

"A Historic Past"



"A Bright Future"

CITY OF DELAWARE CITY
407 Clinton Street - P.O. Box 4159
Delaware City, Delaware 19706
302-834-4573

**CITY OF DELAWARE CITY
PUBLIC HEARING &
SPECIAL MAYOR AND COUNCIL MEETING
OCTOBER 24, 2012**

CALL TO ORDER – PUBLIC HEARING

The Honorable Mayor Buchheit called to order the Public Hearing at 7:00 PM.

ROLL CALL

The following Council Members were present: Barrett, Titus, Johnson, Sullivan and Green. Also present were City Manager Cathcart and City Secretary Gwynn.

PLEDGE OF ALLEGIANCE

The Honorable Mayor Buchheit led the Pledge of Allegiance to the Flag.

**SECOND READING AND ADOPTION OF ORDINANCE 12-1015-02 –
RELATING TO AMENDING THE SURPLUS SALE PROCEDURE.**

Rita Marocco, 133 Adams Street, said she was interested in learning about this ordinance. City Manager Cathcart explained that once the City received authorization to sell the Sterling's property, without having to repay the grant, there have been plans to sell the property by the most transparent method possible. It was determined that selling by auction would be the most transparent. The City sought an auctioneer with experience dealing with municipalities and who specialized in real estate. Fortunately auctioneer Max Spann had the necessary expertise. The City Code required a resolution to authorize the sale of the building. The City Solicitor said he thought he could defend the sale by auction, but City Manager Cathcart said he would rather be

sure that the City could defend it. This required an addendum to the Code to allow sale of surplus property by auction. City Manager Cathcart offered to answer any questions. There were no additional questions.

RECESS PUBLIC HEARING

The Honorable Mayor Buchheit said he would recess the public hearing until 7:30 PM.

RECONVENE PUBLIC HEARING

The Honorable Mayor Buchheit reconvened the public hearing at 7:30 PM. There were no additional questions or comments.

ADJOURN PUBLIC HEARING

Council Member Johnson made a motion to adjourn the public hearing. Council Member Sullivan seconded the motion. A roll call vote was taken, all ayes, motion carried. Public Hearing adjourned at 7:31 PM.

CALL TO ORDER – SPECIAL MAYOR AND COUNCIL MEETING

The Honorable Mayor Buchheit called to order the regular meeting of the Mayor and Council at 7:30 PM.

INVOCATION AND PLEDGE OF ALLEGIANCE

The Honorable Mayor Buchheit led the Pledge of Allegiance.

ROLL CALL

The following Council Members were present: Barrett, Titus, Johnson, Sullivan and Green. Also present were City Manager Cathcart and City Secretary Gwynn.

SECOND READING AND ADOPTION OF ORDINANCE 12-1015-02 – RELATING TO AMENDING THE SURPLUS SALE PROCEDURE

Council Member Titus made a motion for the second reading and adoption of Ordinance 12-1015-02, AN ORDINANCE TO AMEND CHAPTER 5 ARTICLE III OF THE CITY OF DELAWARE CITY CODE - SALE OF SURPLUS REAL PROPERTY. Council Member Sullivan seconded the motion. A roll call vote was taken, all ayes, motion carried.

**SECOND READING AND ADOPTION OF ORDINANCE 12-0716-04 –
RELATING TO THE CODE OF CONDUCT**

City Manager Cathcart explained that the City received a letter and formal recommendations from the Public Integrity Commission (PIC) on October 23rd. The PIC will meet on the 25th and may, although it is unlikely, make further revisions at that meeting. The majority of recommendations have been incorporated in the ordinance. The ones that were not included were more appropriate for larger municipalities. He said the Council could vote on the revised version and hope the PIC doesn't make additional recommendations which would require amendment(s) to the ordinance. Discussion followed. Council Member Johnson asked if the ordinance allows the City to set up an official ethics commission. City Manager Cathcart replied that it does allow for a seven member commission. Discussion followed regarding tabling the ordinance until after the PIC reviews the revised ordinance. *Council Member Titus made a motion to table Ordinance 12-0716-04 – Relating to the Code of Conduct. Council Member Barrett seconded the motion. A roll call vote was taken, all ayes, motion carried.*

ADJOURNMENT

Council Member Titus made a motion to adjourn the Mayor and Council Meeting. Council Member Barrett seconded the motion. A vote was taken, all ayes, motion carried. Meeting adjourned at 7:40PM.

Respectfully submitted,
Dawn K. Gwynn
City Secretary



ATTENDANCE SHEET – PLEASE SIGN IN

MEETING: M+C Spec Meetings DATE: 10/24/12

NAME:

ADDRESS:

RITA MAROCCO
TIM KONIKUS

133 Adams
302 CANA