

MILFORD CITY COUNCIL
MINUTES OF MEETING
June 10, 2013

The Monthly Meeting of Milford City Council was held in the Joseph Ronnie Rogers Council Chambers of Milford City Hall, 201 South Walnut Street, Milford, Delaware on Monday, June 10, 2013.

PRESIDING: Mayor Joseph Ronnie Rogers

IN ATTENDANCE: Councilpersons Bryan Shupe, Garrett Grier III, S. Allen Pikus, Dirk Gleysteen, Owen Brooks, Jr., Douglas Morrow, Sr. and James Starling, Sr. & Katrina Wilson

City Manager Richard Carmean, Police Chief Keith Hudson and City Clerk/
Recorder Terri Hudson

COUNSEL: City Solicitor David Rutt, Esquire

CALL TO ORDER

Mayor Rogers called the Monthly Meeting to order at 7:02 p.m.

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

APPROVAL OF MINUTES

Motion made by Mr. Pikus, seconded by Mr. Gleysteen to approve the minutes of the May 13, 2013 and May 28, 2013 council meetings as submitted. Motion carried.

RECOGNITION

Mayor Rogers welcomed Kent County Levy Court Commissioner Eric Buckson who was present.

MONTHLY POLICE REPORT

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

CITY MANAGER REPORT

ADMINISTRATION

Mr. Carmean read into record the following report:

I have reported that I will be attending the American Public Power Association National Conference in Nashville during the week of June 16th to June 20th. All my expenses will be paid by DEMEC, and I believe the topics presented will benefit my service to the DEMEC Board as well as my management of our own electric operations. Listed is a few of the seminars I plan on attending:

- *Pole Attachment Issues*
- *Preparing Your Utility for Upcoming Storms*
- *10 Things That Keep Managers of Smaller Utilities Up at Night*
- *What's Ahead for the American Economy*
- *Renewing Public Power's Strengths*
- *Managing Public Power Workforce*
- *10 Ideas for Great Customer Service*

I want to assure Mayor and Council I will take a few hours to enjoy myself.

The purchase of the PNC property is progressing at a very acceptable pace. I have had the structural engineers perform tests that will determine the structural integrity of the building and environmental inspections of the lands. They assured me the building was built solid and will remain for many years to come. There are some small asbestos issues though none are a major concern.

Mr. Rutt is conducting the title and deed search as is required. It is my hope we will go to final settlement in late July. Our solicitor has kept things moving, while making sure the city is protected in our investment.

During the past month I have spent many hours with Finance Director Jeff Portmann and department heads preparing the 2013-2014 Fiscal Budget. I will be presenting the balanced budget to the Finance Committee on June 11th, June 12th and possibly June 13th. The meetings begin at 5:30 p.m. and will last until the finance committee adjourns each evening.

Mr. Pikus has extended an invitation to all council members so that their questions can be answered. I hope everyone can attend to participate in the finalization of the budget. While it is my responsibility to present a balanced budget to the Mayor and Council, council has the right to change or recommend changes. This budget is balanced without a tax increase.

Refreshments will be served.

SEWER AND WATER

We are moving forward with the plans for the construction of our proposed elevated storage tank in the Southeast area. I need the Mayor and Council to decide the type tank I need to construct, which means the shape, color and any logo we might place on it. This will be on the agenda for discussion. The final work on the Wilkins Road water main should be completed by this meeting. The road surfacing was scheduled for completion the week of June 3rd to June 7th. I did go out to confirm it has been completed.

The Washington Street sewer pump station is still scheduled for rebuilding in late June or early July. The bypass pump has been delivered and the new grinder will be installed before we start construction. I am more comfortable with having the bypass capabilities in-house because it gives our employees the ability to operate them during a complete pump failure.

This will eliminate the related odors that currently exist in this area.

We will keep this bypass pump though in the past we have had to wait for one to be brought in for our use.

STREETS AND SOLID WASTE

We are presently doing repairs to an entrance into Wright's Auto Supply on Milford-Harrington Highway. Funds were granted to the city by Representative Jack Peterman for this project as well as an entrance repair project at Wall's Service Station on Northeast Front Street. Additional funds were provided by Representative Harvey Kenton for the Wall's job.

The final paving work was completed on South Walnut Street from Southeast Front Street to the bridge. This was the last step in the sewer and storm water work in that area. I was very happy with the quality of the work and the appearance of the street.

Mr. Pikus asked where the water is coming from that lies along the entrance into the Riverwalk Shopping Center and asked if it is a natural spring. Mr. Carmean said he was told it was but testing resulted in traces of chloride and chlorine. Fluoride can be a natural additive but he is confident it is the result of some old connections in the area. There is a slope on the side of the Abbotts Grill parking lot down to the curb line and the leak is up to the top of the basin.

Mr. Pikus explained there is a pipe that goes in the ground and you can actually see the water being pushed up.

Mr. Carmean said the shopping center is allowing him to make a cut in the largest pooling area. That will allow us to dig far enough down to see what is there. He confirmed there were three leaks along that street, but further east, that have already been sealed.

Ms. Wilson and Mr. Starling confirmed there were row houses in this area decades ago.

Mr. Brooks said that he and the city manager went out there years ago following a long period of rain and found water gushing up in this area at that time.

Mr. Pikus moved to accept the city manager report, seconded by Mr. Grier. Motion carried.

Mr. Grier asked to discuss the water tower design.

Mr. Carmean referenced the documents in the packet which contain various types and designs of water towers. Council needs to decide if they want some type of logo on the tower which needs to be determined before tower style is chosen. His prefers the sphere shape like the tower at Tenth Street.

Mr. Gleysteen said the most important thing is the guts of the tower, including the pumps, in order to remain consistent with the other towers.

When asked when this will be discussed, Mr. Carmean said at an upcoming workshop. Mr. Brooks suggests using the same type tower as we currently have.

Mr. Pikus pointed out the towers all have the same logo with the exception of the Tenth Street tower.

Mr. Gleysteen noted there are pictures of water tanks with straight sides that looked like they contain offices. Mr. Carmean said that the City of Rehoboth actually has garages and equipment stored beneath the towers. Mr. Gleysteen said that could be an option that can be considered for the water works.

Mr. Shupe mentioned he has an associate, Ben Muldrow, who created a lot of the branding for Downtown Milford. He would like to run this by him to see if he has any ideas. If so, he would like to get him on the agenda.

Mr. Shupe feels we may be overlooking something and Mr. Muldrow may have some good ideas.

COMMITTEE & WARD REPORTS

Public Works Committee

Mr. Brooks reported that he and Mr. Carmean have agreed to hold at least two meetings a month to keep updated on the various public works projects.

Mr. Carmean suggested the meetings be held the Thursday before each council meeting.

Fourth Ward Report

Mr. Starling advised that there is a traffic problem at the Route 113 and North Street Extended intersection. He said that when a car is waiting in the middle of the intersection, a car coming out to turn north ends up cutting in front of the other vehicle. He recommends directional lines be painted at the intersection would help the confusion.

Ms. Wilson agreed adding that the intersection was redesigned a few years ago. She noted that the stop sign is within a horizontal line. People going straight are stopped in the middle of the intersection. Drivers yielding to turn onto North

Street are turning on the inside and blocking other vehicles. She agrees it is very dangerous and the realignment made it worse.

Mr. Carmean confirmed he has discussed restriping the intersection with the Public Works Director after he spoke with Mr. Starling sometime ago.

Ms. Wilson asked if DeIDOT should be involved; Mr. Carmean said he will contact DeIDOT's engineers to express their concerns. He will wait to hear their comments before the street department stripes the intersection.

Working Group on Homelessness in Milford

Ms. Wilson reported that this group has met on several occasions. They are preparing final plans to come back to city council with their ideas and recommendations.

She said it has been a very active group and acknowledged Jim Oechsler who is present and is also a member. She hopes council welcomes the suggestions and finds ways to assist the committee in a positive way.

COMMUNICATIONS & CORRESPONDENCE

Included in packet.

UNFINISHED BUSINESS

Pastor Royce Andrus/Carpenter Pit Road/Bridge Realignment

City Manager Carmean advised there have been numerous meetings with various state agencies (including DeIDOT and DEDO) regarding this issue. The outcome of the last meeting was that Milford could consider taking possession of the road. At that time, some engineering was done to advise what work was needed to allow the bridge and Calvary Road to be two-lanes.

Pastor Andrus has written a letter asking the city to take possession of the roadway so that the initial work could be done. In speaking with our state legislators, they have agreed to assist the city with their street aid funding.

Pastor Andrus, Lighthouse Christian Center, then introduced himself noting this is his 42nd year as pastor in Milford. He reiterated that several meetings were held and most recently, DEDO's Director of Infrastructure and Intergovernmental Affairs Jeff Stone has recommended this request be submitted to the city. Drew Boyce, Project Director of DeIDOT and Melody Booker of DEDO have met with Pastor Andrus and Mr. Carmean to present detailed options concerning the possible conversation of Calvary Road to two ways.

Pastor Andrus referenced the letter of support submitted in conjunction with Lighthouse Christian Center, Lighthouse Estates (represented by Fred Fowler and the Hampton Inn represented by Jenny Bartow). He said they all believe this configuration can be accomplished with less stringent guidelines if the city would adopt Calvary Road and the bridge into city limits. DeIDOT has worked with them in pursuing this request.

He emphasized that the conversion to a two-way road/bridge would provide a north exit to the Route 1 corridor. It would benefit Lighthouse Estates, Lighthouse Christian Center, Hampton Inn, Woodshaven residents and all future businesses. Overall, it would create much safer conditions.

Pastor Andrus said he has observed vehicles going north on the one-way which allows only southbound traffic. There have been a number of potential head-on collisions.

He said that Emory Associates of Emory Hill Realtors has addressed the 550 constituents of the church. They stated the reason these homes are not selling is mainly because of the one-way entrance. He asked if there is any possible way city

council will consider accepting this road into the city, it would be a win-win situation to everyone involved including the City of Milford. Providing more housing units would result in additional transfer taxes and property taxes. There is the potential of new businesses locating in this area which would also expand the city's tax base.

Doing this would fulfil the vision the church has had for more than thirteen years since the property was purchased in the year 2000.

Mr. Pikus asked if the bridge was installed incorrectly; Pastor Andrus stated yes adding it is owned by the State of Delaware. The pastor confirmed the church paid for the infrastructure which includes all electrical, sewer, borings beneath Route 1, roadways, streets and the bridge. They have paid \$2.3 million into this project.

When asked why the bridge was installed wrong, the pastor explained they had contracted Scott Engineering who submitted the bridge drawings multiple times to DeIDOT. When the final approval was received, it was approved with a misalignment. The two-lane bridge cost \$450,000 and DeIDOT officials were on site during the installation.

Mr. Pikus asked if the road north of the bridge, which runs through wetlands, must be widened and whether a trade of land for the wetlands is required. Pastor Andrus explained his understanding is the road will only have to be widened on the east side and the lands are currently being addressed.

Mr. Pikus said he spoke with DeIDOT today who verified there are a number of permits needed. He stated that if the city accepts the roads, the city will be responsible for the repairs. The pastor answered not as far as the construction. He noted that some of our legislators are willing to help.

Mr. Pikus asked if that agreement is in writing because as of this morning, it was not in writing. The pastor said he has a verbal agreement.

When asked how much of Carpenter Road is owned by the city, Chief Hudson noted there are sections in city limits though it is not entirely in the city.

Mr. Pikus asked why these repairs cannot be made now and if it is because the state regulations are more stringent than those of the City of Milford. Pastor Andrus stated it is because they are out of money. They have taken all the funding acquired from the sale of the properties and vested it up to this point. He further explained that they currently have a line of credit paying for the balance of what is owed on the road from the bridge to New Wharf Road. He said that though the road will not take two-lane traffic, according to Mr. Boyce, if it is slightly widened temporarily, it can be opened to a two-way roadway and further work done on it.

Mr. Pikus recommends the city talk to those legislators before the city makes any commitment. Mr. Carmean said he has discussed this with them which is the reason Mr. Boyce came up with the estimate of widening the shoulders and bridge work.

The city manager advised that Pastor Andrus has argued how the bridge can be wrong when it was stamped by the State of Delaware engineers. He was told at one of the meetings that they inspected the bridge though they did not pay any attention to the adjoining roads. Unfortunately, they claim the bridge is correct though it is out of line with the roads leading to and from the bridge.

Mr. Pikus asked at one point the city has to take over the roadway and whether that occurs once a certain number of homes are built; Mr. Carmean said the road can be accepted anytime but Mr. Fowler has an agreement with DeIDOT that he is required to pay for certain improvements on Carpenter Pit Road once thirty homes are completed. There are currently fifteen homes completed.

The city manager does not feel council is ready to vote on the matter and recommends this be put into the Public Works Committee. In that manner, DeIDOT officials can attend the meeting and answer the committee's questions.

He emphasized the importance of the city not accepting the roads, then becoming responsible to bring the road up to standards. However, the city manager said that is not what Pastor Andrus is asking.

The pastor said he would never expect the city to do that. He stressed that he trusts the word of the legislators he spoke with and believes the agreement can be put into writing. However, he did not come to this meeting expecting the city to accept that responsible. Mr. Pikus disagreed stating that if the city accepts the road, they are responsible for its maintenance.

Pastor Andrus said he does not feel the city should pay for completing the extensions of the roadway. They are asking for the support of the state because of the fallacy of the bridge and feel very strongly about that.

Mr. Pikus asked if they had considered entering into litigation over the matter; the pastor said they would only do that as a last resort. It was recommended they come before the council and ask the road be considered for acceptance.

Mr. Gleysteen asked the difference in the requirements of DeIDOT and the city. Mr. Pikus said that is the information that has been provided in the many discussions. His understanding is the width of city roads is different from state roadways.

Mr. Grier asked if this becomes a city road, can it be converted to a two-way road without making improvements. Mr. Carmean said improvements are required which is why he is in discussions about widening of the shoulders with Representative Peterman and Senator Bonini. The bridge needs a slight adjustment which is included in the cost estimate provided by Mr. Boyce. He also explained that the state feels they want this bridge and road improved to meet all requirements necessary once the project is completed which means once the church, school and housing development is built and operating.

On the other hand, the city could accept the road based on an additional 100 trips per day but not the entire build out of the project. Should one of the site pads be sold to a large commercial enterprise, the city would then consider the engineering of the road and require the new developer to make the roadway improvements. The city required Walmart to completely redesign the intersections at their costs before they opened. This would apply to any new developer in this area as well.

Mr. Pikus said he went out to look at the bridge with some engineers who confirmed the bridge was built incorrectly. As a result, it could not handle two-way traffic. His concern is if the city accepted the road, who would be responsible for correcting the road in addition to widening the road in wetlands which involves various permits. The permitting process alone can be very difficult.

Mr. Carmean explained the problem is the radius of the roadway adjoining the bridge. The radius is insufficient to accommodate two-way traffic. The bridge is adequate.

Mr. Starling reiterated that this matter should be given to the public works committee. Once all the parties have met and discussed the issue, a recommendation can be made to council. Currently, there are a number of unanswered questions that need to be addressed. Mr. Grier agreed.

City Solicitor Rutt then asked if the city has taken over jurisdiction of roadways outside city limits. He pointed out there are areas of this roadway that are outside the city. It was confirmed that Lighthouse Estates was annexed into the city.

There were questions about which sections of Carpenter Pit Road are in the city and specifically the roads leading to the city pump station.

Mr. Rutt stated that before we proceed, it needs to be determined what is in the city. Mr. Brooks recalled that six months ago, the city manager wanted to put street lights on the road. He assumed that Carpenter Pit Road is in city limits. Chief Hudson confirmed that city limits extends up to the Webb property on Route 1/113 and includes the convenience store at the corner of New Wharf Road.

The chief said he attended a meeting with state planning at which time they requested the city to annex roadways when property annexations are considered. Mr. Carmean will verify which areas are in the city before it is placed in the public works committee. He recalled when Airport Road belonged to the State of Delaware though the city later annexed it.

Mayor Rogers directed the matter to be put into the public works committee to ensure a complete review. Public Works Committee Chair Brooks said he will set up a meeting. In the meantime, the city manager will confirm the jurisdiction of the roadway.

Jim Oechsler of 127 School Place asked if this was a two-lane road prior to Pastor Andrus building the bridge. Mr. Carmean said it had only a couple culverts though it did have a bridge with wooden guardrails. Pastor Andrus said it was similar to a farm bridge.

Mr. Oechsler said the land was then annexed and the bridge was improved though when the land was annexed the roadway was not included. Mr. Carmean said he will need to review it further.

Mr. Oechsler said that even though Pastor Andrus made improvements, the state will not encompass that. He referenced the old bridge at the end of the South Bowers Road that has a 90-degree turn though two-way traffic is permitted.

Mr. Pikus said the state said the road can be widened but it will cost more money. Pastor Andrus explained that if city council did not recommend adopting the road, the state will require them to add extensions which would make the road 32 feet wide. They are also requiring two additional sections on the bridge. They are outraged with that request because he feels they are not responsible for the bridge. They paid for a two-lane bridge and ended up with a one-lane road because of the mistake.

The pastor emphasized they are not asking the city pay for this; they came before council as a result of the recommendation of Jeff Stone who feels this is the right path to go. Mr. Stone is aware of legislators who are willing to pay for smaller improvements that would bring the road up to city requirements. That would save a great deal of time. The state improvements will not only cost a great deal of money but involve a much longer period of time. This is also a reason they are unable to sell more properties whose funds would assist in making future improvements.

Mr. Oechsler again expressed the unfairness of the bridge off Thompsonville Road which is not even close to standard and that two-way traffic is permitted.

Pastor Andrus said if the roadway was accepted, DelDOT would not require any work to the bridge with the exception of moving the guardrails and widening the shoulders. DelDOT stated they could use the stop/go system of a one-way crossover, as currently exists at Abbots Pond. The roadway would then be approved for two-way traffic on either side.

Director of Operations at Hampton Inn, Jenny Bartow stated that she definitely understands the financial obligations and the responsibilities of the roadways. She wants council to know that on a day-to-day basis, the hotel deals with guests who are not familiar with Milford, who leave the hotel and return, sometimes in tears, because they almost had an accident. She dreads the time when an accident does occur as a result of this roadway. She said it is definitely a safety hazard and something that should have been addressed a long time ago.

She said in the summer, the hotel is basically sold out. It has 81 rooms which means approximately one hundred cars are entering and exiting the parking lot daily. The front desk speech is 'when you are exiting, please make a left because if you make a right you going the wrong way'. To her, this represents the City of Milford and many are leaving Milford with a bad opinion of the city. She wants the conversation at her front desk to be that the City of Milford is great and that the staff not have to dwell on how difficult it is to get to the hotel which she hears fifteen to twenty times per day depending on the number of check-ins.

She wants council to consider the new homes being built, but in addition the fact that Milford has a very nice hotel that is suffering because of the lack of a two-way roadway. She appreciates Mayor Rogers putting the matter into committee for further review.

Mr. Carmean emphasized that DelDOT has taken the stand that the roadway and bridge needs to be improved to state standards at the expense of the developer. The city would be in the same situation as the pastor in addition to any new developer. Any new plan requires road improvements or the developer is not issued a building permit. He said if someone buys some land on the terrible curve with plans to develop, DelDOT will take the opportunity to have them make those repairs. Mr. Carmean required Cascades to install a turn lane on Airport Road which is the same situation.

Mr. Pikus confirmed that Cascades is paying completely for the road improvements on Airport Road; Mr. Carmean stated yes that no city funds are being used.

Introduction/Ordinance 2013-05/Chapter 69/Workforce Development Commission/Reduction in Number of Commissioners

The following ordinance was introduced by Mr. Grier:

ORDINANCE 2013-5

NOW, THEREFORE, THE CITY OF MILFORD HEREBY ORDAINS:

Section 1. Part 1, Administrative Legislation, Chapter 69 of the Code of the City of Milford, entitled Workforce Development Commission shall be amended by reducing the number of commissioners from eleven to five.

The City of Milford hereby ordains:

Section 2. §69-2, Membership, Appointment, Terms of Office, is hereby amended by removing the number "11" and inserting "5" as indicated below:

§69-2. - Membership; appointment; terms of office.

The commission shall be comprised of ~~11~~ 5 members, one of said members to be the Mayor or designee, one of said members to be the Milford School District Superintendent or designee and nine of said members to be appointed, all to serve without pay. Recommendations will be forwarded to the Mayor for appointments, subject to confirmation by city council. All members shall be residents of the Milford School District or employed therein. Following the time of their initial appointment, Commissioners shall be appointed or reappointed at the next annual organizational meeting. Thereafter, terms will be for one year beginning on the date of each subsequent organization meeting.

Section 3. Dates

Introduction: June 10, 2013

Adoption: June 24, 2013

Effective: July 4, 2013

Mr. Grier explained that our code requires eleven members on the Workforce Development Commission, one being the Mayor and one being the School Superintendent, or their designees. There has been difficulty getting a quorum. Therefore, Mr. Grier recommends reducing the number from eleven to five with the same requirement that two members be the mayor and school superintendent (or designee).

City Solicitor Rutt noted that though the correct change was made in the beginning of Section 69.2, the second line should be changed from "and nine of said members" to "and three of said members". The city clerk will take care of the change.

The ordinance is scheduled for adoption at the next meeting.

NEW BUSINESS

Award of Bid/ACSR Dove Wire/Electric Department

Sealed bids were received, publicly opened and read on May 30, 2013 for 59,460 feet of 556.5 ACSR Dove Wire. Two bids were received in the amounts of \$79,968.72 and \$81,270.90.

Mr. Carmean explained this line will run from the south end of Route 113 to the DP&L transmission lines. From there, it will extend to our new substation on the Milford-Harrington Highway.

Mr. Gleysteen said he thinks we need to approve the Wesco bid. He found a contact through the internet that saved him a lot of money. He called them about the bid and found the specifications limit the opportunity for a good deal. He did get two prices off the internet which fell in line with the proposed prices.

Mr. Gleysteen moved to award the bid to Wesco in the amount of \$79,968.72, seconded by Mr. Pikus. Motion carried.

Introduction/Ordinance 2013-04/Shore Speed LLC on behalf of Legal Owner Milford Associates for a Conditional Use

The following ordinance was introduced by the city manager:

Shore Speed LLC on behalf of Legal Owner Milford Associates for a Conditional Use

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MILFORD, DELAWARE APPROVING A CONDITIONAL USE TO ALLOW AN INDOOR RECREATIONAL FACILITY (VIDEO GAMES, ROCK CLIMBING WALL AND INDOOR ELECTRIC GO KART TRACK) IN AN I-1 DISTRICT AT 971 EAST MASTEN CIRCLE, MILFORD, DELAWARE. TAX PARCEL MD-16-183.00-01-04.00

Whereas, the City of Milford Planning Commission reviewed the application at a Public Hearing on June 18, 2013 and has presented item to be considered by the City Council; and

Whereas, Milford City Council held an advertised Public Hearing on July 22, 2013 to allow for public comment and review of the application; and

Whereas, it is deemed in the best interest of the City of Milford to allow a Conditional Use for an Indoor Recreational Facility as herein described.

Now, Therefore, the City of Milford hereby ordains as follows:

Section 1. Upon the adoption of this ordinance, Shore Speed LLC on behalf of Legal Owner Milford Associates is hereby granted a Conditional Use Permit in accordance with the application, approved plans and any conditions set forth.

Section 2. Construction or operation shall be commenced within one year of the date of issuance or the conditional use permit becomes void.

Section 3. Dates.

Introduction to City Council: 06-10-13

Planning Commission Review & Public Hearing: 06-18-13

City Council Review & Public Hearing 07-22-13

Mr. Carmean advised this is located in the building formerly occupied by First State Manufacturing in the Masten Industrial Park behind McDonalds Restaurant. This will be used as an entertainment or recreation facility which requires a conditional use.

The ordinance will be presented for council action following a public hearing in July.

Economic Development Utility Extension Package/Properties East of Route 1

Mr. Pikus said he was under the impression this was scheduled for the workshop meeting. Mr. Carmean confirmed that Economic Development Director Steve Masten had not yet provided the PowerPoint.

Mr. Pikus requested the item be placed on the June 24, 2013 agenda.

MONTHLY FINANCE REPORT

Finance Committee Chairman Pikus reported that through the tenth month of Fiscal Year 2012-2013 with 83% of the fiscal year having passed, 87.21% of revenues have been received and 82.09% of the operating budget expended.

Mr. Pikus noted that the cash reserves in the sewer and solid waste accounts are getting low so we need to be cautious. However, we are making money off the \$250,000 five-year CD's. He touched base with the bonding companies and they informed him that if we need to go to the bond market, our reserves need to be healthy. Right now our bond rating is Double A. We go to the market in one month and the rating needs to remain at least that high to be ready for our future construction and building plans.

Mr. Pikus confirmed we are evaluated once a year for bonding. Finance Director Jeff Portmann, along with the city manager take care of that.

He added that we also need to start earmarking reserves for some expenses and improvements in the city.

Mr. Pikus moved to accept the April Finance Report, seconded by Mr. Brooks. Motion carried.

EXECUTIVE SESSION - Land Acquisition - Pursuant to 29 Del. C. §10004(b)(2) Preliminary Discussions on Site Acquisitions for Any Publicly Funded Capital Improvements.

Mr. Grier moved to go into Executive Session reference a personnel matter, seconded by Mr. Pikus. Motion carried.

Mayor Rogers recessed the Council Meeting at 8:06 p.m. for the purpose of an Executive Session as is permitted by Delaware's Freedom of Information Act.

Return to Open Session

City Council returned to Open Session at 8:21 p.m.

Executive Session Matter - Land Acquisition

Ms. Wilson moved to transfer funds from the electric reserves for the land purchase as was discussed in executive session with Mr. Starling seconding the motion. Motion carried with no one opposed.

ADJOURN

With no further business, Mr. Pikus moved to adjourn the Council Meeting, seconded by Mr. Grier. Motion carried.

The Council Meeting adjourned at 8:22 p.m.

Respectfully submitted,



Terri K. Hudson, MMC
City Clerk/Recorder