

**CITY OF NEWARK  
DELAWARE**

**COUNCIL MEETING MINUTES**

**September 28, 2015**

Those present at 6:15 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: Deputy City Manager Andrew Haines  
City Secretary Renee Bensley  
City Solicitor Bruce Herron  
Community Affairs Officer Ricky Nietubicz  
Finance Director Lou Vitola  
IT Director Joshua Brechbuehl  
Planning & Development Director Maureen Feeney Roser

---

**EXECUTIVE SESSIONS**

- A. Executive Session pursuant to 29 *Del. C.* §10004 (b)(4) and (6) for the purpose of a strategy session involving legal advice from an attorney-at-law regarding potential litigation and the discussion of the content of documents excluded from the definition of “public record” in 29 *Del. C.* §10002 where such discussion may disclose the contents of such documents.

Council entered into Executive Session at 6:15 p.m. and returned to the table at 6:59 p.m. Ms. Sierer advised 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. MOTION BY MR. MOREHEAD, SECONDED BY MR. MARKHAM: TO REMOVE ITEM 11-A, APPROVAL OF COUNCIL MEETING MINUTES – AUGUST 31, 2015, FROM THE AGENDA.

MOTION PASSED UNANIMOUSLY: VOTE: 7 to 0.

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

3.
  1. **PUBLIC PRESENTATIONS**
  - A. **Resolution 15-\_\_**: Recognizing Samuel Burns for His Work on the Board of Elections and Contributions to the City of Newark

**13:20**

Ms. Sierer recognized Mr. Burns who was appointed to the Newark Board of Elections on July 24, 1972 and served as president for many years. She commended his continuous public service for the last 43 years. Board of Elections members Janet Yoder, Ed Wirth and Gloria Hickey were in attendance and were also recognized by Ms. Sierer for their community service.

MOTION BY MR. MARKHAM, SECONDED BY MS. HADDEN: THAT THE RESOLUTION BE APPROVED RECOGNIZING SAMUEL BURNS FOR HIS 43 YEARS OF SERVICE ON THE NEWARK BOARD OF ELECTIONS.

MOTION PASSED UNANIMOUSLY VOTE: 7 to 0.

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

**(RESOLUTION NO. 15-BB)**

**4. 1-B. PROCLAMATION RECOGNIZING THE INTERNATIONAL LITERACY ASSOCIATION – 60<sup>TH</sup> YEAR IN NEWARK**

**03:30**

Ms. Sierer announced that the International Literacy Association (formerly the International Reading Association) recently celebrated their 60th anniversary. They held a ribbon cutting ceremony several weeks ago for the “Little Free Library” they installed on Barksdale Road in front of their building.

**5. 2. ITEMS NOT ON PUBLISHED AGENDA**  
**A. Public**

**05:01**

Jean White, Radcliffe Drive, followed up on her previous comments regarding the new City logo. She remarked that at the refuse meeting several Newark citizens were concerned that “Committed to Service Excellence” was no longer on the logo. Ms. White felt it was appropriate for the refuse collection which received very high satisfaction in citizen surveys and noted there was service excellence in other City departments as well.

Ms. White asked staff if they planned to keep the existing “Committed to Service Excellence” logos on: the illuminated sign outside the Municipal building, signs at the various entrances into the City, on the electric bill, embossed on the refuse bins, on City brochures, on business cards, and on City Manager letterhead (which also states “A Council-Manager City”). Ms. White did not object to the new logo on Facebook but thought the others should remain. She requested a response from staff.

Mr. Markham clarified that the importance to Ms. White was the “Committed to Service Excellence” phrase as well as the logo. She also felt the state name (Delaware) should be spelled out to distinguish ourselves from Newark, New Jersey.

Mr. Gifford suggested a follow-up discussion at a future meeting.

**6. 2-B. ELECTED OFFICIALS: None**

**7. 2-C. UNIVERSITY**  
**(1) Administration**

**17:43**

Rick Deadwyler provided an update on the presidential search which began in July. Since that time the hundreds of nominations and self-nominations had boiled down to a candidate pool of 14. The search committee hosted over 19 open forums, town halls and candidate information sessions with faculty, staff, administration, students and the University community as a whole. Numerous members of the legislature provided input in helping to frame what the next University president should be. Updated information was available on the UD presidential search website. Although not firm, January-February 2016 was thought to be a good time for identifying the candidate.

During the process the Presidential Search Committee unanimously agreed it would be most appropriate to have a confidential search. Confidentiality was generally a principle followed when going through this hiring process. Continued updates and sharing and receiving input was a priority in going through the process.

Mr. Morehead asked the next steps. Mr. Deadwyler reported there would be a more rigorous and updated interview process with the candidates who were identified. As a part of that process the Search Committee would spend time in the communities where the candidates were located.

Mr. Markham hoped diversity would be a major part of the search for a new president. Mr. Deadwyler reported that the search firm specialized in establishing diverse candidates and the Search Committee was very diverse and the priority was to make sure there was a diverse and qualified pool of candidates.

**8. 2-C-2. STUDENT BODY REPRESENTATIVE**

**25:08**

Shane Bortledge was the new representative for the UD Student Government Association. Mr. Markham pointed out this time was specifically for the students to bring forward their issues, questions and ideas.

**9. 2-D. LOBBYIST**

**26:15**

Rick Armitage reported House Bill 177 was signed by the Governor on September 3. It required third party notification for utility terminations. With Council's approval Mr. Armitage planned to update the table he created earlier in the year and take everything out that was finished and signed by the Governor. Mr. Morehead requested a summary of the completed items on a separate page.

Mr. Armitage provided an update from DEFAC. There was some good news but the bad news going forward was when they look at what they will probably need to spend as they craft the budget for 2017, there will probably be a hole of at least \$135 million. The foreshadowing from what happened to municipalities last June when the Legislature proposed taking away part of the realty transfer tax and Municipal Street Aid, what they did with the police email accounts and the potential for DelTech to be given taxing authority, which could have a long term impact on the City's ability to have the agreement of the citizens in increasing taxes. There are two DelTech campuses in New Castle County. Long term he did not know whether the City would take a position on that or whether the League would take a position on that but it would be something that impacted the tax revenue if that bill passed. It came close to having enough support in the Senate last year – he did not think it had support in the House to be able to move forward.

The next DEFAC meeting would be in December and those would be the numbers the Governor would use to present the budget to the Legislature in January. The following meeting will be in March. Mr. Armitage planned to attend those meetings with Council's approval to get a sense of where those numbers were coming out and any discussions of the group. He said often there was not a discussion – they present numbers. They went through their spending of what happened in FY2016 so far – they are a little behind in what they thought they would spend. The projections they have for growth in the State for the next year are 2.5%, for job growth 1.8% and for salary increases around 4% statewide. He did not think any of those numbers were particularly strong. The only good number he saw in the DEFAC projections for additional revenue next year were real estate transfer taxes. It went up almost 24% from around \$65 million they thought they would get in June to almost \$90 million they projected they would get in September. The big generators, were not quite seeing what they thought they would see, such as the personal income tax, which was almost a third of the budget at \$1.3 billion. Franchise taxes were just under \$1 billion, gross receipts at \$230 million, lottery at \$203 million and escheats at \$554 million, which was unpredictable.

In the interim three members of administration were part of the Committee – the Secretary of Finance Tom Cook, the Secretary of State Jeff Bullock and Budget Director Ann Visalli. Ms. Visalli talked about what she would have to do going into the future for next year's budget. They talked about even though there is a little bit more revenue projected, the State still had a \$135 million hole because of the \$180 million it is going to cost in pension costs, built-in salary increases for teacher step raises in K-12 and what would happen in health care. The other factor was the health care costs associated with Medicaid – almost 25% of Delaware citizens were receiving Medicaid help. That is one of the cost drivers that almost every year increased about \$50 million.

The other discussion was what could be done to try to convince the Legislature to have the political will to look at expenditures as well as revenue. In the interim Tom Cook said he thought very soon the Governor would appoint the Expenditure Committee and

by the end of the week the Governor did that. What Secretary of State Bullock had to say was will the Legislature have the political will to go back to the citizens and ask what they were going to spend money on. If they did not want to get rid of anything, then they had to do more with revenue. Mr. Armitage's past experience was in an election year they were very hesitant to raise revenue so he felt they would pull things back from the Counties and municipalities in the transfer taxes, etc., all the things the City thought might happen last June. Ms. Sierer said they expect the municipalities to raise the revenue. Mr. Armitage said the problem was the City would not know that was happening until June, already halfway or two-thirds almost into the operating budget and now they pulled money back. Long term, Newark would have to think about it as a group – what the City wanted to do for Newark and what the City wanted to do in conjunction with the League – what kind of things the League really needed to say to the members of the Legislature.

Ms. Sierer asked Mr. Armitage to send Council a list of hot topics they could review and come to the next Council meeting with a discussion. Mr. Armitage would put something together. The next League meeting was October 22 and was in conflict with the lobbyist retreat he was going to. He thought it was important to hear the information he will get at the retreat but also have the input and see what was going on in the thoughts people have from the League from the other municipalities. He was not sure if the other cities looked this far out yet.

Regarding the breakfast the City wanted to do with the Legislature – he was now looking at some dates in January and would try to get that together before the next meeting or have some things to bounce off the calendars. Ms. Sierer thought the further out the better – she spoke with Senators Coons and Carper and they both were very interested in coming and also coming to a Council meeting.

Mr. Markham asked how much the transfer tax and municipal street funds added up to across the State. Mr. Armitage did not have the information. Mr. Markham thought the transfer tax was a small drip in their bucket of deficit. Mr. Armitage said when the numbers are really increasing we may dodge that bullet this year but he just did not know but the one them he heard consistently was because Sussex County had such a large cash balance (mostly because of their realty transfer taxes), that was what has risen to the top that Sussex County has a lot of excess cash where all the other jurisdictions really did not. Mr. Markham said he kept hearing the municipalities and counties have money to do things – they should share in the “pain”. Mr. Armitage thought if the pain was shared equally across everyone, that seemed fairer but what was happening here was all the work was done by the counties and municipalities in collecting that and that just transferred to the State.

Mr. Morehead confirmed with Mr. Armitage that the municipal street aid was for non-State streets only. Mr. Morehead asked if the State would be continuing to maintain their streets. Mr. Armitage said they were trying – House Bill 140 increased another \$25 million in revenue to help the Transportation Trust Fund but that is still short for maintenance and new projects and pushes many things to out years. Although the Elkton Road project was in the Capital Budget for this year, Mr. Armitage did not expect it to get done this year. Mr. Morehead said it appeared the City should consider tightening its belt.

## **10. 2-E. CITY MANAGER**

**39:40**

Mr. Haines updated Council on the emergency sewer work they were notified of through email on September 22 of the main break. The repairs and restoration of the site was completed by the vendor, Nichols Excavation, on Saturday. The work by that firm alone would probably eclipse \$25,000. As noted in the email, it was an asbestos concrete pipe which created extra work. There was overnight shipping for some parts and materials. Mr. Haines acknowledged the Public Works and Water Resources team for doing an outstanding job. A formal update would be presented to Council once the final numbers were available.

Mr. Markham read there were private sewers that tied into that line and asked if there was any chance of the damage being caused by anything upstream. Mr. Haines

explained it was where there was a sewer main crossing the tributary stream to the White Clay and it was believed to be a City problem.

Mr. Haines reported the refuse presentation was held on September 21. Staff appreciated the exchange of dialogue and Council thought it was a good civic process. A summary of options would be presented by staff at the October 12 Council meeting.

## **11. 2-F. COUNCIL MEMBERS**

**43:29**

### **Mr. Gifford**

- Commended the City for getting the sewer pipe repaired quickly. The break was upstream of the water intake.
- Had a standing request for some parking numbers. Mr. Vitola was working on putting it in a presentable format.
- Regarding municipal street aid and transfer tax, he asked if we were taking that as input for the budget. Mr. Vitola assumed it would still be safe to rely on RTT money in our fiscal year 2016 which is calendar 2016. Last year one third of it was stripped away beginning in July 2016, so 2015 action would have been delayed one of the State's fiscal years which would have caught Newark halfway through its next fiscal year. As much as we need to start belt tightening and preparing for the worst, he thought we had 2016 and then really had to start taking measures to fill the gap left by that revenue.
- Attended and enjoyed the Taste of Newark.

### **Mr. Chapman**

- Confirmed there was a consensus among members of Council and agreement by Ms. Sierer and Mr. Haines to add a conversation about the roll-out of the new City logo to the next agenda.

### **Ms. Hadden**

- Attended the refuse RFP meeting and it was great to see so many members of the public who came out to express their opinions.
- Attended the DEMEC dinner meeting. It was interesting to hear how far they have gone to become self-sufficient and sustainable.
- Attended the Emily Ruckle event on Sunday which was a nice event for a strong and brave young lady who is always smiling.
- Next meet and greet was scheduled for October 15 at 5 p.m. at Pat's Pizza. Ms. Hadden invited the management company for Park and Shop on South Main Street to share their new plans and encouraged residents of district 4 to attend.

### **Mr. Markham**

- Congratulated Ms. Sierer, former Mayor Funk, the University and all the restaurants that came out on a successful Taste of Newark.
- Welcomed the University students to the meeting.
- McKees almost reached a milestone – 299.9 megawatts produced. The City received savings of \$85 per megawatt and another \$50 in SRECs, so every megawatt was worth \$135 to us.

### **Mr. Morehead**

- Visited the Flight 93 National Memorial in Shanksville, Pennsylvania. He encouraged people to attend if they wished to be inspired by the human spirit.
- Attended the refuse outsourcing public forum. He said a number of opinions were expressed and thanked staff for doing a thorough review of the options.
- Asked Council to consider that while the street fund may be intact next year that the City has financial policies that would encourage the City to start saving money, consider that money being gone and take action to ensure the City's financial health.
- Asked if the sewer pipe associated with the breakage was identified as a questionable pipe and whether we may have been able to take care of it proactively if we had been on top of our infrastructure maintenance.
- The Superfresh market on New London Road was purchased by Acme, and there was a rumor it was being looked at by Trader Joe's personnel. He encouraged people to

contact their corporate office about bringing a Trader Joe's store to the Newark community as he felt it was important to continue to have a grocery store in that location.

**Mr. Ruckle**

- Thought Community Day was a wonderful event and commended Parks and Recreation and the University of Delaware for their efforts.
- Was questioned about two parking tickets received when a car was left parked at Leroy C. Hill Park for four hours on Community Day while the owner carpooled to the event. Mr. Ruckle did not see any signage about parking restrictions there but felt it was important to clearly highlight this information for people using the park.
- Attended the DEMEC meeting – it appeared the rates would potentially stay the same or perhaps go down.
- Thought staff did a great job with the refuse workshop and was surprised with the public comments to “please raise our taxes.”
- Participated in his Stafford neighborhood block party which had great community turnout. He was approached by several constituents about parking issues on Main Street.
- Had an event to celebrate his daughter's Emily's recovery and expressed thanks for the lifesaving efforts provided by Megan Carpenter, Newark Police Department, Aetna Hose Hook & Ladder Company, New Castle County Paramedics, Alfred I. duPont Hospital for Children and Children's Hospital of Philadelphia.

**Ms. Sierer**

- Looked forward to having a ride along with Aetna on Friday night.
- The Main Street Mile would be held on October 3 at 9:00 a.m. and was a fund raising event for the NPD K-9 unit.
- Participated with Ms. Hadden in the NPD Citizens' Police Academy on Tuesday evenings for six weeks. Last week's session was on DUI and was very informative. She encouraged members of the public to consider enrolling in a future academy.

**12. 4. APPOINTMENT TO BOARDS, COMMITTEES AND COMMISSIONS:**

- A.** Appointment of Joseph Brady to the Board of Business License Review to the Vacant At-Large Term to Expire July 15, 2017

**01:02:33**

Ms. Sierer reported that Mr. Brady was a member of the community for over 30 years and lived in district 1. He had an extensive business and financial education and experience and retired from the faculty of the University of Delaware in the College of Business and Economics.

There were no questions from Council.

There were no public comments.

MOTION BY MS. SIERER, SECONDED BY MR. MOREHEAD: THAT JOSEPH BRADY BE APPOINTED TO THE BOARD OF BUSINESS LICENSE REVIEW TO THE VACANT AT-LARGE TERM TO EXPIRE JULY 15, 2017.

MOTION PASSED UNANIMOUSLY VOTE: 7 to 0.

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

**13. 4-B. APPOINTMENT OF RUBY HERRINGTON TO THE DOWNTOWN NEWARK PARTNERSHIP TO THE BANKING REPRESENTATIVE, TERM TO EXPIRE JULY 15, 2018**

**01:03:41**

Ms. Sierer noted that the DNP was required to have a banking representative and Del-One FCU was the newest addition to Main Street. Ms. Herrington was with Del-One for the past five years as the Director of Member Advocacy for ten branches and was interested in getting involved in the DNP. Del-One was interested in being an active member of the community and participating in events.

There were no questions from Council.

There were no public comments.

MOTION BY MS. SIERER, SECONDED BY MR. RUCKLE: THAT RUBY HERRINGTON BE APPOINTED TO THE DOWNTOWN NEWARK PARTNERSHIP TO THE BANKING REPRESENTATIVE TERM TO EXPIRE JULY 15, 2018.

MOTION PASSED UNANIMOUSLY VOTE: 7 to 0.

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

Nay – 0.

**14. 4-C. APPOINTMENT OF PAUL KEELY TO THE BOARD OF BUSINESS LICENSE REVIEW TO THE VACANT AT-LARGE TERM TO EXPIRE JULY 15, 2018**

---

**01:05:15**

Ms. Sierer reported that Mr. Keely had been a 33 year member of the community and lived in district 5. He had business ownership experience and looked forward to serving the community in this capacity.

Mr. Morehead asked Ms. Bensley to attach Mr. Keely's LinkedIn profile to his application for the file.

There were no public comments.

MOTION BY MS. SIERER, SECONDED BY MS. HADDEN: THAT PAUL KEELY BE APPOINTED TO THE BOARD OF BUSINESS LICENSE REVIEW TO THE VACANT AT-LARGE TERM TO EXPIRE JULY 15, 2018.

MOTION PASSED UNANIMOUSLY. VOTE: 7 to 0.

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

Nay – 0.

**15. 4-D. REAPPOINTMENT OF KARIE SIMMONS TO THE DOWNTOWN NEWARK PARTNERSHIP TO THE MEDIA REPRESENTATIVE TERM TO EXPIRE JULY 15, 2018**

---

**01:06:44**

Ms. Sierer recommended that Ms. Simmons be reappointed as the media representative of the Downtown Newark Partnership. Ms. Simmons filled a previous appointment and served one short term.

Mr. Gifford said initially when Ms. Simmons was elected to the Board she was somewhat hesitant – he asked if she found it more useful than she anticipated. Ms. Simmons said the hesitancy was because she often writes about DNP related events and was concerned about possible conflicts since she would be involved in the planning of such events. However, she and Newark Post editor Josh Shannon have found a good balance where he writes about events she might be involved in so her position on the Board would not be compromised. She has found her position to be beneficial and has learned a lot from exchanging ideas with various Board members.

There were no public comments.

MOTION BY MS. SIERER, SECONDED BY MS. HADDEN: THAT KARIE SIMMONS BE REAPPOINTED TO THE DOWNTOWN NEWARK PARTNERSHIP MEDIA REPRESENTATIVE TERM TO EXPIRE JULY 15, 2018.

MOTION PASSED UNANIMOUSLY VOTE: 7 to 0.

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

Nay – 0.

16. 5. **SPECIAL DEPARTMENTAL REPORTS:**

A. Special Reports from Manager & Staff:

1. Second Quarter 2015 Pension Report – Deputy City Manager/Finance Director

**01:10:21**

Mr. Haines presented the second quarter 2015 report for the Pension and OPEB Trust. One of the biggest impacts (and the reason for the .01% growth) was the Greece debt buyout that continued through the end of June and into July. With that there was an annualized gross of \$1.33 million on the Pension Fund itself and the real estate fund was the largest performer as it was almost the same time last year (fall 2014 third quarter) and it outperformed that benchmark by 40 basis points as outlined in the first section. Mr. Haines noted since this report and since Council's actions with the Pension Committee, they had to work through summer schedules and update the unions regarding the adopted structure and their role in the committee. The unions made their respective appointments as outlined in the guidelines so an October meeting was planned.

In the end of the first Pension Report and similarly and consistently the value was much smaller in the OPEB. It also was impacted by the global market. It underperformed its benchmark -0.35% vs. benchmark which is actually -0.28% and it had a \$25,000 reduction from \$7.18 million down to \$7.16 million. It reflected on a smaller scale what the Pension Fund did as well and the performance ratios would be reviewed by the Pension Committee. There was interest by staff to look at how the City can do things differently and that would be the education for the Pension Committee.

Overall on the pension side there was positive growth year-to-date. The market rebounded and there had been some up and downs in the most recent quarter as well.

Mr. Markham referenced the performance by quarter and asked if there was something in the document that showed how it had been performing over time. Mr. Haines directed Council to the *Performance Report As of June 30, 2015, Total Assets*, which broke down one, three, five and ten year numbers and the inception date with Russell of January 1, 2002. That provided the total assets for the Plan and broke it down to some of the total equity funds they have as well. This was just with Russell but it could be looked at based on how far back Council wanted to go and also put in context with the investment policies. Mr. Markham said he was looking for something easier to read. He worked with Mr. Vitola over the years on at-a-glance charts showing how things compare, does the City stay with these people, were they great, average, etc. Mr. Haines said these questions were what the Committee would be reviewing – they could work on their own version extrapolation data for a consistent format providing easier comparison.

Mr. Morehead asked that page numbers be added to the future reports. He referred to *Russell update and events, Second quarter 2015* which discussed the *Russell Communiqué for quarter 2* and liability-driven investing. Mr. Morehead was under the assumption that was what the City was doing with the Pension Plan in that it was not just a savings plan. The City intended it to meet a liability specifically. He asked Mr. Haines to provide a copy of this document to Council for their review.

Mr. Morehead referred to Waiting for the Fed, Russell third quarter 2015 Strategist Outlook talked about the U.S. Dollar is overvalued relative to the Euro and Yen and then summarized the divisions of the City's current investments in both the Pension and OPEB funds. He was curious given Russell's outlook projection how the division of funds among those investments would change.

Mr. Gifford added that often he was not sure what to take away from the Pension Report so anything that could be done to improve what Council was getting and supposed to be looking at or that pointed out the important points might be helpful for their review.

Mr. Morehead addressed the OPEB where the City's contribution was effectively zero and asked if that was because of the change made with the employee's healthcare. Mr. Vitola responded that it was and technically the actuarially-determined contribution

for 2015 was \$1.2 million and the City did contribute over \$400,000 but that was the amount attributable to retiree health premiums. So the City was hitting the amount needed but not hitting the amount over and above that. That happened for the first time in 2015 as a result of the changes made to the OPEB fund. The review Mr. Haines spoke to regarding the actuary developing a report to show what the runout looked like, would help guide whether the City needed to continue contributing or not to OPEB funding over and above the retiree premiums only.

Mr. Morehead referred to the \$400,000 number year to date for the Market Value Reconciliation on the Pension Plan. Mr. Haines noted that Russell was the nest egg planning for the liability. The Principle Financial Group was the checking account, which paid out the day-to-day pensioners and, when there was a balance that exceeded the three month value (due to the marginal investment on the checking side), that was a transfer into the nest egg out of the checking account into Russell. That was a \$400,000 inflow from Principle Financial for the pension. Mr. Morehead thought the City put \$1 million into the OPEB this year. Mr. Vitola said this year the City put \$400,000 in – it was coincidental it was the same number. Normally Council would see zero in the Pension Fund too because all of the pension funding goes to Principle to fund current retiree pensions just like in OPEB the \$400,000 goes toward retiree health premiums.

Mr. Chapman felt for several years that it would be beneficial for members of Council to have basic training, if not intermediate to advanced training on how pensions work, how the City pension funds work and the history up to the most recent changes that had been made and the most recent negotiations with the unions who are future beneficiaries of the pensions at the City. He said professionally speaking it was worrisome when there were non-professionals or non-trained folks going anywhere near a recommendation of what the portfolio should look like. One of the things the Pension Committee would focus on was the current investment policy statement, the guiding document that locked the City into the 60% equities, the 30% fixed income and the 10% real estate. The conversation that would emerge from that was going to be feedback on the questions and concerns that other members of Council have asked tonight as well as every other quarter. He asked Mr. Vitola if he was aware of any such training for municipal government officials in a fiduciary responsibility format for the role this Council plays something that has been used. Mr. Vitola replied the plan was to use an investment consultant hired by the City to rewrite the investment policy statement and to review the historical performance of the plan independently (which was key) and to serve as the independent professional on the Committee to be the one to do the training. Hearing what Mr. Chapman said, he felt it had to be more basic, more general practice, maybe something like GFOA has available. He would start looking for that while the Committee was being formed, review the investment policy statement and put something out to bid to hire a manager, whether that was Russell or someone else who decided to bid on it. He said the City had Russell who had the investment companies – the equity company, the funds. Russell owned all the funds – they hired all the managers within the funds and were the ones that recommended and drafted the investment policy statements, reported on performance and owned the benchmarks and so forth. The first thing the City needed was an independent oversight which the City would be getting from the newly formed Pension Committee. In the meantime training could be found, so when the Committee had recommendations for what should be done in the Pension Plan, Council would have had the training (whether webinar or get someone to come in to meet with Council) and then move forward from there. There were a lot of changes made to the plans that would impact the actuarial side of it. The investment policy would be changed and management of the funds would be put out to bid. Mr. Vitola thought everyone would be on the same page once this was up and running.

Mr. Chapman thought a two-stage training approach would be beneficial. First there could be training in pension basics with the opportunity for questions and the discussion to sink in and then the second stage should be very specific to the City's plan, where the City was going and what the conversations of the Committee have been. He noted that from experience on the individual side oftentimes it took multiple conversations – one was educational and the next was this was what they were doing.

Ms. Sierer liked Mr. Chapman's recommendation and assumed everyone on Council was interested in having training. Ms. Hadden said she reached out to the Institute for Public Administration at the University and asked them if they could put together a curriculum of municipal finance type classes to offer to Council members and others not quite sure how to negotiate it. She was willing to ask if they would consider offering basic training in pensions. Mr. Morehead liked Ms. Hadden's idea and said there was discussion for several years about training for Council and given their fiduciary responsibility to be making these decisions and oversight of these decisions, it made sense that they had a basic understanding of what they were doing rather than taking someone else's advice. He requested Mr. Vitola to put an amount into the budget for next year to have funding and commit to doing it. He thought it was unfair to ask to spend that money without Council making the decision to set that money aside for this purpose.

Mr. Markham was gratified for the conversation at the table. About nine years ago the question to staff about the Pension was why almost everything was in treasury bonds. The City had come a long way in diversifying its Pension Plan and now had something that was good to discuss and get out on the table.

There was no public comment.

MOTION BY MR. MARKHAM, SECONDED BY MR. RUCKLE: THAT THE SECOND QUARTER 2015 PENSION REPORT BE RECEIVED.

MOTION PASSED UNANIMOUSLY. VOTE: 7 to 0.

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

Nay – 0.

**17. RECOMMENDATIONS ON CONTRACTS & BIDS: None**

**18. 7. FINANCIAL STATEMENT: (Ending July 31, 2015)**

**01:31:46**

Mr. Vitola presented the unaudited financial statements for the period ended July 31, 2015. The Citywide consolidated statements showed an operating surplus about \$302,000 better than expected. The governmental funds showed lower receipts than expected which were more than offset by lower expenses. Revenue shortfall remained spread between fine receipts and permit revenue while other areas tracked closely with the budget. Fine revenue remained the largest part of the variance and would continue to be down. Most of the variance was attributable to police staffing and low red light camera receipts. Transfer taxes were up, a result of strong real estate activity. Expenses tracked under budget which was mitigating the impact of lower revenue. Lower than expected personnel costs were driving a positive expense variance there, a function of some open general fund positions, and related healthcare and other personnel cost savings.

In the enterprise fund, total revenue was tracking below expected receipts through July, but the overall budget variance was positive thanks to expenses that were under budget. The electric utility continued to prop up the enterprise funds despite a milder July. Water and sewer were behind the budgeted volume after a wet June and have not completely rebounded after a drier July. Expenditures in enterprise funds were 4% under budget. Sewer expenditures were particularly below budget related to lower personnel expenses and operating expenses including no major emergencies as of July 31, 2015.

The other funds continued to benefit from lower fuel costs with the positive variance all but locked in for the remainder of the year. The cash position was \$27.5 million at the end of July which consisted of \$6.3 million in operating cash and \$21.2 million in the City's cash reserves. One of the City's current liabilities was the electric regulatory liability which was just short of \$1 million as of July 31, 2015. That was part of the revenue stabilization adjustment (RSA) being passed back to the customers in their currently monthly bills.

A brief budget review would be presented at the October 12, 2015 Council workshop before the regular Council meeting.

Mr. Vitola reported the City was reviewed by Fitch ratings (this was done every other year), and they upheld the City's AA-plus rating of stable outlook which is just one notch lower than the highest we could achieve of AAA. Newark's strong cash position, financial policies related to reserves and transfers and low debt load and the strong local and regional economy were cited as the primary reasons for the strong rating.

Mr. Markham asked about the Police Department staffing issue. Mr. Vitola explained the process from recruitment to the street was extremely long. Mr. Haines added that by November the four recruits that graduated in July should be fully released from FTO pending the way they were trending now in their field training. There were four additional recruits in the County Academy who will graduate in early December and they will have three months of field training which would put them in early spring and there were three right now in the State Academy. The City had been more aggressive than ever before in trying to get staffing up. He said by spring the police should be fully staffed pending any retirements, injuries, etc. From a recruitment standpoint there was a 9-12 month lag and staff has tried to work with the FOP to see if some policy could be put in place that staff could work collaboratively to have better knowledge of planning opportunities because of the timeline.

Mr. Markham asked why Intergovernmental Revenue (page 5) was showing a shortage of (\$113,441) compared to the budget and Grants under Non-Operating Revenues was (\$385,243). Mr. Vitola said the Intergovernmental were operating grants and Non-Operating were capital grants. Operating grants were typically matched to the expenses they support. Mr. Markham did not see an explanation in the summary. Mr. Vitola would do a breakout of where the City was shorter than expectations on the revenue side and should show that the City was equally ahead on the expense side.

Mr. Markham noted by July the legal fees were down too.

Mr. Markham questioned the water and sewer volumes and asked if there was any possibility that residents were using their Smart meters and have figured out how to save water and sewer. Mr. Markham said this could be a trend so the City may not be able to count on these numbers to be as high as they had been. Mr. Vitola said that was possible – conservation was a factor in any utility if there was a feeling that the bills were high.

Mr. Markham asked about the property tax trend. Mr. Vitola said it was very good with all but \$1 million of the \$5.8 million collected. It was expected that 100% of the property taxes or close to it would be in by Friday, October 2. He added that the property tax revenue would beat the budget because the impact of some of the newer developments on the assessment were underestimated.

Mr. Morehead asked about the Fitch comment and wanted to know if there were guidelines in the Fitch commentary to say if the City did something how it would affect its rating. He asked if the City could add that information to its financial policies in the future. Mr. Vitola said the City could – Fitch published some of the criteria and there was a change coming up to their tax supported criteria. Newark was considered under the tax supported criteria because the City's only debt was general obligation tax debt. There was a series of ratios, financial metrics and things the rating agency looked at so the City could see how a change in one thing would impact another. He noted that the rating was important for the City to show that it was strong, stable and financially viable, but it also drove the City's cost of debt. If the City planned to go into the debt market over and over and hurt some of the debt ratios, that was where staff would caution against doing that, but if the City's plan was to go into the debt market very sporadically like it had (2002, 2011 to refinance the 2002 debt) then the City took advantage of the rating. If there was an impact to the rating after going to the debt market once, there was no repeated action in the debt market after that. Mr. Morehead looked at that as an indication of best financial practice and he wanted us to know what those numbers would be for our budget. From his perspective the other was a lot of discussion about how the City could borrow money to fix problems and he was hearing that more often. He wanted to know where the City should and should not go moving forward. Newark had been self-funding to a large degree and part of the commentary about the potential savings in the refuse outsourcing was that the money could be used to make debt payments and address some other things.

Mr. Vitola said the City made it clear in the presentation to Fitch that there were items staff thought the City could not undertake without issuing additional debt and noted that the City's debt level had gone down significantly in the last 10 years to basically open up capacity. At some point the City needed to weigh the question of does the City handle and fix more problems and take on a debt load to get back from an excellent range to a slightly less than excellent at the expense of going from a AA-plus. The rating was to get attractive rates on debt and that was one of the benefits of an AA-plus rating while still maintaining stability and being clear to the ratings agency what and why it was being done and what the City was accomplishing with it because Fitch saw the City's pay-as-you-go spending was the same every year, year over year yet there were unfixed problems. They were smart enough to look at releases and things and get the City on the other side of that too. It was a balance.

Mr. Morehead was concerned about additional types of debt, including long-term leases and other things that did not necessarily fall within the strict definition of debt. Mr. Vitola said Fitch looked at all of the City's debt. Even though the City was a tax exempt credit, they factor the numbers based on the City's total debt, not just the \$10 million or so left in the General Obligation Bonds from 2011.

Mr. Chapman stated in his opinion there was no reason the City was not AAA. Mr. Chapman's perspective was that the Finance Department was doing a great job of getting the City closer to expectations, and he trusted their outlooks and forecasting. In looking at the bar graphs, he felt Mr. Vitola was a lot closer the majority of the time than his predecessors and was improving all the time. Mr. Chapman felt the water and sewer graphs highlighted the volatility that people read about in the news and stressed the importance of focusing on both risk and volatility while going into the budget season.

Mr. Gifford asked how much revenue the City received from the red light cameras. Mr. Vitola said the number had been in the range of \$400,000 per year but had completely fallen off the table. It was expected that the revenue would fall off because people get used to them. Revenues were also impacted when the State switched its vendor and the cameras were off line for some period of time. In addition, the State reconfigured its signalization such that there is plenty of time to make the left turns, resulting in less revenue. Newark only received a percentage of the fines.

There was no public comment.

MOTION BY MR. MOREHEAD, SECONDED BY MR. MARKHAM: THAT THE FINANCIAL REPORTS FOR THE SEVEN MONTHS ENDED JULY 31, 2015 BE RECEIVED.

MOTION PASSED UNANIMOUSLY. VOTE: 7 to 0.

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

19. **8. ORDINANCES FOR SECOND READING & PUBLIC HEARING**  
**A. Bill 15-25 – An Ordinance Amending Chapter 2, Administration, Code of the City of Newark, Delaware, By Amending the Pay Grade for the Deputy Director of Finance and Adding the Positions of Communications Manager and Assistant IT Manager**

**01:57:37**

Ms. Bensley read Bill 15-25 by title only.

MOTION BY MR. MARKHAM, SECONDED BY MR. CHAPMAN: THAT THIS BE THE SECOND READING AND FINAL PASSAGE OF BILL 15-25.

### **Communications Manager**

Mr. Haines reported the proposal for a Communications Manager had been discussed as far back as last year's budget. The intent was to create another division (similar to the IT division) within the City Manager's office headed by the Communications Manager who would lead a team of three staff members to execute the City's

communications needs as well as web content and digital media. This was in response to a request from Council to the City Manager to have a higher level of engagement with Council, with the community and with the greater area. This person would be the expert who would help consolidate the City's voices for a better singular message.

There were discussions with several third party consultants for web update and digital content needs such as social media, departmental needs, graphics for promotions of individual events like the Taste of Newark, the cover for the CAFR and the visual graphics for the City's GIS data.

The Downtown Newark Partnership would move under the new division. Parking and Economic Development would remain in Planning and Development. There was ongoing dialogue about expanding the boundaries of the DNP or how to make it inclusive, a good promotional tool and a liaison between businesses, citizens, and government.

Ms. Hadden asked if funding resources were available in the current budget for the Communications Manager. Mr. Haines verified there were. Ms. Hadden saw the need for the position and it was easier for her to decide knowing the funding already existed. One area they would focus on was Channel 22, which she strongly felt needed some TLC.

Mr. Ruckle felt Channel 22 was an important resource for the City and that Newark needed a person with the vibe and spirit to communicate well through that medium.

Ms. Sierer stressed the importance of communicating with the citizens through Channel 22. She asked if the digital media associate was new and if funding was available for that position. Mr. Haines confirmed the position was new and funding was available.

Mr. Gifford further discussed the digital media associate position and asked if that position was approved in the previous budget. Mr. Haines verified it was. Staff had been tracking data and looking at prices from third party consultants. He thought it would benefit the whole organization to have a full-time person on staff who would be able to assist all the departments. Mr. Gifford asked if comparisons showed that outsourcing was more expensive because so much different work was involved. Mr. Haines said it was – it was constantly different. Sometimes it was a case of how quickly something could be turned around or editing existing documents within a timeline. The intern was being used from a positive way to evaluate the hours put in and what it would cost for a third party consultant. Staff felt confident that having the internal person as an entry level position, knowing that the pay rate was probably going to get a good asset for a handful of years and he or she may move on was understood. The City did not have a media team but thought this could be a great spot for someone. Mr. Gifford asked how soon the two individuals would be brought on board. Mr. Haines said the intent was to recruit both immediately.

Regarding the communications that would come out of the new division, Mr. Gifford asked if they would also handle Parks and Recreations and how would they would interact with Police Department communications. Mr. Haines said the Police Department was doing a great job. In discussions with Deputy Chief Farrall about the relationship, he welcomed the opportunity to work together. Mr. Haines felt that was a great way to have a unified, City-wide voice of the police engagement to the public. It would not eliminate their activities from a social media standpoint, but organizationally-wide would become equal partners promoting.

### **Assistant IT Manager**

Mr. Haines noted this piece was more an application of public labor law. There was a clear line with the unions, predominantly AFSCME and CWA, that union members do not and will not supervise union members. Specifically, they will not write goals, review each other's goals, and be a part of any discipline related to failure to provide those goals. This was not a plus-one in staffing. This was the opportunity to create a position of management within the existing IT structure that management would be able to work with the membership, potentially, be able to post so whomever is put in that role, he or she is then supervising the technical, not only our internal technical experts, but also acting as a liaison with the City's consultants.

A lot of items in the budget over the last couple of years have been going to applications in the Cloud, trying to expand the City's ability to be more effective and efficient. The City needed those staff members to be able to deliver from a network standpoint, from a systems standpoint, and working and having dialogue with HR and CWA. Mr. Haines already talked with the union on several occasions about this. It would be the creation of a management position and then an opportunity for a union member to be able to move into it.

This would be one of those scenarios where staff was knowingly stating where the supervisor most likely would not be making the salary of the direct reports because of the technical market rate in place from the structure standpoint of server and systems networks. This was for the City to be able to effectively lead from a personnel standpoint so management could set benchmarks, expectations, hold staff accountable as the City worked on, if not some of the biggest infrastructure on a digital network, and making sure staff performed so the City could effectively have, whether it was a smart grid or whether it was being able to do more effective staff day-to-day operations, work order management in field, and having that type of integrated system. This is where staff found a need from a labor standpoint to be able to have a position step out of the union into a management spot.

Ms. Hadden asked if this would open up internally for possibility of promotion. Mr. Haines said from a management standpoint they believed there were staff members within the team who were capable of doing it. There may be times when an employee from another division has an interest that maybe could be a member do that to, but this was not seen as a plus one at all. This was an opportunity within the IT group that had such specificity no different than when Jim Lawrence retired from the Electric Department. That was a natural attrition up through the ranks there where another staff member within the department was promoted to be his replacement. Mr. Haines said in their view there were competent and highly talented staff members in the IT team and that it would become an internal discussion among themselves and an opportunity to eventually put in for it, to be promoted to the management position.

Mr. Gifford asked what exactly was this role and some of the duties. He said there was some concern that a lot of folks were being promoted and the City had a very vertical structure. He asked if there were enough staff members actually doing the work. He asked if the City had extra people right now without enough work to do and needed more supervisory work. Mr. Haines said from a management team, there was very little depth in most divisions or departments. If you take the management team on a whole from a statistical standpoint, at the peak time with seasonal employees on board, management would represent 8% of the work force. Without the seasonals, it would go up to 13-14% of the work force at a given time.

Mr. Haines said some of it was when going to the union and actually drawing that line of saying, I need this person to now start enforcing job expectations, being part of the annual review, making sure people are held accountable, that was where this became a practice in labor law. For the union that is clearly a management role. Mr. Haines cited a situation where a union employee was pulling GPS data out of vehicles and while the union did not fully file a grievance, they expressed concern that they do not want a union employee even culling data that may be used one day for a disciplinary action. From a practical public labor law standpoint, there were some divisions that start happening.

Mr. Gifford said we often use the term manager, how do we decide when we are talking about supervisors or managers? He thought he understood the director level, but asked why this was an Assistant IT Manager and not a supervisor. Mr. Haines said staff talked about trying to do a little branding internally, versus actually about the titling. Supervisors have been in the field. The City had a public works supervisor and a parks supervisor. Staff tried to start branding that so they know that was a field employee. The City had been using manager. The City had a parking manager, code enforcement manager and a development manager. We tried to start saying in a division they oversee a group. IT is in a division within the City Manager's office. Mr. Brechbuehl's title was IT manager. The City has tried to start branding the divisional leaders of the groups versus department directors or deputy directors. Some of that has been trying to clean up the

history. Mr. Gifford asked if it was wording in this case – this person was performing a role that would be a supervisor in the field. Mr. Haines responded yes. Mr. Gifford said when he saw manager, for him it felt as if the position might be elevated at a higher level. From the community, people are going, "Oh, there's another manager." If someone said, "Oh, it's another supervisor," it was not as concerning. Mr. Haines said it was a working supervisor, which the City had – actually from comments made at a management team meeting people wished the City had more working supervisors. From a labor law perspective, the City had to have wording sometimes to delineate differences. Mr. Gifford said this person was a supervisor, but also did some of the work.

Mr. Brechbuehl explained when he approached Mr. Haines about this need, obviously it was a supervisory role in helping to manage employees that the City had. IT had grown a little bit since he joined the City. They took on the GIS coordination for the entire city. They took on the safety camera solution for the entire City. They had taken on more and more roles within the City that have technology in the background. What was happening there was that his days were getting too thin. He could not attend every meeting or every discussion that needed to have decisions made. Right now there was nobody behind him to fill that role. If he cannot make a meeting, then the decisions did not get made and things got delayed. On the applications side of things, they were looking at going headstrong into municipal work force. Starting tomorrow, management was adding upwards of 13 new modules to Munis that would impact all parts of the organization. Staff was looking for someone that could start making those decisions at a business level to say this was how the organization was going to operate efficiently. IT was going to hold people accountable to making sure that the modules were put in place effectively and were being followed effectively. Along with that IT was looking for someone to take onward a role in our utility billing software management and start making key decisions with the vendor (Harris), to help make improvements in that situation as well.

Mr. Gifford asked if this was also in the budget. Mr. Haines said it was a conversion.

### **Deputy Finance Director**

Mr. Haines said as previously reported, the Finance team was moving forward without Deputy Finance Director Wilma Garriz. An exit survey was conducted and included a work load analysis and meeting with the team and looking at the structure and what role was realistic. The department was structured with a more vertical alignment, and there clearly were two sides of the shop. There was Mr. Vitola's role as a director, there was a deputy director, and there was one other manager/supervisor in payments and utility billing. The discussion with Mr. Vitola, similar to the comment made by Mr. Brechbuehl, was that he was pulled in every direction and strong leadership was needed in the department. It was found that understanding both sides of the shop, understanding the number of applications that payments and utility billing runs, if a person did not use them every day, that person would not be able to be a decision maker on those sides. Ultimately, instead of a vertical integration from an organizational chart standpoint, it was discussed to have more of a triangle perspective with the department director and two deputy directors. Changing that perspective would look at changing the expectations of two different roles and having the opportunity, so that is where this amendment is only in pay grade, not title, with the intention that as the opportunity in the future, that there could be two deputy directors in the department. This would not immediately provide a status change or a pay increase to the other staff member who is overseeing payments and utility billing. It allowed the opportunity to talk about setting the expectations and for that employee to grow and move into that title. This did not eliminate the current payment and utility billing manager's title. It would allow a pay change in the deputy director status and have the opportunity for the future from a personnel side. That would be established with the finance team and be reflected moving forward. If any achievement was made in 2015, it was budget neutral and would be an overlay. There were several management changes in the recent past where if an employee achieved a new position, it was a position overlay. That did not mean it was a position pay increase and they would have the opportunity with positive reviews and a positive work performance in the future to increase their earning potential, but there was no guarantee that it was an immediate increase. This was structured similarly to other actions in the past and was changing more from a triangle expectation in that the Finance Director could push expectations stronger to both sides of the shop and not just to one person as a deputy director.

Ms. Sierer asked Mr. Haines what he was currently looking for. Mr. Haines replied this would amend the pay grade down to 23. The intention was to try to create two deputy directors eventually through the budget process, but this action would not create the second deputy director. This action changed the pay grade, and the intent was to build the second side of the house, to have two deputy directors and create a triangle structure. Mr. Haines explained the active recruiting search was for the accounting side of the shop. The payment utility billing side would also be a 23 with potential to grow into it.

In response to questions from Mr. Morehead, Mr. Haines reported there was a current staff member running the payment utility building team. This action changed the pay rate of the deputy director role as the intent from this that we would create two deputy directors, but that would be earned with time. Mr. Haines and Mr. Vitola talked from a personnel standpoint about the process and the piece of how to get there. Mr. Morehead's concern was legally the City was saying this job title is worth that money. Mr. Haines replied it was. He asked why someone hired into this second job would not be getting that money – why would they have to earn it. Ms. Sierer noted there was currently an employee in billing and payments, so they may decide to try to give that person an opportunity to move into this position. Ms. Hadden clarified from an earlier discussion she had with the Finance Director, that person's salary already would put them approximately in the middle of the scale. Mr. Haines confirmed that was true.

Mr. Gifford asked what gaps were seen from the exit interview and review of the work flow. Was it simply that the billing side of the Finance Department was not being covered? Since there was someone in there doing the work now, why would we need to make a new position for it?

Mr. Vitola replied that a historical perspective would be helpful. The former finance assistant position filled by Wilma Garriz served as the interim Finance Director multiple times in the last 10 years in the absence of the Finance Director. It was thought that position could continue to grow, not just in the accounting and finance side, but also to cover utility billing and management there. The position only recently went to level 26 with the attempt to have a true deputy director in the department who was responsible for both sides of the house as was Mr. Vitola. The experience with Ms. Garriz proved that it was difficult to handle all that at a pay grade 26. The thought was it made more sense to wheel it back to where it was before, keep the controller position at a 23 and keep the purview of that person accounting and finance only. It was difficult enough to find a strong, qualified CPA to undertake that part of it without loading on the expectations of being responsible for both sides of the house.

Utility billing has been faced with serious growth in the type of payments taken, more development, more kilowatt hours billed, budget billing, pre-authorized payments being done on a routine basis and CityView payments. The segregation of duties initiative which the auditors commended (despite the small size of the staff) actually has an impact on staffing. Only so many people can help bill and so many people can take payments, but they cannot do both.

That has bifurcated the operations on each side of the team so that the City really needed a person who had this tacit knowledge after being here for 8 to 10 years to have the ability to grow in that role, cross train people below her, and take on a leadership role as a deputy director. You would not get that out of someone without making it a 23 and without having this triangle approach with two deputies.

The Chair opened the discussion to the public.

Donna Means, district 5, commented that a fair amount of time was spent in the last week discussing the need for the City to save money. In light of that discussion, she did not understand why the City wanted to create positions. She thought the City should stop frivolous spending and try to stay within the 2015 budget and then next year, if all of the money expected comes into the City, then the new positions could be implemented.

Charles Scott, district 3, was a long-time resident. He did not see a reason for creating new positions in light of the needs for infrastructure improvements. He felt the

City should look after employees in customer service who were on the front line taking care of the customers. He was concerned they would have no backup if the person leading them now became a manager. He felt employees were afraid to speak to their department supervision because they want to keep their jobs.

Mr. Gifford asked with the proposed changes if there would be a need for other frontline resources to make sure everyone could handle their workload. In response to call volumes, Mr. Vitola reported another part-time employee was being added. A second would backfill an existing part-time position for an employee who transferred to a full-time position. The notion that Mr. Scott mentioned that people were afraid to comment about things was surprising to him since he meets weekly or more frequently with customer service staff about the higher call volume, higher workload, more payments and more work to do. They were working on ways to address those issues. Mr. Gifford wanted to make sure that the line of communication was open and folks were feeling supported.

Mr. Haines added this is where management's discussion had to happen as management was codified through code. The other employee sectors were represented members by unions. They had venues through their union representation to address issues and did so often from a labor standpoint.

Question on the Motion was called.

MOTION PASSED. VOTE: 6 to 1.

Aye – Chapman, Gifford, Hadden, Markham, Ruckle, Sierer.

Nay – Morehead.

**(ORDINANCE NO. 15-20)**

20. 9. **RECOMMENDATIONS FROM THE PLANNING COMMISSION AND/OR PLANNING & DEVELOPMENT DEPARTMENT:** None

21. 10. **ITEMS SUBMITTED FOR PUBLISHED AGENDA**  
A. **Council Members:** None

22. 10-B. **OTHERS:** None

23. 11. **APPROVAL OF CONSENT AGENDA**

**02:43:54**

Ms. Bensley read the Consent Agenda in its entirety.

A. (Removed)

B. Receipt of Alderman's Report – September 15, 2015

C. ***First Reading – Bill 15-26 – An Ordinance Amending Chapter 23, Parades and Public Assemblies, Code of the City of Newark, Delaware, By Changing the Liability Insurance Required for Special Events to \$1,000,000 – **Second Reading – October 12, 2015*****

MOTION BY MR. MOREHEAD, SECONDED BY MS. HADDEN: THAT THE CONSENT AGENDA BE APPROVED AS SUBMITTED.

MOTION PASSED UNANIMOUSLY: VOTE: 7 to 0.

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

Nay – 0.

24. **Meeting adjourned at 9:40 p.m.**

Renee Bensley  
Director of Legislative Services  
City Secretary