

**CITY OF NEWARK
DELAWARE**

COUNCIL MEETING MINUTES

July 25, 2016

Those present at 6:00 p.m.:

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

Staff Members: City Manager Carol Houck
Deputy City Manager Andrew Haines
City Secretary Renee Bensley
City Solicitor Bruce Herron
Code Enforcement Manager Dave Culver
Communications Manager Kelly Bachman
Community Affairs Officer Megan McNerney
Finance Director David Del Grande
Deputy Finance Director Jill Hollander
IT Manager Joshua Brechbuehl
Planning & Development Director Maureen Feeney Roser

EXECUTIVE SESSION

- A. Executive Session pursuant to 29 *Del. C.* §10004 (b)(9) for the purpose of the discussion of personnel matters in which the names, competency and abilities of individual employees are discussed – City Manager.
- B. Executive Session pursuant to 29 *Del. C.* §10004 (b)(9) for the purpose of the discussion of personnel matters in which the names, competency and abilities of individual employees are discussed

MOTION BY MS. HADDEN, SECONDED BY MR. MARKHAM: THAT COUNCIL ENTER INTO EXECUTIVE SESSION FOR THE PURPOSE OF THE DISCUSSION OF PERSONNEL MATTERS IN WHICH THE NAMES, COMPETENCY AND ABILITIES OF INDIVIDUAL EMPLOYEES ARE DISCUSSED – CITY MANAGER AND INDIVIDUAL EMPLOYEE.

MOTION PASSED UNANIMOUSLY. VOTE: 7 to 0.

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

RETURN TO PUBLIC SESSION

MOTION BY MR. MOREHEAD, SECONDED BY MR. RUCKLE: THAT COUNCIL AUTHORIZE THE EMPLOYEE DISABILITY PENSION BENEFIT AS SET FORTH IN THE DEPUTY CITY MANAGER’S MEMO TO COUNCIL DATED JULY 25, 2016 AND AS OUTLINED IN EXECUTIVE SESSION.

MOTION PASSED UNANIMOUSLY. VOTE: 7 to 0.

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

1. The regular Council meeting began at 7:05 p.m. with a moment of silent meditation and the Pledge of Allegiance.

2. 1. **PUBLIC PRESENTATIONS:**

A. Comprehensive Annual Financial Report (CAFR) Presentation for FY2015 – CliftonLarsenAllen

05:34

William Early, Principal, and Alex Lobeck, Senior, with CliftonLarsenAllen reviewed a PowerPoint presentation of the Comprehensive Annual Financial Report for FY 2015. He thanked the Finance staff for providing information to perform the audit and for preparing the actual financial statements. The financial statements were prepared by City management and audited by CliftonLarsenAllen, who then added an opinion to them. They were done by Ms. Hollander who did a good job being her first year. They met the June 30 deadline as they have every year.

Mr. Early noted they were independent and went through things with a fine tooth comb. They typically used IT specialists on their audits which was the policy within their firm. A city of Newark's size had IT systems that had IT controls they relied on, so they bring in IT to make sure nothing was changed there. They used some controls and in the past they had some IT comments. They had one this year that was not a material weakness significant deficiency, but they did make a recommendation to management and they addressed it in Exhibit B.

The review would go through the audit approach, the audit results and the required communications they were required to give to those charged with governance. They had an integrated team as mentioned and specialized in local and state governments.

They used a risk-based audit approach and followed risk-based standards. In fact, he and Ms. Lobeck were at training today getting a refresher on those standards as they changed and continued to evolve. He noted the use of data analytics, software and evolving technology to do analysis and produce reports out of general ledger systems. They had interviews throughout the audit with people within City management, the Finance Department and other departments as standards required.

The auditor's opinion on financial statements was unmodified, which was a good report with no modifications. They did have some re-statements this year and would go through those, but those were not bad and they were required under standards. Again this year there were no material weaknesses and no significant deficiencies were noted. That was good for this year. Last year there was one. This year everything was correct and they did not find any during their testing. That report was Exhibit A.

In addition, this year they did not pass on any audit adjustments in 2015. In the past there were audit adjustments. These were immaterial based on their materiality calculation, however they would go to management and say they were immaterial, they were not significant to the financial statements, however, if they would like to make them, feel free. None were found this year. Again, a very good job by Finance of being prepared for when the auditors came in.

The City did reclassify the Self-Insurance fund from a Non-Major Governmental fund to an Internal Service fund. The reason was that under GASB 54 which came out a couple years ago, every now and then the City was supposed to re-look at some of the funds and determine the real purpose of them. The Self-Insurance fund was not serving anybody but members of the City, therefore, it truly was an internal service fund. This year they had a discussion with management to see their interpretation of it. Last year they started the conversation, and this year it was determined that yes, under the new definitions of the funds it should be classified as an Internal Service fund. A question that could be asked was whether something was wrong in the past, which there was not. As new standards came out and the City continued to implement them and revisit how things were classified, they would make changes to the financial statements that made them in accordance with the way the standards now read. As they came out with standards for years afterwards they continued to come out with Q&A's. As the Q&A's evolved, there was more clarification so the City wanted to ensure they made those changes in accordance with the additional guidance issued.

The City also implemented GASB 68 for pension reporting. Last year they implemented GASB 67 and that was for the plan part, and this year GASB 68 was implemented and that was for the pension reporting. In the past the simplest example was if one had a mortgage and it was \$5,000 every month and they missed two months they had to record a liability for \$10,000 per GASB. GASB now read they had to pick up the entire \$300,000 mortgage because that was the actual liability long-term. Therefore, this year in total about \$16 million was put on the books.

Mr. Morehead said Mr. Early's example was only if they missed two payments. Mr. Early explained it was if they missed their annual required contributions. The new standard changed how the accounting was done for the pension was done as well. It was not directly linked to their funding. In the past, the accounting and the funding were one and the same, and now they were not. They were similar, but they

could have a fund where they could say they met the funding for the year by putting in the stated annual required contribution. It did not matter under the new standards, the new standards said they had to pick up that whole projected long-term liability based on the actuarial report. That was in one of the footnotes in the financial statements. In their opinion there was an emphasis of matter paragraph that highlighted that matter within the financial statements. This was something that every government was hit with this year, as it was a new audit accounting standard.

AICPA had statements on all the things requiring independent public accountants to communicate certain matters of those charged with governance that had the responsibility for the oversight of the financial reporting process. The formal letter that was issued to the City was included as Exhibit B.

The financial statements mentioned before were the responsibility of management. The audit was performed for the purpose of forming an opinion as to whether the financial statements were in accordance with generally accepted accounting principles.

There were no significant issues discussed with management prior to retention. This excluded things such as the implementation of GASB 68 or changing fund accounting. This was more to say was management more concerned with why they were the auditors and trying to persuade them to do anything that would not make them independent. There were none of those discussions prior to the retention of the auditors.

They were informed by management that they made no consultations on the application of generally accepted accounting principles or generally accepted auditing standards with other accountants. Management was responsible for the selection and use of appropriate accounting policies. Those were defined in Note 1 of the financial statements. There were new accounting standards that were implemented as discussed this year, and that was GASB 68.

The preparations of financial statements required certain estimates and judgments to be made by management. These judgments and estimates included depreciation of capital assets, pension liability assumptions (the GASB 68 information), OPEB liability assumptions, liability for injury and damage claims (the self-insurance) and then any allowance for doubtful accounts. Based on their test work and that included look-back testing, reviewing the actuarial reports, they believed management had a reasonable basis for significant judgments and estimates that had an impact on the financial statements. Besides GASB 68 and other previous highlights, they did not feel there were any other sensitive disclosures they needed to highlight.

There were no difficulties encountered from the audit. There typically were none, but Mr. Early said the process was that much smoother this year. There were no audit adjustments this year passed on, and there were no corrected misstatements. There were no uncorrected adjustments this year.

Management was required to sign a representation letter at the end of the audit saying they told the auditors everything and everything they communicated was their honest opinion and truthful, which was signed without issues. They also obtained a legal letter every year so there were not any cases highlighted directly in the financial statement unless they individually needed to be recorded. They did not have any that individually needed to be recorded, but they did obtain legal representation each year too that was separate from the representation from management.

There were no disagreements with management on financial accounting and reporting matters, auditing procedures or other matters. They issued a separate letter included as Exhibit C which addressed change management related to IT and Exhibit D was management's response to that. They have not audited the response, as that was something they would do in the following year. They would audit the response to ensure what they said they were going to do was implemented as part of next year's audit.

Regarding GASB 68 the primary objective was to improve accounting and financial reporting by state and local governments for pensions effective in 2015. The net pension liability of approximately \$23 million was a combination of business type entities and governmental activities.

Coming down the road was GASB 75. Right now for Other Post-Employment Benefits again, if they did not meet the annual required contribution, that was the liability picked up. GASB 75 for December 31, 2018 would follow the pension standards and the City would pick up the entire liability for those OPEB standards. All the financing and bonding companies were aware of it and were aware of the liabilities. They read the financial statements better than most people because it was their job. Most likely the City would not see an impact, however he thought it would bring to light what that true other pension or other post-employment benefit was. Then it may drive policy changes in the future, reason being, pensions have

been around for a long time, pensions were funded, to some degree, pretty well for most governments. However, OPEB was not around for a long time, and was not as well funded and a lot of people were doing pay as you go. Therefore, when that hit, there would also be an impact because right now with a pension, they could get a long-term rate of return of around the 6.5% the actuaries use. Moving forward in GASB75 if they were not funding it the standards said that would have to use a muni-bond rate. That liability was going to grow exponentially over the years as it was not funded for a lot of government. It would have an impact, and they were trying to tell clients now to give them forewarning that would be something to be addressed moving forward as how to fund those OPEB liabilities.

Mr. Markham asked Mr. Early which City representatives meetings were held with. Mr. Early responded that they met with the Mayor and with the City Manager. Mr. Markham asked if that could be expanded next year to one more Council member. Mr. Early said it could.

Mr. Markham addressed Mr. Brechbuehl regarding his response to the change policy. He would like to see either the City Manager's office or the Finance Department do a random audit when IT does an installation that they pull a few randomly throughout the year and confirm that all the boxes were checked and they had their testing evidence and their follow-up that said they were in compliance. Mr. Brechbuehl responded he was happy to do that. They did provide this information in the past. They were doing change managements all along. There was a misunderstanding as to exactly what they wanted to see – the data provided to them in 2014 did pass, they provided the same information in 2015 and it did not. They provided a more in-depth report to fulfill what they were looking for so they pass next year. It was already completed, but he was happy to follow up on Mr. Markham's request.

The Chair opened the discussion to the public.

John Morgan, District 1, was interested in these new, generally accepted accounting principles as they referred to pensions. He asked whether it was appropriate to be using them for things such as government bodies, which would certainly never go out of business. Mr. Early responded that the government accounting standards board had to be followed, there was no choice in this matter. They did extensive studies as to why this should be reported, and in general, governmental accounting was moving more towards in line with the private sector to report liabilities like that. To the comment governments will never go out of business, there were several in Pennsylvania which were currently under bankruptcy. However, it was more in light that it ever had been that some may go away. There were also instances of local governments being consolidated with other local governments. He noted that California would not agree you could never go bankrupt because they were looking at it. While the government might not go bankrupt, the pension funds themselves could go bankrupt and then all of the current employees and retirees would be without their pension. He thought it was very appropriate because while they may never go out of business, they still needed to fund these liabilities they were providing to the current employees and to the retirees.

MOTION BY MR. MARKHAM, SECONDED BY MS. HADDEN: TO ACCEPT THE COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR) FOR THE FISCAL YEAR ENDED DECEMBER 31, 2015.

MOTION PASSED UNANIMOUSLY. VOTE: 7 to 0

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

Mr. Morehead thought it was appropriate for Council to recognize the excellent work by the Finance Department in providing a successful audit.

3. 2. ITEMS NOT ON PUBLISHED AGENDA
A. Public

26:14

John Morgan, District 1, commented about the parking issues in the downtown area. Starting in the middle of June, he and Katie Gifford often went to count the number of vacant parking spaces in Lot #1. They found pretty consistently that around lunch time there usually were about 50 vacant parking spaces, and the lot was about 3/4 full. Around dinner time, the lot usually had about 100 or more vacant parking spaces. It was usually at most half full, between 6:00-8:00 pm. He felt it was pretty clear that there was not a shortage of parking spaces in the downtown area in the summer. There was, however, a parking problem in our City as became clear when on a couple of occasions, specifically on Thursday, July 7 and Wednesday, July 20, when he walked around Lot #3 and Lot #4.

In Lot #3 there typically were at least a couple dozen or as many as almost 100 vacant parking spaces. At the same time, Lot #4 was packed. He could not see a single vacant parking space in it. On July 20 he observed within one minute four cars entering that lot off of Main Street, even though it was completely packed. Obviously those cars would then circulate around looking for a parking space. He told a couple of drivers there were spaces available in Lot #3 if they would exit Lot #4 and then go into Lot #3. He thought a solution to the parking problem in our City was that there should be a sign on Main Street at the entrance to Lot #4 posted on the brick wall of Panera which says whether the lot had empty spaces or whether it was full. He thought the City needed to do this regardless of what was decided to do in Lot #1 whether building a parking garage there or something else. He suggested that Council give clear direction to City staff to make installing a sign at the entrance to Lot #4 a high priority, similar to what was already there for Lot #1.

4. 2-B. ELECTED OFFICIALS WHO REPRESENT CITY OF NEWARK RESIDENTS OR UTILITY CUSTOMERS

29:45

State Senator David Sokola gave a brief summary from the legislative year, with a focus on the Bond Bill. It was a very mixed bag. Transportation went well, largely because of two things – last year they did a revenue package for the Bond Bill and then subsequent to that, the Feds did a revenue package and they agreed on something, so the State got a double whammy out of that, and over \$500 million of transportation funds were scheduled for this year.

With that in mind, Municipal Street Aid stayed the same and was by formula. The City would be able to leverage more funds from legislative CTF funding, as that was up about \$10,000 this year. He hoped to make use of some of the drainage funds. There was a category of funds that was a little bit of a nuance that went to drainage. A number of things were done with drainage funds from that fund and others. In West Branch it was mostly federal funds, but there was some from this category, and he believed some from Newark as well as Chapel Hill and others overlapping other districts that hopefully would have sufficient funds. That aggregate was coming down and would have expired by less than halfway through the fiscal year, had it not been supplemented with \$3 million. They were looking for a new source to fund that because it benefitted everybody, upstate and downstate and there were always good comments when one of those major projects gets done.

Public education included quite a bit of capital and minor capital by formula, and every passed referendum was being funded through that. Libraries continued to get their fair share. The administrative warrants issue was put on hold. Stakeholders, not just from Newark, but also from downstate had some input that was not expected. It was hoped there would be a path forward for next year.

Senator Sokola did not think the real estate transfer tax issue would go anywhere. At least one candidate for governor was the chair of the task force that gave Delaware the real estate transfer tax. He was on that task force and thought a number of legislators would like to see that transfer tax sharing continue the way it was right now, so that revenue stream would continue to be constant for Newark and in the County and other municipal areas.

There was one other thing that was unique called crowdfunding for investing in start-ups. The feds changed rules so that could be done. They could not get crowdfunding resources from out of state, but could get it from in-state sources. This is something that could potentially help start-ups from the Biotech Center, Fraunhofer or any of the other ventures affiliated with for instance, the University. It was an internet platform for funding venture projects. It, combined with a bill done several years ago around public benefit corporations, had potential to help Delaware which was now first or second in the country in public benefit corporations. As a small state that was something he felt they should be proud of.

Mr. Markham asked about PILOT. Senator Sokola said he and Representative Baumbach were committed to trying to get this issue back on the table. It was possible they would eventually get it with a slightly different formula for Newark. In looking at the amount of exempt property in town, the right thing to do would be to fund it. It was going to take a critical mass and he hoped they could get that done.

Ms. Sierer asked what strategy Senator Sokola would suggest, and Mr. Markham questioned how Council could help. Although it was a fairness issue, Mr. Markham was not sure that sells. Some of the rumors were that the County and the cities needed to do more in property tax and that was what put the City in a vicious cycle because they had 40% of property exempt. He asked Senator Sokola to think about it could be presented. Senator Sokola said it had to be a House bill, and that was why it was great having Representative Baumbach as such a strong advocate for this issue. He could not count the votes, and he did not want to push something that could possibly cause hard feelings in the future. The State had a couple of very tight years. He hoped that some of the rest of the recommendations from the task force

that the Governor put together on the structural issues around Delaware revenue helped. The bill that the legislature did that actually cost a little bit of money in order to secure the jobs for the DuPont situation was supposed to be offset by a revenue increase in one area, the gross receipts tax, which was going to offset that. That did not happen. There were some who really tried to push that, but there clearly was not an appetite at that time to do what was a revenue increase, so they got stuck with the bag. That would have been enough money for a few things that did not get done.

Mr. Markham asked Senator Sokola to let Council know what they could do to help him and Representative Baumbach to advance this issue in the legislature.

**5. 2-C. UNIVERSITY
(1) Administration**

38:29

Rick Deadwyler, University of Delaware Government Relations, provided an update on University summer activities. On Wednesday the U.S. Women's National Basketball Team would be here doing an exhibition. Elena Delle Donne, Delaware's own, would be part of the big hosting event on Wednesday evening. Tickets were sold out.

Twenty-five young Africans were at UD as part of the Mandela Washington Fellowship for Young African Leaders Program. They were serving in social policy, volunteering in community service, working with other organizations and giving their expertise from their home countries while they were here. This was their last week at the University, and then they would go to Washington, D.C. and spend time at the White House with the nation's leaders.

There would be an art education fair occurring at the Roselle Center for the Arts on Saturday, July 30. Community participation was encouraged. There would be presentations and panel discussions by admissions officers from top music conservatories, colleges and boarding schools throughout the country.

Duffy's Hope, a celebrity basketball game and youth summit, would be held at the Bob Carpenter Center for the second year on August 6. A number of celebrities and athletes would participate in the event. The biggest part was the connected youth summit, where they discussed social justice issues, education opportunities and youth services to ensure Delaware youth were getting acclimated and informed about things of importance to them. Last year Mr. Deadwyler hosted students from around the community and suggested that the City consider hosting students from Camp REAL as part of the event.

Ms. Wallace had a request from residents for updates on the STAR campus, the Rodney Dickinson property as well as an update, if possible, on any other properties that were planned to go off line. Mr. Deadwyler responded that was something he would not be able to deliver with any level of detail right now. If he did not get something in writing, maybe at the next meeting he could package something that offered a little detail around that, or maybe even have a subject matter expert here – the University just hired a new real estate director who could provide answers to some questions. Mr. Morehead asked Mr. Deadwyler to copy all of Council if he did send something, because they all pretty much had University property in their districts.

Mr. Ruckle asked Mr. Deadwyler whether he had any tickets for Council members who wanted to attend the Duffy's Hope event as he would like to be involved in part of that youth discussion. Mr. Deadwyler would connect him with Duffy Samuels, the event organizer who was very active throughout the state with youth programming. Ms. Sierer was also interested in participating in the youth summit.

6. 2-C-2. STUDENT BODY REPRESENTATIVE: None

7. 2-D. LOBBYIST: None

8. 2-E. CITY MANAGER:

43:55

Ms. Houck commented on the Finance Department's work on the CAFR and highlighted the work done by Deputy Finance Director Jill Hollander to be able to pull this off after the departure of two key members of the Finance Department. The auditors were very complimentary. The department was in a transition year, and it was commendable that they were doing so well. She could not be more pleased.

9. 2-F. COUNCIL MEMBERS

44:42

Mr. Markham:

- One comment on the audit, years ago we did 2 or 3 at once, and it was very painful. This was much better and much easier, and he was glad we were not doing that again.
- Food & Brew was a really hot day. He went out after the rains came through, and it was good to see the people out on the streets.
- Regarding the heat, asked if there was something in place where the police would check on the elderly or others that could have issues in the heat. Ms. Houck said the City did not have a specific program in place (nor did the Senior Center). They would send somebody to check upon request. She knew some communities used the reverse 911 where people who were seniors could register and they would get a call every day and if they did not respond as the system required, someone would be sent. Mr. Morehead said it may make sense to put something on the City's website front and center during heat waves such as this to encourage neighbors to either identify those folks that they are concerned about or work together. Ms. Sierer suggested using Channel 22 also.

Ms. Wallace:

- The special use permits points system suggested by the Police Department for the downtown businesses was expected to roll out in the fall, but in light of some of comments last week she wanted to see if education efforts could be stepped up to reach out to businesses as it seemed like there were a lot of misconceptions about the program. Ms. Houck reported that Mr. Markham reached out with some questions, and she shared more information with him. There was additional engagement by Sergeant Aniunas, and he met with the restaurant that came to the Council meeting and had concerns. They were okay at this point in time, as well as several others. Other meetings were scheduled to provide more education hands on. She would share that with Council this week in the Weekly Report and that would be available to the public as well. She thought it would check off Ms. Wallace's concerns.
- Ms. Wallace requested that the Smart City report be put on a future agenda. Ms. Houck believed she had it targeted for August 22.
- Ms. Wallace said it came to her attention that the Traffic Committee was more of a hanging committee and was not like the others. She would like Council to direct the Boards and Commissions Review Committee to review the Traffic Committee, even though they were not currently looking at that committee because it was not a Council-created committee, but she thought there was an opportunity to officially codify who was on the committee, what the committee did as well as potentially expand the scope. Her understanding was it seemed that it started as a staff committee that expanded to include some residents, but it was unclear how those residents get on the committee and the types of things that were discussed was strictly curb to curb and she thought they may want to think about expanding the committee to be a transportation committee to include pedestrians, bicycling, cars, more holistic and comprehensive, as well as public transportation and really define who was on the committee, have more resident representation as well other special interest groups maybe from the Newark Bike Committee. She knew they gave a lot of feedback but were not an official committee of the City and suggested bringing that advisory role into an expanded traffic committee.

Mr. Markham explained that the Traffic Committee came under the Police Department. They recommended changes to law in terms of the residential parking areas. They also reviewed stop signs and intersections as well. Ms. Wallace thought the committee itself was too limited. She felt they were missing out on some broader discussions about transportation. Ms. Hadden said she had several interactions with the Traffic Committee. She thought the police did a good job vetting the specific issues that come to that committee, as in the parking on a particular street or whether or not a stop sign was needed. To an extent, they talk about engineering changes in neighborhoods to slow down traffic. She was comfortable with the Traffic Committee staying in the format that it is as she did not see a problem. She asked Ms. Wallace whether she experienced a particular problem that she wanted to articulate. Ms. Wallace gave one example. The Cleveland Avenue subcommittee was a subcommittee of the Traffic Committee. That was a larger conversation that was happening that was really outside the scope of the Traffic Committee. She had concerns about some of those recommendations and resident input that were happening, being diluted before it got to Council because it was going through the Traffic Committee. She also had concerns that the members of the Traffic Committee were not codified. There was resident representation now, but it was unclear what happened if that resident decided they did not want to participate. Where does that resident come from? Who decided that?

Ms. Wallace thought at the very minimum if the Traffic Committee was not expanded, she thought that it should at least be reviewed by the Boards and Commissions Review Committee and tightened up a little bit in the Code.

Ms. Sierer asked if the committee on Cleveland Avenue was a subcommittee of the Traffic Committee. Ms. Wallace said that was the way it was presented to her – she thought that Mr. Coleman told her that. Ms. Houck noted that Mr. Coleman was on the Traffic Committee so some of the same people were going to be asked to participate because of the roles they played in the City.

Ms. Houck reported that the Traffic Committee started as an all-staff committee and used to meet at 9 a.m. It was a roll-up-your sleeves, there was a problem committee. Staff members were the experts dealing with these types of things, and it worked very well. At some point, there was a desire to change it and start later at 3:00-3:30 and bring in some subject matter experts such as WILMAPCO and then some residents who had interest. She understood that the participation could be cleaned up for that, but if they wanted to deal with the nitty gritty things that came up, the problems brought to Mayor and Council from constituents about stop signs and crosswalks and things like that, it really was a staff item. If Council wanted to add some other new transit or transportation type of a committee that was going to deal with something much broader, she would say let them go back to the old way – 9 a.m., let staff roll up their sleeves and solve the problem. It was still a recommendation from the Traffic Committee to Council. If Council decided to do something bigger, she recommended figuring out what they wanted to work on and solve and then make that a different committee.

Ms. Sierer agreed that the Traffic Committee could remain in the Police Department so they could complete changing laws for specific constituent concerns related to operations and they came to Council any way for approval. If Ms. Wallace wanted to address transportation, then she thought that was a different committee, and she recommended putting it on an agenda.

Ms. Wallace liked that solution but requested clarification on the Cleveland Avenue subcommittee because she did not think that belonged there and did not know that there was a current committee where that belonged. She thought there were those types of issues all throughout the City that needed those discussions and did not necessarily think they belonged in the Traffic Committee.

Mr. Markham noted the email that he had from when it was first established referred to itself as a committee to address future roadway improvements on Cleveland Avenue. It did not say anything about being a subcommittee or part of a group including DeIDOT, WILMAPCO and others.

Mr. Haines said as Mr. Markham commented and he and Ms. Feeney Roser recalled, it was a DeIDOT project that came to the Traffic Committee looking for input regarding improvements. Lieutenant Nelson became spearheaded the comments and after the first meeting, they realized the scope of it was larger and did the notice because he knew Mr. Markham and other Council members asked for more information. DeIDOT was asking for the input along that corridor. Lieutenant Nelson reached out and pulled the businesses in. At that point, Ms. Feeney Roser said she thought the scope was bigger from a planning standpoint. It was DeIDOT wanting input because they were going to do it, but they wanted to say what they should do for Newark because they knew there were a lot of vehicular and pedestrian issues there. There was never a plan, they needed a committee structure. It just grew for civic input. Ms. Sierer added it grew because the City wanted to be involved.

Mr. Morehead said he went in front of the Traffic Committee several times. It was an unusual experience in that it was not a formal committee. He shared Ms. Wallace's concern that such an important committee would be undefined. He would support putting in some more direction.

Mr. Morehead also shared the concern about an oversight or a larger committee. He wondered about the Planning Commission as far as including transportation when thinking about that in terms of the Comprehensive Development Plan, for example. Certainly there was a Public Works function, and Mr. Coleman did that extremely well. Signage was not really a police function in his mind, it was a Public Works function, but because it had to do with roads, it went to the Traffic Committee. He was not comfortable with how loose it was. Great strides were made firming up City committees and having them reviewed, and he would support having this one reviewed and having it firmed up.

Ms. Hadden saw that the group performed police functions in that some of the data needed to address the signage and the stop sign issues that may or may not be occurring was data that the police themselves compiled by studying the roads. Mr. Morehead did not mean that it had no police functions, but there were things that were outside of the scope of the police.

Mr. Chapman:

- Noted that Ms. Wallace just mentioned the Smart City's initiative update. He did not think it needed to be on the Council agenda but mentioned to the public that an update was provided to Council in the last week regarding five efficiencies or Smart initiatives that were taken in the last four years or so: McKees Solar Park, the Smart utility meters, the solar trash and recycling compactors on Main Street and other areas in the City, the credit enabled parking meters and the LED street lights. They were questioned about the money and the promises for the upfront costs, if the program was working, was it on pace, was it ahead of schedule, was it behind schedule, what were the numbers coming in at so far. He thought the report was terrific and did not leave him with a shortage of understanding or questions answered for all

of the initiatives except for the parking meters. He discussed with Ms. Houck what those additional questions were, and she was going to see about having that particular report updated. He expected this to be online soon for the public to be able to review it.

Ms. Hadden

- Thanked the University of Delaware for their participation in Camp Real this year. There was a tour and she believed an athletic event. She would like to direct City staff to reach out to Mr. Deadwyler because he indicated that he wanted to do more.
- Tuesday, August 2 from 6 to 9 p.m. was National Nite Out hosted by Newark Police, University of Delaware Police and Aetna Hose, Hook & Ladder Company where the community had an opportunity to interact with each other. It was held on Academy Street between E. Main Street and E. Delaware Avenue academy over on Academy Street.
- August 4 would be her meet and greet at Pat's Pizzeria at 5 p.m. where new Finance Director David Del Grande would be her guest.
- Agreed with Mr. Chapman's assessment of the Smart City submission. She did not feel that it was necessary to have it as an agenda item unless it would be a presentation to inform people. She did not know that it needed to be discussed. She thought it was great to put it out there as soon as possible. Ms. Hadden reached out to Ms. Houck with a question about it and knew she was getting the answer shortly.

Mr. Morehead

- Thanked the Electric Department for their hard work and the resiliency built into the City system to provide excellent service to residents. This was many years in the making, and they deserved gratitude. He strongly supported that effort continuing and whatever it would take to ensure that going forward.

Mr. Ruckle

- Attended the Food and Brew which he thought was a pretty good event. He did not think there was enough time. It ended at 9 p.m., and he could not complete the circle. He suggested potentially expanding that to 11 p.m. next year.
- Had his meet and greet at the Senior Center the first Fridays of the month with Representative Ed Osienski and New Castle County Councilwoman Lisa Diller, and potentially Caitlin Olsen, who was currently running for the Senate.
- Liked Dr. Morgan's idea about parking lot sensors. He thought that was something to consider, especially if the City was building a garage, they had to have all options. Having a sign that said the number of vacancies in each different lot should be done in preparation of potential parking garage or garages.
- Referenced his Facebook account and said a lot of folks in his district were on his account. He wanted Council to be tagged on any notifications so they would automatically go out.
- Received an email message from a mother whose son was arrested for a noise ordinance. She was anxious to talk with someone about the charges. Mr. Ruckle would forward her email to Mr. Herron.

Ms. Sierer

- Was very pleased to work last Wednesday with the Parks and Recreation Department. She got to do some mowing and mulching and installed new playground equipment at Handloff Park that catered to children ages 3 to 5 years. She thanked the department for providing her with the opportunity to learn more about their daily activities.
- On Saturday, Nic DeCaire, Fusion Fitness, put on the Fusion Inclusion race. It was highly successful event, and they did a tremendous job.
- A great Food and Brew event was also held Saturday.
- Concurred with Ms. Hadden and Mr. Chapman's remarks on the Smart Cities.
- Provided a bit more information on Ms. Wallace's special use permit remarks. Ms. Sierer met with half a dozen business owners regarding that presentation and shared some facts with them regarding the program. Sergeant Aniunas had conversations with all of them that went well. In addition to the meeting on August 17 with the UD partnership, he was working on setting up a meeting on August 23 with some of the other business owners who could not attend that. He was being very proactive.

10. 3. ITEMS NOT FINISHED AT PREVIOUS MEETING: None

11. 4. APPOINTMENT TO BOARDS, COMMITTEES AND COMMISSIONS:

- A.** Reappointment of Ajay Prasad to the District 1 Position on the Conservation Advisory Commission For a Three-Year Term to Expire March 15, 2019

01:13:57

Mr. Morehead said there was a lot of discussion about the challenges of the University and about PILOT, but one of the benefits of the University was that the City had expertise on hand. It was an honor

to nominate Dr. Prasad to continue his service on the CAC as he was uniquely prepared for this Committee and had a continued interest in helping the City. He was a long-term resident of well over 20 years.

Mr. Markham noted that when he appeared before the CAC, he was impressed by Mr. Prasad's commitment to serve and his interactive engagement. He had good ideas and moved things forward.

Ms. Sierer agreed that he was very engaged and was a very good asset for the committee.

There were no public comments.

MOTION BY MR. MOREHEAD, SECONDED BY MR. MARKHAM: TO APPROVE THE REAPPOINTMENT OF AJAY PRASAD TO THE DISTRICT 1 POSITION ON THE CONSERVATION ADVISORY COMMISSION FOR A THREE-YEAR TERM TO EXPIRE MARCH 15, 2019.

MOTION PASSED UNANIMOUSLY. VOTE: 7 to 0.

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

Nay – 0.

- 12. 5. **SPECIAL DEPARTMENTAL REPORTS:**
 - A. Special Reports from Manager & Staff: None
- 13. 6. **RECOMMENDATIONS ON CONTRACTS & BIDS:** None
- 14. 7. **FINANCIAL STATEMENT: (Ending May 31, 2016)**

01:16:16

Mr. Del Grande recognized and thanked his great accounting team, Deputy Finance Director Jill Hollander, Accountants Jim Smith and Debi Keeley and Accounting Clerk Travis Burke, for the outstanding job they did with the CAFR this year.

Mr. Del Grande presented the unaudited financial statements for May 2016. Overall, the year-to-date operating surplus was \$401,000 ahead of the year-to-date budget which was a decrease of \$45,000 from April. In the governmental funds, revenue variances declined since April by \$131,000, but expenses improved by another \$144,000, resulting in a net positive variance of \$13,000. The revenue shortfall was due primarily to realty transfer taxes of \$151,000 and property taxes of \$101,000. Realty transfer taxes for May continued to trail the budget estimate of \$1.6 million for the year. However, the sale of 300 McIntire Drive in early June brought the City back on track with the annual revenue estimate for realty transfer taxes. Property taxes trailed by \$101,000, but should rebound since the City was receiving tax payments from the 2016-17 tax billings which would go out this week.

Court fine revenue was under budget by \$64,000 and was running \$48,000 behind the same period last fiscal year. It was estimated that the fines may fall below budget year end, and the Alderman's Court activity would continue to be monitored as the year continued. Permit revenue generated through May was \$717,000, which was \$230,000 ahead of the same period last fiscal year. The permit budget for the year was \$2 million and was tracking to meet budget year end. There was a big boost from the University of Delaware's dorm project which got the City back on track last month.

Enterprise funds were running about even, showing a small \$35,000 decrease in the budget surplus through May. Enterprise revenues were \$551,000 behind budget, primarily due to electric sales. Electric sales were down 14.9%, and electric purchases were down 13.3% compared to May 2015. DEMEC reported mild temperatures since November 2015 which impacted electric sales. It seemed to be changing recently with the area consistently hit with several days over 90 degrees. July electric sales were anticipated to outperform July of last year and the sales would improve going forward into the year. Through May, electric sales were \$19.9 million, or \$2.1 million under budget and trailed May 2015 by \$545,000. The electric regulatory asset declined from \$448,000 to \$308,000 in May which would hopefully be resolved throughout the remainder of the year but if anything other than zero in either direction would be part of the 2017 rate stabilization adjustment.

Water and sewer volumes were down in May compared to April and trailed 2015 by 7.9%. Water sales were \$500,000 under budget and \$44,000 below May 2015, while sewer sales were \$21,000 under budget but were \$150,000 ahead of 2015.

Parking revenues which included meters and fees were tracking slightly behind budget by only \$10,000, but was \$66,000 ahead of 2015. It was estimated that overall parking revenue should come close to the annual budget of \$2.9 million by year end.

Overall enterprise fund expenditures collectively were \$517,000 below budget for the first five months of the year. Spending was well within the budget, particularly across personnel, supplies and contractual lines.

The insurance and maintenance funds were performing well and offset some of the negative variances and cash positions continued to be strong. At the end of May the cash balance was \$26.7 million, which included \$21.6 million in cash reserves and \$5.1 million in operating cash.

Last week the City continued the transfer on its OPEB and Pension with Russell. By delaying the transfer to last week, the City actually avoided a \$1.8 million loss in those funds. The transfer took place and the \$1.8 million loss turned into a \$2.1 million gain, a \$300,000 turnaround to the good which helped in the long run. The value of the account balance on the day of the Brexit issue was \$63.1 million, and the amount that the City actually transferred out ended up being \$65.1 million.

Preparation of the property tax bills was underway. All of the tax programs were run over the weekend and staff was printing and stuffing them. Those who had their taxes escrowed would be going out to the mortgage companies directly, those who paid their own taxes would be getting their envelopes mailed to them by August 1 at the latest.

Mr. Markham asked the reason the property taxes were behind \$101,000 at this point in time. Mr. Del Grande said the City would make up that \$100,000. The new tax rate would be in effect starting July 1. The assessment they billed for was \$12 million higher than estimated which was another \$100,000 in revenue that would be realized. With the tax increase built into the new bills for 2017, that \$100,000 difference would be made up for sure.

Mr. Markham said it seemed they should know about what they should have in at this point in time and know what the bills were from the previous year. That was the first question, the second was a request. In particular since the previous Finance Director said August was the decision month in terms of where they stood and if they had to do anything, he would really like to see June ASAP. This report was May and they were almost done July, so they had a month-and-a-half or almost two months where he did not know where they were going into August. He wanted to know where they were in August, and whether they had to make decisions about the budget. Mr. Markham would like to see June figures as soon as possible (at the next meeting if possible). He asked if Ms. Houck understood his concern. Ms. Houck replied if the complete financials were not available, they would provide some type of an update. Mr. Markham wanted to know by mid-August where things stood.

There were no public comments.

MOTION BY MR. MOREHEAD, SECONDED BY MR. MARKHAM: THAT THE MAY 31, 2016 FINANCIAL STATEMENT BE RECEIVED.

MOTION PASSED UNANIMOUSLY. VOTE: 7 to 0

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

- 15. 8. **ORDINANCES FOR SECOND READING & PUBLIC HEARING:** None
- 16. 9. **RECOMMENDATIONS FROM THE PLANNING COMMISSION AND/OR PLANNING & DEVELOPMENT DEPARTMENT:** None
- 17. 10. **ITEMS SUBMITTED FOR PUBLISHED AGENDA**
 - A. **Council Members:** None
- 18. 10-B. **OTHERS:**
 - 1. Discussion and Possible Vote Regarding Reconsideration of Direction to Staff and the City Lobbyist Regarding Pursuit of a State Code Amendment in the General Assembly Which Would Allow the Issuance of Administrative Warrants for Inspection of Properties to Determine Compliance with Applicable Codes

01:25:52

Ms. Houck reported on additional engagement with the Newark Landlords Association at a recent meeting. Some language changes were discussed that would be incorporated, and she anticipated having the ordinance on the agenda by August 8 or 22 for first reading. In relationship to the administrative warrant effort that had been underway, she saw the ordinance as an alternate effort.

She said good progress was made with the Landlords Association and that it might be a good idea to let that play out. She did not believe there was anything urgent with the administrative warrant effort at this point in time and felt it was important for staff, legal counsel and the City's lobbyist to know whether to keep working on the administrative warrant.

Ms. Houck clarified to Ms. Sierer that the ordinance was a reflection of rental inspections relative to the use of a third party and was separate from the administrative warrant discussion as far as a potential solution. Ms. Sierer confirmed the ordinance coming before Council related to rental inspections and the use of a third party. She recommended seeing that through. In her opinion the administrative warrant should not be let die because it was through the process completely. She did not think there was enough engagement statewide that it was appropriate for the City to make a decision at this point.

Regarding the ordinance, Ms. Wallace was aware of efforts made in reaching out to the Landlords Association and asked if any work was done to get input from tenants who would also be impacted. Regarding an administrative warrant, she was not concerned about what was going on elsewhere in the state, and felt it should not be Newark's concern. If the ordinance worked to address a problem that staff brought forward, then she thought that was the direction to go. She would like to see Council direct staff and Mr. Herron to advise the elected officials that the City was completely halting the administrative warrant process. If Council so desired, they could always go back.

Ms. Houck responded that related to the tenants, there was no engagement by staff at this time, but the ordinance process would provide for public participation. Also, the timing would be better than because of when people were available. In her view what the City was working on to improve did not seem to have any impact on their rights at all. Their rights remained the same and it was a way to offer another option for inspections with a goal of increasing them from 50% to 90-100%. It was Newark-specific, and the administrative warrant bill was not Newark-specific.

Mr. Morehead was concerned that Council was looking at an older version of the ordinance in trying to make a decision as to how it would relate to a potential administrative warrant. Ms. Houck asked for Council to give direction to staff, the Solicitor and the City's lobbyist about the administrative warrant. He thought they should do that and hold off with the ordinance because they were told it was changing, and they may get another version next week.

Ms. Hadden thought they should see the ordinance process all the way to the end. It was her understanding that there was good feedback from the Landlords Association, and they were very engaged. She would like to back burner the administrative warrant for now and hopefully the positive discourse would continue to move forward.

Mr. Ruckle agreed with Ms. Hadden about putting the administrative warrant on the back burner and seeing the ordinance through. He reminded everyone this would be an agreement between the City and the property owner, so by law, the tenant would just be getting a 48-hour notice from their landlord that an inspection would take place. They did not have to be present as it was the landlord's responsibility. These provisions were in the lease, so there was no violation of tenants' rights. Mr. Herron confirmed that was generally correct. That was the focus of the proposed ordinance that would hopefully be coming before Council soon.

Mr. Markham pointed out there was nothing happening in Dover at the moment. One of his concerns with the administrative warrant was there was a hole in the state law, and that directly affected the City's Charter because it referred to administrative warrants. At some point in time the state needed to fix that, either by amending the City's charter or fixing the state law. No matter what format it was in, it needed to be fixed in some way. He thought it still affected the City, whatever they did or did not do, because it was in their charter. He did not have any problems with taking a pause but did not like to see holes in the law. Mr. Morehead said it was not the City's law to fix. The Charter was given to Newark by the state legislature. They typically shied away from telling Dover what to do for obvious reasons. Mr. Chapman added that they were not telling them what to do.

Ms. Hadden asked if Representative Baumbach would like to provide an update as to where the administrative warrant was in the state process. Representative Baumbach said that he spoke to his colleagues not for his colleagues. They were not in session at this time. On administrative warrants or on

charter changes it was not at all uncommon for municipalities to come to Dover with requests for amendments to their city charters that they find are out of date or need some flexibility in there. It was not at all inappropriate for City Council to come with a request for a charter change which would be brought to Dover to get through the legislative process between January and June. If it was a statewide problem of city charters across the state, then it would be appropriate for the League to come up with a recommendation. In April the draft that was in Dover was a little bit more than that and there was a bit of push back. It had the potential of raising a lot of concerns if not done the proper way. While Dover was out-of-session was always a good time if it was recognized that this was across the board for municipalities throughout the state. In hindsight, he thought April was a compressed timeframe with not enough stakeholders involved well enough.

Mr. Chapman asked Representative Baumbach from his perspective, what a pause in the process would mean where it currently stood. It was Representative Baumbach's understanding that right now Council had an outstanding direction to the staff to proceed on administrative warrant flushing out proposals, and a pause said stop that process until they got back and unpaused things. The rationale for that was they had a new process to explore in the ordinance to see how much of the overall problem was addressed with the City ordinance change. He thought pause changed the outstanding direction that Council gave to staff, and it retained it with Council to have the option of turning it on again. Mr. Chapman asked what it meant for Representative Baumbach who was knee deep in this process. Representative Baumbach said the next time Council had a request to change things in the State Code that they come to the legislators and ask them for help in leading the process. Mr. Chapman felt that made sense both ways, and it was just common courtesy.

Mr. Chapman addressed Council and asked what a pause meant. Nothing was progressing with Dover out of session. Was the only reason it was being discussed because the City had requested it and if they came off of it, it would die? Did they want to reserve the right to pick up the conversation again and essentially just ask for no more time and efforts be put into it? Then time and efforts by whom? By the representation down in Dover or by City staff? It seemed to him like they had a draft at this point that nobody at the City created.

Ms. Sierer liked Representative Baumbach's suggestion of taking it back to the League. The League met next in September. For her the pause would be until the next League meeting or until getting it on the next League agenda to rejuvenate discussion and see where it had gone to date and what, if anything, they wanted to do as a league. That would be her definition of pause which was basically August. Ms. Wallace said she would not support that at all.

Mr. Herron believed the concern here was that Council directed staff back in April to pursue an administrative warrant bill in the General Assembly which was done. There was some opposition, there were some road blocks, circumstances changed, and he believed Ms. Wallace, Ms. Hadden, and Mr. Ruckle at least voiced support for some type of direction, a possible motion from council, to the effect directing staff and the City lobbyist to postpone or suspend efforts to pursue a State Code amendment in the General Assembly which would allow the issuance of administrative warrants pending consideration by Council of an ordinance which would permit private third party rental inspections. He thought that would address what was being requested here.

Ms. Sierer said this basically was what they were saying, was it not – they addressed the ordinance situation and would bring it forward in August until such time as that was resolved, that was the pause. Mr. Herron said yes, that was his suggestion.

Ms. Wallace asked if a motion was needed. Mr. Herron did not know one was needed but since there was a motion in April, it would make sense for there to be a motion.

The Chair opened the discussion to the public.

Jeff Lawrence, District 3, was confused that the item on the agenda had no supporting document linked to it. It was about the issuance of administrative warrants and yet the discussion was about the amendment to an ordinance which was not linked in the agenda. His concern was about the fact that a person's home was their sanctuary and the notion that somebody could get into a person's house against their will was horrific in his mind. If the intention of this was to protect renters against landlords, he believed a tenant could request an inspection at any point. In the case of a rental property there were two parties involved, the owner of the house as well as the people who dwelled in the house. He was not sure of the legality as to who could give who permission to get into that house.

John Bauscher, landlord and resident, hoped Council was not back to talking about administrative warrants and said if so, the City owed it to the citizens to educate them as to what an administrative warrant was. He felt this was messing with the Fourth Amendment to the Constitution. He knew that Richard Morris said it could be constitutional but only if it was applied to everybody in the City. They could look at private inspectors but he did not think the inspections were so important and was not impressed by them. He noted a few years ago a law was passed that tenants were responsible for batteries in smoke detectors. He thought as adults, tenants should be able to call the Building Department any time they had problems. He felt there would be a lot of opposition trying to bring this back.

Bruce Harvey, landlord (past president of Newark Landlord's Association) and resident addressed Mr. Markham's concern about a hole in the law and gave historical information regarding the American Revolution and the Bill of Rights. He noted that in the Delaware Bill of Rights, §6, it said no warrant shall issue, but with a sworn statement of probable cause, supported by evidence, and with a specific list of the items to be seized, searched, or inspected. He thought part of that was people shall be secure in their homes, persons, properties and possessions against unreasonable search and seizure. He thought calling things administrative warrants did not leave a hole in the law, and that all it meant was that regardless of what it was called, a warrant had to meet the same standards of any other warrant. To his understanding, the City could apply for an administrative warrant now if they met the criteria.

John Morgan, District 1 agreed that it would have been better if the public had access to the draft of an ordinance which Council had. He asked where the 48 hour notice came from. Ms. Houck said the Landlord-Tenant Code. Dr. Morgan felt probable cause was very important and should not be simply a failure to respond to a letter from the City about scheduling an inspection. It ought to be based on some sort of visible probable cause such as a sagging roof, or broken windows or a general state of disrepair. He thought the City should give careful consideration to the potential cost of defending a lawsuit after spending almost a million dollars dealing with the lawsuit from the landlords several years ago. He suggested the City send a letter to the tenants of rental properties informing them about what was supposed to be done according to Code and telling the tenants if their rental unit did not meet Code, they could call the City to get help.

The Chair brought the discussion back to the table.

Mr. Chapman said his questions before had little to do with administrative warrants or the contents in it or the ordinance. It was more of confusion of the discussion and the topic and he felt unprepared. He tried to come to all the Council meetings as prepared as possible and fully aware of what the discussion could include. He did not feel like that was the case on this subject.

Ms. Wallace echoed Mr. Chapman's comments and felt that throughout this process, although she came in after the fact, she did not know where they were in the process along the way. She was surprised to see that there was this latest draft here. She thought there could have been copies of the draft ordinance and made it a little clearer to the public. The draft ordinance was not indicated on the agenda at all, and Council was discussing it. That raised some concerns for her.

MOTION BY MS. WALLACE, SECONDED BY MR. MOREHEAD: THAT COUNCIL DIRECTS STAFF AND THE CITY LOBBYIST TO SUSPEND EFFORTS TO PURSUE A STATE CODE AMENDMENT IN THE GENERAL ASSEMBLY WHICH WOULD ALLOW THE ISSUANCE OF ADMINISTRATIVE WARRANTS PENDING CONSIDERATION BY COUNCIL OF THE ORDINANCE WHICH WOULD PERMIT PRIVATE THIRD-PARTY RENTAL INSPECTIONS.

Ms. Hadden asked for clarification of suspension from a legal standpoint in relation to pause. Mr. Herron said it would be, in essence, the same. It would not preclude Council from coming back to it, if they desired. Ms. Sierer asked if the motion included until completion of the current ordinance that was going to be coming forward. Ms. Hadden confirmed that was included.

Mr. Markham asked if there was an expiration. Mr. Herron would say it was suspended pending consideration by Council of the ordinance and then depending on what happened with the ordinance he would say it would remain suspended until such time as Council brought it back to the table and issued further direction. Ms. Wallace said or possibly reached out to our legislators at that point. Ms. Sierer said bringing it forward would be part of the process.

MOTION PASSED. VOTE: 6 to 1.

Aye – Chapman, Hadden, Morehead, Ruckle, Sierer, Wallace.
Nay – Markham.

19. 11. APPROVAL OF CONSENT AGENDA

02:04:02

Ms. Bensley read the Consent Agenda in its entirety.

- A. Approval of Council Minutes – June 27, 2016
- B. Approval of Council Minutes – July 11, 2016
- C. Receipt of Alderman’s Report – July 20, 2016
- D. **First Reading – Bill 16-19** – An Ordinance Amending Chapter 2, Administration, to Formally Charter the Community Development/Revenue Sharing Advisory Committee – **Second Reading – August 8, 2016**
- E. **First Reading – Bill 16-20** – An Ordinance Annexing and Zoning to RH (Single Family Detached Residential – One Half Acre) a 0.89 Acre Parcel Located at 1 Georgian Circle – **Second Reading – August 22, 2016**
- F. **First Reading – Bill 16-21** – An Ordinance Amending the Comprehensive Plan by Changing the Designation of Property Located at 1101 and 1107 Barksdale Road – **Second Reading – August 22, 2016**
- G. **First Reading – Bill 16-22** – An Ordinance Amending the Zoning Map of the City of Newark, Delaware, By Rezoning from RS (Single Family Detached Residential – 9,000 Square Feet) to RR (Row or Town Houses) 1.378 Acres Located at 1101 and 1107 Barksdale Road – **Second Reading – August 22, 2016**

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

MOTION PASSED UNANIMOUSLY. VOTE: 7 to 0.

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

Nay – 0.

19. Meeting adjourned at 9:09 p.m.

Renee K. Bensley
Director of Legislative Services
City Secretary