nature of town-gown relations in order to offer a model from which to compare where Newark follows trends and where it diverges.

First they researched which qualities are common among the highly ranked college towns. They were often places of creativity, job opportunities and college sports. Like these towns, Newark also has a great Main Street, athletic facilities and an educated and diverse population. Like others, the overlap of these features offers the places, individuals and opportunities that can promote mutually beneficial interactions. However, Newark does not make it to any top rankings based on these attributions.

To accommodate a growing number of students and the necessary facilities and land, the college has pushed out, putting pressure on the community. UD's footprint takes up nearly half of Newark. This has caused pressure in the form of housing displacement, student behavior, changing culture and loss of taxable property.

It was observed that Newark has yet to figure out its own identity. Newark's webpage speaks of UD and Main Street as positive attributes while UD's welcome page does not refer to Newark as a place to be but rather as a reference point between two desirable locations. This points to a lack of connectivity. Based on the current situation of occasional disagreements but also hope for a better future, the students believed Newark lies somewhere in the middle.

Partnering could be the first step towards sharing mutual ground. The inventory could play the role as a key dialogue point. Uncovering partnerships could help to discover who and what we are as a collective community rather than two inhabitants sharing the same space.

An online platform was built for the survey which was distributed via stakeholder groups, the City website, Newark Post and Residents' Alliance website. For the outreach, information was provided by the City. A list of key stakeholders was then created and information gathered on those groups. Local media was then approached to spread the message. Online survey strategies and data management was reviewed. About 41% of the responses came from UD Administration. The survey concluded with about 127 responses and from those, 92 usable partnerships. It was important to note this was a pilot study and very preliminary but did not sample all of Newark. However, it was a good look at the available sources.

The survey findings showed that the leading partnerships tended to be events, volunteering and coursework. These tended to focus on health and human services, sports and youth outreach. The frequencies tended to be ongoing (a continuous partnership) or a yearly event. Co-sponsorships were very important. About 73% of the events were co-sponsored in some way by the University.

Although preliminary, study results were positive. Projects receiving ratings were classified into 65 categories. There were about 30 events and many volunteers. Events such as Ag Day were rated highly and co-sponsorships were highly regarded.

The survey had an additional question that allowed respondents to comment on what made the partnerships successful. From the 66 respondents it was noted that 36% said the success was due to a collaborative spirit. A few respondents had a less than positive experience.

In conclusion, the preliminary inventory was incomplete but was a great stepping stone for going forward. To have a better understanding of what is going on between the community and the campus, a lot more data analysis was required and a larger effort for the collection of data. Having a better idea of the campus-community partnerships might help bring about more collaboration and solidify Newark's identity as a college town.

Ms. Hadden referred to the characteristics of top-ranked college town where it was stated that Newark did not make it into the top rankings and asked the basis for that statement. Dr. Veness said Newark did not make it into any of the top rankings on the

attributes showing up in that slide. Newark had some of them and was always the best value but never came in as one of the top 25 or so.

Mr. Markham asked Dr. Veness if this was a one-time project or if it would be continued. Dr. Veness said this was about figuring out what kind of project the community at large would like to do with those on campus. This came to her attention from folks in the City government. She said it was an enormous task to collect that database. She would wait to see if she was given a charge to do this kind of leadership again, but for now their part had ended on this one. Mr. Markham was taking this as an open door.

Mr. Morehead noted the survey finding summarized 92 usable partnerships and asked if there was a list available to access. Dr. Veness said they were still finalizing the inventory document and it was almost ready to be handed off.

The discussion was opened to the public.

Lynette Young Overby, Chair of UD's Community Engagement Commission, stated they were interested in continuing to do this kind of work and were applying for funding to build on issues where the University might work on collaboration with the City.

4. 2. ITEMS NOT ON PUBLISHED AGENDA

A. Public

25:47

John Morgan, District 1, discussed item 11-F on the Consent Agenda which proposed the cancellation of the July 13, 2015 Council meeting. He requested that Council postpone making this decision until the June 8, 2015 meeting. His reason for the request was that the Planning Department was moving ahead with the revision of the definition of accessory use and neighborhood, and he thought it was timely for Council to move forward with it. Also under consideration with the noise ordinance.

Anne Maring, District 1, did not think it was a good idea to cancel a Council meeting. She asked the status of the referendum and notice of intent on stormwater funding and questioned the Box Tops for Education project. Ms. Sierer reported that she and Ms. Houck were meeting almost monthly on the Box Tops project.

Ms. Houck said the noise ordinance was being worked on by the company who did the workshop on information that will be presented to Council and the public. On the stormwater funding the work was underway and she hoped to come before Council within the next two months with additional information. Regarding Box Tops for Education it was hoped to have further information in the near future.

Jeff Lawrence, District 3, expressed concerns that Executive Sessions were being misused in certain cases. He said it was surprising to hear plans to outsource refuse collection and asked if anyone wanted to provide information on what happened in tonight's Executive Session. Mr. Morehead asked Mr. Herron if he could describe what could be said. Mr. Herron advised whatever was discussed in Executive Session could not be disclosed at this point.

Helga Huntley, District 1, thanked Public Works staff for responding quickly to her request to deal with debris in the Casho Mill pedestrian underpass. Ms. Huntley asked that the written minutes from Council meetings become available more quickly and for Council to direct staff to schedule the amendments to the floodplain regulations.

Len Schwartz, District 3, previously discussed offering municipal Internet access to residents, businesses and public schools. He felt that Comcast and Verizon overcharge for the services they provide and that commercial Internet in the U.S. is inferior and more expensive than the services in other countries. As a first step he suggested the City invite Blair Levin, Esq., leader of the Gig.U project which helped bring municipal Internet to at least 37 college towns in the U.S.

Eric Boye, Greater Newark, encouraged looking at the budget to fund stormwater drainage problems and thought the municipal Internet was a good option for the City.

5. **2-B. ELECTED OFFICIALS:**

43:40

Town of Elsmere 4th District Councilman Edward Zielinski, was in attendance.

6. **2-C. UNIVERSITY**

(1) Administration – None

7. **1-C-2. STUDENT BODY REPRESENTATIVE:** None

8. **2-D. LOBBYIST**

44:31

Mr. Armitage provided an update of the bills that may impact the City.

House Bill 6 would limit University of Delaware Zoning immunity. He did not believe it would move forward this year. Mr. Morehead asked if that bill would benefit from some action from Council. Mr. Armitage suggested remaining neutral on the bill.

House Bill 37 would limit employer's access to criminal history for prospective employees. He did not think there was a lot of support for this to move forward and did not think the City needed to take a position. Mr. Markham asked for an update on Ban the Box.

House Bill 39 decriminalized the possession of small amounts of marijuana. The Police Council (including Chief Tiernan) came out against this bill and Homeland Security and the State Police also opposed the bill. Mr. Morehead asked Mr. Herron if Council proposed and directed if as far as someone made a motion to direct and then they took a vote. Mr. Herron's recommendation was that before making a motion and voting on a bill, Council should have it in front of them. Ms. Sierer noted that Council members received the bills from the League of Local Governments.

Ms. Hadden recalled at one of the League meetings a discussion centered on the definition of impairment which was associated with the bill. She believed because the definition did not exist, that the League was not in favor of proceeding. Mr. Armitage thought the practical difficulty for the police was if someone was impaired with marijuana it was much more involved doing the field sobriety test than it would be with alcohol. Ms. Hadden was comfortable with the League's wait and see position. Mr. Markham would stay neutral at this time. Mr. Gifford was not prepared to vote on this bill. Mr. Morehead agreed Newark should take no position at this time.

A discussion ensued about whether Council would prefer more detailed information in the summary report Mr. Armitage provided. Mr. Chapman thought the advice to Mr. Armitage should be that he was in Dover to collect information and act as Council's liaison unless otherwise directed. Newark would have a position when there was an official vote by Council. He appreciated Mr. Armitage sharing information with Council beyond the basic bills including the actual impact to the City and what direction it was going in with the legislators. Mr. Chapman believed the status notes were beneficial in terms of interaction between Mr. Armitage as a lobbyist providing information on how something was being positioned in terms of negotiation. Ms. Hadden wanted Mr. Armitage to provide Council with the information and tell them what would benefit the City – then it was Council's job to give him direction. Mr. Gifford added if there were items where Mr. Armitage recommended Council taking a position, he could bring this to Council for a vote. Mr. Markham recommended that Council say they were interested in these topics – whether they wanted more feedback or to pursue certain topics. He urged caution in sending resolutions to the Legislature based on negative reactions in the past.

Ms. Houck pointed out that as the end of the session gets nearer, things start moving very quickly. She cited an incident last year where Representative Kowalko called about a decision that was getting ready to be made on the floor - the City's incorporation date was needed because the bill to be voted on would carve the City in or out.

Ms. Sierer brought up the topic of how to handle instances when quick decisions or opinions were needed.

Mr. Gifford felt there were provisions in the Code for Council to meet for a quick decision and that only four members needed to provide direction. He did not see it as a problem. Ms. Hadden noted that in looking at the process, nothing would come in overnight and she expected Council would see bills well in advance and they could be discussed along the way. She had a problem seeing any urgency. Mr. Markham referred to bills that were fast tracked in the past and cautioned that they could be sitting in the ready or be brought off the ready and handled quickly. Ms. Hadden felt it was Mr. Armitage's job to tell Council something was happening fast. Mr. Morehead noted that Mr. Armitage was aware what was on the ready list. He was not aware of anything on there now that created problems for the City. If there was a meeting needed to give Council's guidance, it could be done as needed. Mr. Chapman felt that as long as Council was kept informed, Mr. Armitage should know the City's position. He did not see a need to funnel additional communication through the City Manager.

Mr. Gifford asked Mr. Armitage if he was actively working on any issues at this time. Mr. Armitage reported that his involvement with pre-emption was sharing the drafts with the NRA (who had a lot of input in how that bill was drafted). The most recent draft would limit open carry of weapons in any municipal facility, and any city that wanted to be part of that process would have to pass an opt in ordinance. He took direction from Council that they wanted to have input as to whether or not open carry would happen in Newark. Mr. Gifford commented the issue had not been discussed recently nor had he talked about while on Council. It seemed Mr. Armitage was working more on this item with the NRA than with Newark, and he asked if this was a conflict. Mr. Armitage felt he was "dancing on the fence post" to try to ethically represent Newark, although he did not have a position from the City or the NRA. Mr. Gifford believed the RFP and conversations between Council and Mr. Armitage noted that the City was his primary account. Mr. Gifford asked how the NRA felt about that situation. Mr. Armitage did not believe they had a problem with his representation of the City. While Mr. Armitage was awaiting Council's comments, he made a request that the bill include the option for municipalities wanting to limit open carry to opt in rather than opt out. Currently, only the State controlled pre-emption. Mr. Gifford was concerned that one Council member could have more influence than another, and he thought Council should vote on an important item like open carry.

Mr. Herron explained that no bill had been introduced yet, so there was nothing available for Council to review or vote on. Mr. Chapman agreed that as a group, it made sense for Council to discuss an issue once it was a bill.

Ms. Sierer asked if there was anything on the summary of bills provided by Mr. Armitage where he would need Council's guidance. Ms. Houck referenced prevailing wage thresholds (HB 145) which she thought might be good. Mr. Armitage said originally the League was hoping to move renovation projects from the limit of \$15,000 to \$100,000 and for new construction from \$100,000 to \$350,000. The bill that was introduced had renovation projects at \$15,000 and would now move it up to \$45,000. New projects were currently at \$100,000 and it was moved to \$500,000. There was some e-mail communications about trying to move renovations up to \$75,000 and he thought Council might want to weigh in as to the best number to use moving forward. Ms. Houck explained it would increase the threshold before prevailing wage was triggered which tended to make projects cost more money. She said by hiring the threshold more work should get done for less money. Mr. Armitage added the last estimate he saw of the cost of prevailing wage in a project added about 18% which is significant. Mr. Gifford felt the City wanted something even higher than what was suggested – Mr. Armitage agreed and said the highest number you could get was a bigger bang for your buck.

MOTION BY MR. GIFFORD, SECONDED BY MR. RUCKLE: TO SUPPORT THE LOBBYIST TO MOVE IN THE DIRECTION TO RAISE THE PREVAILING WAGE.

MOTION PASSED UNANIMOUSLY VOTE: 7 to 0

**Aye: Chapman, Gifford, Hadden, Markham, Morehead, Ruckle, Sierer.
Nay: 0.**

Ms. Houck referenced Municipal Street Aid. Earlier in the year Council received a letter that was sent to all the bond bill committee members and the City's local representatives giving reasons for the importance of the financing.

Regarding the Hotel/Motel tax, the League Legislative Committee has been working on the issue and met with Bill Sullivan to discuss the industry's thoughts on the tax and getting more money carved in for the municipalities where the hotels were located. Mr. Morehead asked for Mr. Sullivan's position about what impact the tax would have on his industry. In general Mr. Morehead would support other funding sources and would go that far but he would not be in a position to define it any further. Mr. Chapman did not support the tax which he thought would deter people from coming to Newark.

9. 2-E. CITY MANAGER

01:44:55

Ms. Houck reported that new pavement markings were planned on Main Street leading up to the entrances to public parking lots to enhance their visibility. Mr. Gifford asked how the State agreed to put the markings on their road – Ms. Houck said as long as Newark maintains it they were ok with it.

The Newark Police Department conducted a Hug a Cop promotion that was extremely successful.

10. 2-F. COUNCIL MEMBERS

01:46:21

Mr. Ruckle

- Thought the Hug a Cop promotion was a good ideas.
- Reported that The Honorable Ruth Parks Malm, retired Judge of the Court of Common Pleas passed away recently.
- At White Chapel their roads are part of their condo dues. They had some major issues and Mr. Coleman went out and helped them to develop an action plan to hire a contractor and to resolve the issues.
- Will be attending the Fallen Officers memorial on May 13 at City Hall at 8:30.
- On May 13 at Newark High School the Christiana School District will hold the last public meeting before the referendum on 5/27.
- On May 15 at 8:30 p.m. a homeless seminar would be held at the Newark Senior Center.
- The City's new K-9 would be introduced at 4:00 p.m. on May 15 at Academy and Main followed by a fundraiser at Klondike Kate's.
- Discussed installing fire hydrants on the right side of Kirkwood Highway going out of the City where there was a recent apartment fire.

Mr. Gifford

- Would participate in Bike to Work Day on May 15.
- Planned to attend the Mayor's Bike Ride on May 16.
- The electricity service issue listed on the Weekly Report – SevOne, a network monitoring company, was interested in self-powering a small data center for their networking business. He suggested having Mr. Herron check into ensuring the City was being diligent in allowing someone to provide their own primary power since the City was the supplier of power in Newark.
- Met with Ms. Houck to discuss parking meter sensors. He had a constituent ask about construction on Academy Street at one of the parking lots. With data coming from the parking meter report from Mr. Vitola about how much money they were bringing in, he also wanted to know how many of them were working and whether issues got resolved.
- Asked Ms. Feeney Roser to provide a timeline in the weekly report about the accessory use and neighborhood project on an ongoing basis.
- An attempt was made to drive a small vehicle over the bridge at the end of the Hall Trail and there were boards in need of repair.

Ms. Hadden

- Addressed a number of constituent concerns.
- Attended the Christina School District meeting where the referendum and the financial implications were discussed and e-mailed this information to constituents.

- Had the monthly meet and greet and a Christina School District representative was present to talk one-on-one with the attendees.
- Attended the Jefferson Awards ceremony at Home Grown Café which was well attended and everybody seemed to enjoy the new format.
- Attended the Rodney complex presentation and the Phase I Rental Needs Assessment completion presentation.
- Asked to be informed about the anticipated wrap up of the sound project.
- Also wanted to know the reported costs and efficiencies for the parking meters.
- Will attend the NPD memorial ceremony on May 13 which was open to the public.

Mr. Chapman: None

Mr. Morehead

- Forwarded the podcast to Council of Scott Douglass speaking about UD's footprint in town and their plan to leave west campus. It was available on the UD website.

Mr. Markham

- Asked Ms. Feeney Roser what the likelihood was that accessory use would be on June 2 and the timeframe thereafter. Ms. Feeney Roser hoped it would be on the June 2 Planning Commission meeting but there was some work that needed to be done. Ms. Bensley added that any amendments to Chapter 27 or Chapter 32 require two meetings between the first and second readings because of the longer notification requirements so anything passed at the June Planning Commission meeting could have the First Reading on June 22 and the Second Reading would be on July 27.
- Encouraged everyone to come out to the memorial ceremony at UD prior to the Memorial Day Parade on May 17.
- Planned to attend the CAC meeting on May 12 to discuss green energy blocks and CAC funding and encourage them to complete their work on how the formula should work. Solair (installer of McKees Park) will attend the meeting to review its performance.
- Regarding SevOne discussed by Mr. Gifford, he said the good news was they are a local company and are utilizing local staff in their expansion efforts.

Ms. Sierer

- The Jefferson Award celebration/presentation at Home Grown on April 30 was very successful with about 75-80 people in attendance.
- Attended the Boards and Commissions Review Committee meeting. They were making progress and doing good work.
- Equipment being purchased from funds raised at the Mayor's Fun Run in October were on order and there would be exercise stations along the Hall Trail.
- The Mayor's Bike Ride was May 16 at 10:30 a.m. and Rittenhouse Station was working to block off part of their parking lot for festivities.
- Was asked to participate in a panel discussion at the Bikeable/Walkable Summit in Dover and noted that Newark shines in all avenues as a community in many ways.

11. 3. **ITEMS NOT FINISHED AT PREVIOUS MEETING:** None

12. 4. **APPOINTMENT TO BOARDS, COMMITTEES AND COMMISSIONS:**
None

13. 5. **SPECIAL DEPARTMENTAL REPORTS:**
A. Special Reports from Manager & Staff: None

14. 6. **RECOMMENDATIONS ON CONTRACTS & BIDS:**
A. Recommendation to Award Contract No. 15-03 – Renovations to Tennis Courts

02:03:39

Mr. Emerson reported that Contract No. 15-03 was for the renovation of ten tennis courts at Fairfield, Phillips, and Handloff Parks and at George Wilson Center. Three bids were opened and American Tennis Courts was the lowest bidder at \$53,150 plus \$13.55 per linear foot for additional crack sealing over 680 linear feet. The firm has performed satisfactory renovations for the City in the past. Funding was available in the Capital

Budget in the amount of \$150,000. He therefore recommended awarding Contract No. 15-03 to American Tennis Courts in the amount of \$53,150 plus \$13.55 per linear foot for additional crack sealing over 680 linear feet.

Mr. Morehead questioned why there was \$150,000 in the budget for a \$50,000 bill. Mr. Emerson explained when the project was put together several years ago they worked with a consultant and requested an estimate from the firm. Their suggestion was to put anywhere from \$10,000 - \$15,000 per court in the budget. Mr. Morehead noted that when discussing budget priorities every dollar was important and this was over by more than a percent on the tax increase.

Mr. Markham asked how long the refinishing would typically last. Mr. Emerson reported anywhere from 7-15 years for this type of a rehab project.

Mr. Gifford asked about the cost of the additional crack sealing. Mr. Emerson felt confident about the estimated measurement which was done by the City about three months ago.

Mr. Ruckle asked what would be done with the additional funding in the Capital Project. Mr. Emerson responded that it would remain in the Capital program fund.

There was no public comment.

MOTION BY MR. CHAPMAN, SECONDED BY MR. RUCKLE: THAT CONTRACT NO. 15-03, FOR THE RENOVATION OF TEN TENNIS COURTS AT FOUR CITY PARK LOCATIONS, BE AWARDED TO AMERICAN TENNIS COURTS, INC. IN THE AMOUNT OF \$53,150 PLUS \$13.55/LINEAR FOOT FOR ADDITIONAL CRACK SEALING OVER 680 LINEAR FEET.

MOTION PASSED UNANIMOUSLY VOTE: 7 to 0

Aye: Chapman, Gifford, Hadden, Markham, Morehead, Ruckle, Sierer.
Nay: 0.

15. 6-B. BUDGET AMENDMENT RECOMMENDATION ON ADDITIONAL ENGINEERING SERVICES PER PREVIOUSLY AWARDED RFP NO. 12-05 – ENGINEERING SERVICES AND PROJECT MANAGEMENT FOR PUBLIC WORKS AND WATER RESOURCES PROJECTS

02:10:13

Mr. Haines presented the budget amendment recommendation to transfer \$43,047 from Capital Project K1301 into the Administrative Department's Legal/Consulting Services account. It was staff's recommendation to contract JMT, Inc. to provide a cost proposal to complete a conceptual study of the Municipal Building. The evaluation would include costs for: 1) renovation and addition of existing building; 2) new building on existing site; 3) new building on existing and expanded site.

Mr. Markham asked why one of the recommendations was not just for renovation, asked him to list some of the major issues with the building and why the observations would not be done in house. Mr. Haines reported:

- The facility could be renovated but there were shortcomings with parking facilities.
- Does renovation include up – perhaps with a third floor on the police side.
- There was approximately 45,000 square feet of functional space. They would be estimating meeting spaces, another shortcoming. They would be working to come up with an additional 15,000 square feet of space.
- Improve the safety of parking operations considering segregated parking for Police and Court personnel with gated automated control access.
- HVAC and energy efficiency – baseboard heating was problematic for employee comfort. The building was constructed in 1971 as an open floor plan and the erection of walls challenged the effectiveness of the HVAC.

- Logistical issues on the Police side – the operational, functional capacity was met and there was not even one room large enough to be a training room.
- The City has no architects to perform in-house engineering and wanted a real cost to gut in place.

In regard to storage capacity being an issue, Mr. Markham thought there should be the ability to locate things offsite. Another option was the possibility of utilizing retail facilities that might be appropriate for a particular group closer to Main Street.

Mr. Gifford asked whether an expanded site was being considered. Mr. Haines said it was proposed because it was a high benchmark from a consideration standpoint from a dollar and time perspective looking at which operations could not be down. Mr. Haines said the VFW site was looked at since it was contiguous property but the location could be anywhere. Mr. Gifford asked if expanded parking areas were filled as well. Mr. Haines said it was at times with cars parking at the VFW, particularly on Court days.

John Morgan, District 1, did not object to spending money to consider what would need to be done to renovate the HVAC system. His concern was about expanding the existing building or putting up new buildings which would cost at least \$20 - \$50 million. If the City was not ready to move ahead with this in the next several years, another study would be required. He did not think it made sense to do the study now and put up a new building years later. He did not understand why this should be done now at this level and pointed out that \$43,000 was one-half of 1% of a property tax increase.

Helga Huntley, District 1, asked what made it so urgent to add this to the budget rather than waiting until the next budget. Mr. Haines explained the renovation conversation began in the 2012 budget and it was discussed with Council last year. Staff was asked to come back with a cost analysis to be able to stay in place. During that investigation, this price came up and therefore the proposal was presented to Council. The question staff posed was to design a more effective building.

Seeing no further public comment, the discussion was brought back to the table.

Mr. Gifford said in light of the City already doing stormwater, thinking about a parking garage and potentially buying Rodney if there was a favorable negotiation, he thought the analysis would have to be done again for anything related to an expanded site. He asked about getting bids for someone to renovate and add the desired features and fix the HVAC. Mr. Haines explained from an architectural standpoint someone would be needed to spec out what we wanted to bid. This would provide the global cost and ultimately answer the question what would it cost to stay in place.

Mr. Morehead said stormwater was often pegged at \$7 million for the first quarter of the system which if projected forward could go to \$28-\$30 million. The parking garage was pegged at \$15 million and a new municipal building would be at least \$20 million. He did not see where the City had all the money. Mr. Morehead did not see the need to rush this at this point in time.

Ms. Houck said staff viewed this as coming full circle from past conversations with Council members and this had to be done to know the cost to stay in place. She felt staff was in agreement that the timing was not good and was awaiting Council direction.

Mr. Chapman thought opportunities to move or purchase property became the time at which staff brought to Council's attention shortcomings or issues with the existing building. If the larger project was scrapped, he asked what items still had to be fixed and worked on individually and brought to Council and what the expectations were in terms of costs and timing. Mr. Haines responded the HVAC was one. Public Works was delayed the last two years to do anything to the parking lot. The meeting space still creates challenges. Storage was not just file storage, it was also operational. The electric load on the building gets pushed and challenged on many days. The elevator will go in the Capital Budget because the cylinder was near the end of its useful life. Mr. Chapman questioned the option of renting parking spaces across the street.

Regarding both meeting space and record storage information, Ms. Bensley reported said with the new security system and the open floor plan of the building outside of that, meeting space was a challenge. Evening meetings were now limited to the Council Chamber. Sound issues were chronic with the chamber and because of the open ceiling in the room there was only so much they could do to correct the sound issues. Regarding records storage, the City Secretary's office was working on digitizing records and shipping some of the records to Delaware Public Archives. Part of the problem was because of the age of the building and how it was originally constructed, the City Secretary's records were not safe in the building. If a sprinkler were to go off in the main file storage room, records would be destroyed. Records were also stored in the basement which had no climate control and flooding in the past. She suggested that part of what could be addressed through this would be preservation of the City's records.

Mr. Gifford thought those issues should be put in front of Council if there was an issue like that. He did not want to learn about records not being waterproofed and if that was an issue, something should be done about such as sending them someplace safe. He supported maintenance of the building and would rather spend the \$43,000 on maintenance and upgrades than the study.

MOTION BY MS. HADDEN, SECONDED BY MR. MOREHEAD: TO REJECT THE BUDGET AMENDMENT RECOMMENDATION ON ADDITIONAL ENGINEERING SERVICES.

MOTION PASSED UNANIMOUSLY VOTE: 7 to 0

Aye: Chapman, Gifford, Hadden, Markham, Morehead, Ruckle, Sierer.

Nay: 0.

Mr. Markham pointed out that staff now had direction to bring building maintenance items to Council. Mr. Gifford added that creative solutions to meeting space or storage were welcome.

16. 7. **FINANCIAL STATEMENT:** None
17. 8. **ORDINANCES FOR SECOND READING & PUBLIC HEARING:** None
18. 9. **RECOMMENDATIONS FROM THE PLANNING COMMISSION AND/OR PLANNING & DEVELOPMENT DEPARTMENT:** None
19. 10. **ITEMS SUBMITTED FOR PUBLISHED AGENDA**
 - A. **Council Members:** None
20. 10-B. **OTHERS:** None
21. 11. **APPROVAL OF CONSENT AGENDA**
 - A. Approval of Council Meeting Minutes – March 23, 2015
 - B. Approval of Council Organizational Meeting Minutes – April 21, 2015
 - C. Receipt of Alderman's Report – April 29, 2015
 - D. Receipt of Planning Commission Minutes – April 7, 2015
 - E. Receipt of Real Estate Tax Assessment Quarterly Supplemental Roll – First Quarter 2015

02:45:48

Mr. Morehead asked to remove item 11-F, Cancellation of the July 13, 2015 Regular Council Meeting, from the agenda for a separate discussion.

Ms. Bensley read the Consent Agenda as amended.

MOTION BY MR. MARKHAM, SECONDED BY MR. MOREHEAD: THAT THE CONSENT AGENDA BE APPROVED AS AMENDED.

MOTION PASSED UNANIMOUSLY: VOTE: 7 to 0.

Aye – Chapman, Gifford, Hadden, Markham, Morehead, Ruckle, Sierer.
Nay – 0.

22. 11-F. CANCELLATION OF THE JULY 13, 2015 REGULAR COUNCIL MEETING

02:46:36

Mr. Morehead thought there was enough business to have a meeting on July 13 and would not be in support of cancelling the meeting.

Mr. Gifford asked Ms. Bensley what might be coming along. Ms. Bensley explained part of the reason this was placed on tonight's agenda was because there were several development projects coming to Council in the future. To be able to plan and coordinate their second reading schedules and their publication schedules, that was why this was on the agenda for consideration. He was concerned about longer meetings resulting from a cancellation. Since the required paperwork was not yet submitted, Ms. Bensley could not give an exact timeline about what was coming forward but she knew of at least two development projects and a potential Special Use Permit in the not-too-distant future. For advertising purposes the decision about cancelling the meeting was needed by the next Council meeting.

Mr. Chapman said in the original conversation there was a discussion that cancelling the meeting would provide an opportunity for City staff to take a vacation during the summer months without delaying City business. It made sense to him.

Ms. Houck was not aware of staff vacation being part of this consideration and did not make that request. Ms. Bensley noted that discussion was part of her review process.

Mr. Morehead asked for further information. Ms. Bensley reported that part of the discussion during her review was the consideration of cancelling a summer meeting due to the fact that currently the only two meetings cancelled during the year were the meeting directly before the election which involves a large workload for City Secretary staff and the meeting around the holidays at the end of December. Further, she said this would not be as much of an issue if there were not meetings every week (such as workshops) which created a constant workload and resulted in being behind on items such as minutes. This would provide the opportunity to catch up.

Mr. Gifford asked if there were other meetings scheduled in July on those off weeks for workshops. Ms. Bensley said there were not at this point in time. In addition the off weeks often caused as much, if not more work, than the on weeks because they were the agenda preparation weeks. Mr. Gifford said he did not want to slow any projects down such as noise and accessory use. Ms. Houck said workshops would most likely be set up on noise, stormwater and possibly others such as Rodney and refuse.

MOTION BY MR. MOREHEAD, SECONDED BY MR. RUCKLE: THAT THE JULY 13, 2015 CITY COUNCIL MEETING BE CANCELLED.

MOTION PASSED UNANIMOUSLY: VOTE: 7 to 0.

Aye – Chapman, Gifford, Hadden, Markham, Morehead, Ruckle, Sierer.
Nay – 0.

23. Meeting adjourned at 9:55 p.m.

Renee K. Bensley
Director of Legislative Services
City Secretary