

MILFORD CITY COUNCIL
MINUTES OF MEETING
September 29, 2008

A Special Meeting of Milford City Council was held in the Meeting Room of the Delaware Rural Water Association Facility, 210 Vickers Drive, Milford, Delaware on Monday, September 29, 2008.

PRESIDING: Honorable Daniel Marabello

IN ATTENDANCE: Councilpersons Irvin Ambrose, Michael Spillane, John Workman, Douglas Morrow, Owen Brooks, Jr., James Starling, Sr. and Katrina Wilson

ALSO: City Manager David Baird and City Clerk/Recorder Terri Hudson

Mayor Marabello called the Special Meeting to order at 6:00 p.m. The purpose of the meeting was to interview interested persons for the 2nd Ward Council Seat. The vacancy is a result of the resignation by Councilman Clifford Crouch. Because the vacancy occurred within one year of Councilman Crouch's term expiring, council has the right to appoint a person to fill the vacancy until the next election as is noted in the Section 4.05 of the City of Milford Charter:

4.05- VACANCIES, FORFEITURE OF OFFICE; FILLING OF VACANCIES

(a) VACANCIES. The office of a Councilperson and Mayor shall become vacant upon death, resignation, removal from office in any manner authorized by law, or forfeiture of office.

(b) FORFEITURE OF OFFICE. A Councilperson shall forfeit his or her office if he or she (1) lacks at any time during his or her term of office any qualification for the office prescribed by this Charter or by law, (2) violates any express prohibition of this Charter, (3) is convicted of a crime involving moral turpitude.

(c) FILLING OF VACANCIES. If a vacancy occurs in the Council and the remainder of the unexpired term is one (1) year or less, the Council may, by a majority vote of all of its remaining members, appoint a qualified person to fill the vacancy until the person elected at the next regular election takes office. If at the time a vacancy occurs the remainder of the unexpired term is greater than one (1) year, the election authorities shall call a special election to fill the vacancy for the remainder of the unexpired term. The special election shall be held not sooner than twenty (20) days nor later than thirty (30) days following the occurrence of the vacancy and shall be otherwise governed by the provisions of Article VII. Notwithstanding the requirement that a quorum of the Council consists of five members, if at any time the membership of the Council is reduced to less than five, the remaining members may, by majority action, appoint additional members to raise the membership to five.

Mayor Marabello previously announced the City of Milford would accept letters from persons interested in the position. Those who submitted letters were contacted and interview times scheduled. The interview consisted of a series of six questions. Following its conclusion, an option statement could be made by the candidates though no additional questions would be permitted.

Executive Session-Discussion of Citizen Qualifications to Hold a Job

A motion to go into Executive Session to discuss the qualifications of individual citizen qualifications to hold a position was made by Mr. Ambrose, seconded by Mr. Morrow. Motion carried by unanimous roll call vote.

Mayor Marabello recessed the Special Meeting at 6:05 p.m. to go into a closed session to interview candidates and discuss their qualifications to fill the 2nd Ward Vacancy.

Return to Open Session

City Council returned to Open Session at 8:19 p.m.

Appointment of Council Representative/for 2nd Ward

Mr. Workman moved for the appointment of James A. Oechsler, Jr. of 127 School Place to replace 2nd Ward Councilman Clifford Crouch, seconded by Ms. Wilson. Motion carried by unanimous roll call vote.

Adjourn

Mr. Ambrose moved to adjourn the Special Meeting, seconded by Mr. Workman. Motion carried. The Special Meeting adjourned at 8:22 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Terri K. Hudson".

Terri K. Hudson, CMC
City Clerk