

MILFORD CITY COUNCIL
MINUTES OF MEETING
December 14, 2015

A Meeting of Milford City Council was held in the Joseph Ronnie Rogers Council Chambers at Milford City Hall on Monday, December 14, 2015.

PRESIDING: Mayor Bryan Shupe

IN ATTENDANCE: Councilpersons Christopher Mergner, Garrett Grier III, Lisa Peel, James Burk, Owen Brooks Jr., Douglas Morrow Sr., James Starling and Katrina Wilson

Police Chief Keith Hudson and City Clerk/Recorder Terri Hudson

COUNSEL: City Solicitor David Rutt, Esquire

CALL TO ORDER

Mayor Shupe called the Council Meeting to order at 6:59 p.m.

INVOCATION AND PLEDGE

The Pledge of Allegiance followed the invocation given by Councilman Starling.

APPROVAL OF PREVIOUS MINUTES

Motion made by Mr. Grier, seconded by Mr. Mergner to approve the minutes of the October 13, October 16 and October 20, 2015 City Manager Search Committee and October 26, 2015 Council Public Hearing, Meeting and Workshop minutes. Motion carried.

RECOGNITION

Mayor Shupe announced that Deputy City Clerk Christine Crouch recently completed the educational and other requirements needed to achieve her Certified Municipal Clerk designation from the International Institute of Municipal Clerks.

The mayor then presented the following proclamation to Deputy City Clerk Crouch:

*PROCLAMATION 2015-26
RECOGNIZING CERTIFIED MUNICIPAL CLERK CHRISTINE CROUCH*

WHEREAS:

Founded in 1947, the International Institute of Municipal Clerks (IIMC) is a professional nonprofit association that promotes continuing education and certification through university and college-based institutes and provides networking solutions, services and benefits to its members internationally;

Aspiring clerks to expand and advance beyond their present levels of development, IIMC has approximately 10,000 members representing municipalities with populations ranging from 250 to more than 10 million people in North America and 15 other countries;

Christine Crouch has completed ten years of employment with the City of Milford, first as an Administrative Assistant in the Building and Code Enforcement Department, then as an Assistant in the City Planning Office and in the past two years as Executive Assistant to the City Manager and Deputy City Clerk;

During these ten years, Christine Crouch has conscientiously and capably served the City of Milford and its citizens

and has been dedicated to the highest principles of community service;

The City of Milford, as well as Christine Crouch's co-workers and peers, have greatly benefitted from her professional skills, compassion and courteous and positive attitude during her years of service to this community;

On November 24, 2015, Christine Crouch, Deputy Clerk of the City of Milford, earned the designation of Certified Municipal Clerk (CMC) awarded by IIMC;

IIMC grants the CMC designation only to those municipal clerks who complete demanding education requirements and who have a record of significant contributions to their local government and their state;

In light of the speed and drastic nature of change these days, lifelong learning is not only desirable, but necessary for the City to keep pace with the demands and changing needs of our citizens; Christine Crouch is at the forefront--ready to take on new challenges and always willing to provide tangible support for others.

NOW, THEREFORE, BE IT PROCLAIMED, THAT I, BRYAN W. SHUPE, MAYOR OF THE CITY OF MILFORD, join with the Members of Milford City Council to thank Christine Crouch for her pursuit of professional excellence and to congratulate her for earning the Certified Municipal Clerk designation.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Milford, Delaware to be affixed this 14th day of December 2015.

Mayor Shupe congratulated Ms. Crouch noting that she has been instrumental in getting the website and other things updated since he has been mayor and he and the other staff members truly appreciate it.

MONTHLY POLICE REPORT

Police Committee Chairman Morrow presented the report on behalf of Chief Hudson. Ms. Wilson moved to accept the monthly police report, seconded by Mr. Brooks. Motion carried.

Mr. Brooks recalled the conversation that Ms. Wilson initiated regarding the safety in this community. He highly recommends we consider four additional police officers. That would provide one additional officer per patrol shift. He recalled the emphasis that has been put on the parks and the downtown areas. He feels that four additional officers would help provide more security.

He asked Mayor Shupe to put the matter into the hands of the police committee.

CITY MANAGER REPORT

Mayor Shupe referenced the Utility and Parks and Recreation Department reports included in the packet. Council members had no questions.

COMMITTEE & WARD REPORTS

Annexation Report/Lands belonging to Mispillion Realty LLC/Brookstone Trace Subdivision

City Planning Coordinator Rob Pierce advised that the Annexation Committee met on November 23, 2015 to discuss the annexation of a property adjacent to Brookstone Trace Subdivision. The matter will be sent to the Planning Commission and Council within the next couple months.

Mr. Pierce referenced the Annexation Committee report included in the packet.

COMMUNICATIONS & CORRESPONDENCE

St. Paul's Church Annual Christmas Dinner

Mr. Starling thanked everyone for their previous support of his church's annual Christmas dinner; however, there will be no dinner this year though they hope to resume the cause again next year.

Code Purple

Ms. Wilson reported that the following e-mail was sent out this afternoon:

"It looks like a change will occur this coming weekend. We will be calling a Code Purple for Friday, December 18th and pending December 18th, December 19th and December 20th.

Our issue will be a shelter for women. At this time we have no shelters that will be open unless we transport women to Milford. We are hoping that Christ Church can help us. After these two nights, it does not look like a Code Purple will be needed thru the holidays."

Ms. Wilson encouraged everyone to donate supplies which are still badly needed.

Operation Santa

Mayor Shupe announced that for the first time ever, Carlisle Fire Company is hosting Operation Santa across the greater Milford area. Santa Claus will be riding a fire truck through the various streets while passing out candy canes. Santa will visit various neighborhoods on December 9, 10, 14 and 17 between the times of 6:00 p.m. and 9:00 p.m. Residents will be able to hear air horns and sirens when Santa is near.

He also reminded council of a Special Meeting on Wednesday, December 16th at 5:30 p.m.

UNFINISHED BUSINESS

Milford Aquarium/Confirmation of Private Funding/Contract

Mayor Shupe recalled the Milford Aquarium Committee asking council for financial assistance for a business plan. Council voted to approve \$24,000 toward that business plan with the condition the group raise the same match amount.

Since that time, their Director Bill Pilecki has returned with the \$24,000 as requested.

Mayor Shupe asked council to determine who the check should be payable to and the Economic Development Committee recommends it be made out to the business plan consultant. In addition, the funds need to be allocated at the time the final plan is presented to city council.

If council agrees, our interim city manager will contact the consultants to determine the time line. A check will then be issued after the final plan is provided to city council.

Ms. Wilson feels the check should be made payable to the consultant and not to the aquarium. Mayor Shupe thought that originally the check was to be made to Milford Aquarium.

Mr. Brooks recommends our solicitor provide some guidance and make that decision. Mr. Morrow agrees that the solicitor and interim city manager should review this.

Mr. Rutt suggests we receive some type of proposal from the consultant. He also recommends the check be paid directly to the consultant.

Ms. Wilson agrees that we will follow the procedure suggested by our solicitor.

NEW BUSINESS

Acceptance/City of Milford FY 2014-2015 Audit

Mayor Shupe advised that the City Charter requires that following the completion of the annual audit each year, the city council must vote to accept it. He stressed the importance of reviewing the budget especially for new members adding that it contains some very helpful information when discussing future financial issues.

Finance Committee Member Morrow said he has reviewed it and overall, the city is in pretty good shape.

Mr. Morrow moved to accept the FY2014-2015 audit, seconded by Mr. Grier. Motion carried.

Holiday Lights Purchase

Mayor Shupe informed council there have been some concerns and he has been asked by several residents to update the holiday lighting/decorations throughout the city.

The mayor discussed the matter with Interim Manager Jeff Portmann who recommended city council consider funding in the amount of \$15,000 from electric reserves.

Mayor Shupe also suggested a committee be appointed to review the possibility of purchasing new decorations and lights.

Mr. Grier moved for approval of \$15,000 to be transferred from electric reserves and that the matter be forwarded to a committee for further action, seconded by Mr. Brooks. Motion carried.

Volunteer Promotion in the City of Milford

Mayor Shupe advised that he is a member of the Governor's Commission for Community and Volunteer Service. One of their goals is to get more Delaware residents to volunteer for nonprofit organizations. Speaking with the other commissioners, they discussed a possible pilot program where one city would focus on encouraging more volunteers. Being the only mayor on the commission, the City of Milford was selected. He feels this is a great way to highlight volunteerism and how it benefits the city.

He has been talking with Volunteer Delaware in hopes of partnering a job-fair event early in 2016 and possibly February or March. Nonprofits would be invited to educate residents on what their organization does. In the meantime, attendees would be encouraged to volunteer within their organization.

Invitations would be sent to all nonprofits in the area.

Mayor Shupe noted that Councilman Burk has also been speaking with Volunteer Delaware. The event would feature twenty to thirty nonprofits from the Greater Milford area. Food trucks will also be invited to the event called "Hungry to Health".

He asked council for any ideas, suggestions for a venue and to assist with the event.

One of the recommendations was to have the event at Milford Armory though there remains some outstanding logistic issues at the facility.

Mr. Burk added that a couple food trucks have already expressed an interest. He feels the armory would be an attractive place to hold the event though he understands the building still has heat issues.

Ms. Wilson volunteered to help.

It was suggested having the event the end of March and make it on a day/time that is appropriate for families.

Introduction/Ordinance 2015-25/Change of Zone/Crop Production Services LLC/Holly Hill Road/R3-I2

ORDINANCE 2015-25

Change of Zone/Lands belonging to Crop Production Services LLC

Tax Parcel MD-16-18207-01-01.00 through 99.00

MD-16-18207-02-01.00 through 99.00

MD-16-18207-03-01.00 through 23.00

34.17 +/- Acres

Current Zone R3/Proposed Zone I2

AN ORDINANCE OF THE CITY OF MILFORD, DELAWARE to amend the zoning map of the City of Milford by rezoning 34.17 +/- acres of real property from R3 to I2 on Holly Hill Road, Milford, Delaware. Present Use: Vacant. Proposed Use: Fertilizer Sales and Storage Facility. Tax Map and Parcel: MD-16-18207-01-01.00 through 99.00, MD-16-18207-02-01.00 through 99.00, MD-16-18207-03-01.00 through 23.00

WHEREAS, the City of Milford Planning Commission will consider the change of zone application at a Public Hearing on December 15, 2015; and

WHEREAS, Milford City Council will hold a Public Hearing on January 25, 2016 to allow for public comment and further review of the ordinance; and

WHEREAS, it is deemed in the best interest of the City of Milford to allow a change of zone as herein described.

NOW, THEREFORE, the City of Milford hereby ordains as follows:

Upon the adoption of this ordinance, tax map and parcels MD-16-18207-01-01.00 through 99.00, MD-16-18207-02-01.00 through 99.00, MD-16-18207-03-01.00 through 23.00, owned by Crop Production Services located on Holly Hill Road, is hereby zoned I2.

Dates:

Introduction: December 14, 2015

Planning Commission Public Hearing & Recommendation: December 15, 2015

Adoption (Projected) Date: January 25, 2016

City Planner Rob Pierce said he has received a request to change Crop Production Services' property zone from its current R-3 (residential) zone to an I-2 (industrial) zone. The matter will be heard at tomorrow's planning commission hearing and council will hold a public hearing on January 25th.

The proposed use is a fertilizer sales and storage facility. Mr. Pierce believes they are planning to relocate their facility from Rehoboth Boulevard to this site.

Introduction/Ordinance 2015-26/Chapter 230/Zoning Code/Article X-Site Plan Review

ORDINANCE 2015-26

CODE OF THE CITY OF MILFORD

PART II-GENERAL LEGISLATION

CHAPTER 230-ZONING

ARTICLE X-SITE PLAN REVIEW

§230-52- REVIEW PROCEDURES

WHEREAS, the City of Milford deems it necessary to assure that the large-scale developments are in accord with the Comprehensive Plan and that such developments comply with the regulations of this chapter. Site plans are required to assure good arrangement and appearance of new development; ensure harmony with existing structures; assure consistency with the City's adopted building and design standards, the Comprehensive Plan, and the City's Standard

Specifications for Installation of Utility Construction Projects and Subdivision Pavement Design; to provide an understanding of the impacts of proposed development on public facilities and services and ensure the availability and adequacy of the same; and to otherwise meet the purposes of this chapter; and

WHEREAS, the Planning Department deems it necessary to update the Site Plan Review procedures.

NOW, THEREFORE, THE CITY OF MILFORD HEREBY ORDAINS:

Section 1.

An Ordinance to Amend the Code of the City of Milford by Amending Chapter 230 entitled Zoning by adding and renumbering as follows:

A. Preliminary approval.

- (1) A preliminary plan and documents, as specified by the Planning Department, shall be prepared by the applicant and submitted in accordance with the submission schedule as determined by the City Planner, along with the appropriate fees, as specified in § 230-57.*
- (2) The Development Advisory Committee (DAC) shall review the application and plan. Comments from the DAC must be addressed via either submitting revised plans and/or necessary documents or via a narrative submitted to the City Planner. Upon confirmation by the City Planner that all DAC issues have been addressed satisfactorily, the application will then be scheduled to be heard by the Planning Commission.*
- (3) The Planning Commission shall review the application and shall approve the application with or without conditions, deny the application, or table the application.*
- (4) Preliminary approval from the Planning Commission shall be void after one year, unless an extension is requested by the owner and approved for good cause by the Planning Commission prior to the expiration.*

B. Final approval.

- (1) A final plat and documents, as specified by the Planning Department, shall be prepared by the applicant and submitted in accordance with the submission schedule as determined by City Planner, along with the appropriate fees, as specified in § 230-57.*
- (2) The Development Advisory Committee (DAC) shall review the application and plan. Comments from the DAC must be addressed via either submitting revised plans and/or necessary documents or via a narrative submitted to the City Planner. The final plan shall also be reviewed by the City Planner for confirmation that the application is designed in accordance with all subdivision, zoning and other land use regulations of the City. The final plan shall also be reviewed by the City Engineer for confirmation that the application is designed consistent with the preliminary plan, if applicable, and in accordance with the construction standards and specifications of the City. Upon confirmation by the City Planner and City Engineer that all issues have been addressed satisfactorily, the application will be scheduled to be heard by the Planning Commission.*
- (3) The Planning Commission shall review the application and shall approve the application with or without conditions, deny the application, or table the application.*
- (4) Prior to receiving final site plan approval, the City Engineer shall provide a copy of the signed subdivision agreement to the City Planner.*
- (5) Within 90 days of final approval from Planning Commission, the applicant shall record the plat at the County Recorder of Deeds office and provide the City Planner a receipt of the recordation including the deed book and page number. Prior to recording the plat, five copies of the plat must be submitted to the City Planner for stamping and signing. Three sets will be returned to the applicant.*
- (6) Upon recordation of the plat, the applicant shall provide the Land Data Manager of the City a mylar copy of the plat including the deed book and page printed thereon.*
- (7) Failure to record the plat within 90 days of Planning Commission approval will result in the approval being voided.*

C. The site plan review by the Planning Commission shall be limited to those proposed developments enumerated by this chapter and to those proposed developments that require a site plan review as determined by the City Planner. No other site plans shall be considered by the Planning Commission for review.

~~D. Prior to the Planning Commission holding a public hearing to review the application for the site plan, the City Engineer shall provide a copy of the signed subdivision agreement to the City Planner.~~

Section 2. Dates.

Planning Commission Review and Public Hearing: January 19, 2016

City Council Review and Public Hearing: January 25, 2016

Adoption: January 25, 2016

Effective: February 4, 2016

City Planner Pierce explained this ordinance will address potential conflict of language in the site plan review procedure related to subdivision agreements. In addition, a submission timing issue is addressed.

A public hearing is scheduled on January 25th before city council.

Introduction/Ordinance 2015-27/Chapter 55/Emergency Closings-Travel-Safety Work Boots Policies

*AN ORDINANCE AMENDING CHAPTER 55 "PERSONNEL"
OF THE CODE OF THE CITY OF MILFORD
Ordinance 2015-27
Chapter 55-Personnel
Section 1.*

WHEREAS, City Council finds that it is in the best interests of the City that employees remain informed and trained in activities, developments and professional trends affecting the affairs of the City; and

WHEREAS, City Council believes that attendance at institutions, meetings, conferences and other gatherings are of value to the City and its citizens; and

WHEREAS, public resources should only be used when there is a benefit to the City; and

WHEREAS, an updated policy that provides guidance to City employees on the use and expenditure of City resources is needed.

Section 2.

NOW, THEREFORE, THE CITY OF MILFORD HEREBY ORDAINS:

Section 875 of Article VIII Employee Conduct, Disciplinary Action and Grievance Procedure of Chapter 55 of the City of Milford Code, is hereby repealed and replaced with the following language:

Section 875 TRAVEL ON OFFICIAL CITY BUSINESS

The following information will amend Section 875, Travel on Official City Business:

Whenever an employee travels for City related business (training, meeting, seminar, conference, etc.), the employee must obtain prior authorization from their supervisor(s), including authorization of budget expenditures, for the estimated cost of the travel. Per Diem Rates (www.gsa.gov/perdiem) and Mileage Reimbursement Rates (www.gsa.gov/mileage) should be confirmed with the Finance Department, by contacting the Accounts Payable Administrator with the details, which should include the date(s), location(s) of the travel and any services that will be included in any registration fees, before processing a purchase order, for the employee's per diem and or mileage reimbursement.

The City encourages, the use of any authorized available City vehicle, especially for local travel; however, if the employee has been approved to use their privately-owned vehicle, they can request mileage reimbursement for the actual miles (round trip) between locations. If more than one employee is traveling to the same event, the City encourages the sharing of vehicles to conserve fuel and City funds. When two or more employees travel together in a privately-owned vehicle, only one mileage reimbursement will be approved.

When employees are booking hotel reservations, they should obtain the lowest rate possible. Some conferences have discounted blocks of rooms reserved and most hotels offer a government rate, which may be lower than an advertised rate. After obtaining the hotel rates, the employee must obtain approval from their supervisor, of the hotel expense, prior to the final booking of the hotel reservation.

Employees must acquire receipts for any expenses (hotel, parking, gas, rental car, taxi, tolls, etc.), which are being charged directly to the City or those which will be submitted for reimbursement to the employee. The receipts, with an itemized expense sheet should be turned into the employee's supervisor, immediately upon the employee's return to work. The supervisor, after the review and approval of the receipts, should complete a purchase order for any reimbursement due to the employee or for any expenses that had not previously been processed through the purchase order system. The supervisor should then submit the signed approved receipts to the Accounts Payable Administrator to be processed for payment, with the next payment cycle.

Section 3.

WHEREAS, special or emergency circumstances arise from time to time warranting the closure of city offices during prescribed hours for the support and protection of the health, safety and welfare of the citizens and staff of the City of Milford; and

WHEREAS, it is in the best interests of the citizens and staff of the City of Milford that the City Manager or designee be authorized to direct the temporary closure of city offices in such circumstances for the efficient operation of the city, safety to employees and citizens or other special or emergency circumstances.

Section 4.

NOW, THEREFORE, THE CITY OF MILFORD HEREBY ORDAINS:

Section 670 (Emergency Closings) of Article VI Work Conditions and Hours of Chapter 55 of the Code of the City of Milford, is hereby repealed and replaced with the following language:

Section 670 EMERGENCY CONDITIONS

Emergency conditions, including but not limited to severe weather, fire, flood, natural disaster, acts of terrorism, State of Emergency, etc. can disrupt City of Milford operations and interfere with work schedules. These extreme circumstances may require the City Manager or designated appointee, to issue an emergency closing because of expected or existing conditions. To help determine when an emergency closing is needed, the City of Milford will follow the State of Delaware and/or Kent County and Sussex County emergency closing alerts, but is not limited to just those closings. In the event that such an emergency closing occurs before 8:00 a.m. or after 4:30 p.m. (normal business hours), the closing will be posted on the city's website (www.cityofmilford.com) and the City Manager or designated appointee will contact each department supervisor, who will then notify their staff if or when they need to report during the emergency closing. City of Milford emergency closing information will also be provided to local media.

Since, the City of Milford is responsible for providing essential public services during emergency conditions, each department supervisor or appointed designee will determine which employees are essential to their department's operation or department's designated duties, during the emergency closing. The supervisor or appointed designee will notify each employee that is classified as "essential" when they are required to work during the emergency closing.

When an emergency closing occurs during normal M-F work hours, "non-essential" non-exempt and exempt employees that have been allowed to leave work, report to work on a delay opening or not report for work shall receive a supplement of hours to ensure that they have eight hours of pay or salary for the day. "Essential" non-exempt employees which are required to work shall be paid their regular eight hours of pay for the day, plus time and one half for the actual number of hours worked during the emergency closing. "Essential" exempt employees which are required to work shall receive

their salary for the day and be granted compensatory time off, as approved by the City Manager.

Police Department patrol officers and dispatchers are classified "essential" personnel and are required to work their normal scheduled shifts. Depending on the circumstances of the emergency closing, the Chief of Police will determine which other police officers will be considered essential and may require additional staff to report.

The Police Department officers and dispatchers will be granted compensatory time, equal to the number of hours, that the City of Milford emergency closing was in effect during a normal eight-hour business day. These compensatory hours will be added to the holiday accrual bank, for each officer and dispatcher.

If inclement weather does not result in an emergency closing, for the City of Milford and an employee is unable to commute to work, due to the weather conditions, the employee should contact their supervisor prior to the start of their shift, to make arrangements to obtain transportation to work or be approved to use vacation leave.

Section 5.

WHEREAS, quality protective footwear, which meets or exceeds current OSHA Standards is needed to support the safety of a number of designated Employees throughout the City; and

WHEREAS, it is in the best interest of the City that a clear policy regarding the purchase of safety shoes by City Employees be available for them to follow.

Section 6.

NOW, THEREFORE, THE CITY OF MILFORD HEREBY ORDAINS:

A new Section 615 entitled "Safety Work Boots" is hereby added to Article VI Word Conditions and Hours of Chapter 55 of the City of Milford Code to read as follows:

SAFETY WORK BOOTS

Safety Work Boots, which meet or exceed the requirement and safety standards, as defined in each departments' duties, will be purchased for employees who hold the following positions, each fiscal year, during the month of October.

| <i>DEPARTMENT</i> | <i>POSITION</i> |
|----------------------|---------------------------------------|
| <i>Public Works:</i> | <i>Director, Public Works</i> |
| <i>Electric:</i> | <i>Superintendent, Electric</i> |
| | <i>Electric Line Foreman</i> |
| | <i>Electric Lineman, Lead Lineman</i> |
| | <i>Electric Lineman, First Class</i> |
| | <i>Electric Lineman, Second Class</i> |
| | <i>Electric Lineman, Third Class</i> |
| | <i>Electric Utility Groundsman</i> |
| | <i>Meter/SCADA Technician</i> |
| | <i>Warehouse Manager</i> |
| | <i>Meter Technician</i> |
| <i>Garage:</i> | <i>Head Mechanic</i> |
| <i>Water/Sewer:</i> | <i>Supervisor, Water & Sewer</i> |

*Water Treatment Operator
Utility Crew Leader
Utility Worker
Water & Sewer Technician
Meter Technician*

*Streets & Solid Waste: Supervisor, Streets & Solid Waste
Assistant Supervisor, Streets & Solid Waste
Streets Crew Leader
Equipment Operator
Construction Worker/Equipment Operator
Solid Waste Driver
Solid Waste Driver/Refuse Collector
Refuse Collector*

Customer Service: Meter Technician

Code Enforce/Inspections: Code Enforcement Official

*Parks & Recreation: Director, Parks & Recreation
Superintendent, Parks
Park Technician I*

A newly hired employee filling any of the above eligible positions, will have their initial pair of safety work boots purchased for them after a successful three months evaluation of their six-month introductory period.

Supervisors or their appointed department designee will be responsible to select the appropriate safety shoe(s) from an approved vendor of safety work boots, which meet the safety requirements of their department's approved positions, with a maximum price to be established by the City Manager.

The Supervisor, or appointed department designee, will arrange appointed times to take their employees to have a fitting of the shoes. Shoe purchases must be charged to the Supervisor's City of Milford credit card and once a purchase order has been completed, the credit card receipts should be forwarded to the Finance Department's Accounts Payable Administrator.

Police Officers of the Milford Police Department are hereby exempt from the provisions of Section 615 of Chapter 55 of the Code of the City of Milford.

*Section 7. Introduction 12-14-2015
Adoption 12-16-2015*

Mayor Shupe recalled three outstanding issues related to personnel matters that have been discussed over the years. A Travel policy is needed and has been previously reviewed by city council

An Emergency Closing policy has remained in place for the past ten years or so. However, it was never documented. The interim city manager requested the ordinance be adopted prior to any winter weather that may potentially impact city offices; There was a lot of confusion among our employees this past year.

The purchase of safety boots is another matter that needs clarification. Due to the number of departments impacted, it has been handled in a variety of ways. This is a clear, cut policy for the entire city and provides a fair across-the-board policy.

It was confirmed that all public works employees are eligible for public safety boots.

Adoption of this ordinance is scheduled for the December 16th Special Council meeting:

MONTHLY FINANCE REPORT

Through the fourth month of Fiscal Year 2015-2016 with 33% of the fiscal year having passed, 41% of revenues have been received and 30% of the operating budget expended. He noted several revenue accounts that were higher than normal.

In the other side, expenditures are lower than expected.

Mr. Brooks then pointed out the Solid Waste Reserves account is showing a cash balance of zero dollars. Mr. Morrow referenced the \$250,000 shown as an investment. However, Mr. Morrow will follow up with Mr. Portmann and provide a more concrete answer at the next meeting.

Mr. Brooks moved to accept the October 2015 Finance Report, seconded by Mr. Grier. Motion carried.

RECOGNITION

Boy Scout Troop 186 of Avenue Methodist Church was present. The scouts are currently working on the citizenship merit badge as well as the communications merit badge

EXECUTIVE SESSION

Mr. Burk moved to go into Executive Session reference below reasons, seconded by Mr. Morrow:

Pursuant to 29 Del. C. §10004(b)(2) Preliminary discussions on site acquisitions for any publicly funded capital improvements, or sales or leases of real property (Property Sale & Property Purchase/Sale)

Pursuant to 29 Del. C. §10004(b)(4) Strategy sessions, including those involving legal advice or opinion from an attorney-at-law, with respect to collective bargaining or pending or potential litigation (Injury Incident)*

Property Sale Update (Devisser House)

MOU (Property Purchase & Property Purchase/Sale)

Potential Legal Action

Motion carried.

Mayor Shupe recessed the Council Meeting at 7:39 p.m. for the purposes as are permitted by Delaware's Freedom of Information Act.

Return to Open Session

City Council returned to Open Session at 8:55 p.m.

Property Sale Update (Devisser House)

MOU (Property Purchase & Property Purchase/Sale)

No action needed on above two items.

Potential Legal Action (Injury)

Ms. Peel moved to address the potential litigation in accordance with the discussion in executive session, seconded by Ms. Wilson. Motion carried.

ADJOURN

Mr. Mergner moved to adjourn the meeting, seconded by Mr. Starling. Motion carried.

The Council Meeting adjourned at 8:58 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Terri K. Hudson". The signature is fluid and cursive, with a large initial "T" and "H".

Terri K. Hudson, MMC
City Clerk/Recorder