

*"A Historic Past"*



*"A Bright Future"*

CITY OF DELAWARE CITY  
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**MINUTES  
CITY OF DELAWARE CITY  
MAYOR AND COUNCIL MEETING AND  
PUBLIC HEARING  
MARCH 20, 2017**

**CALL TO ORDER – PUBLIC HEARING**

The Honorable Mayor Green called to order the Public Hearing at 6:00 pm. The following Council Members were present: Greene, Fitzwater, Titus, Malinowski, and Barrett. Also present were City Manager Cathcart, City Treasurer Hartman, Assistant City Clerk Clifton, Police Chief Baylor and City Solicitor Walton.

**ORDINANCE 17-0227-02 – ORDINANCE TO AMEND THE CITY OF DELAWARE CITY CODE CHAPTER 54 – SUBDIVISION SUBMISSIONS & REQUIREMENTS**

**ORDINANCE 17-0227-03 – ORDINANCE TO AMEND CHAPTER 46 RELATING TO PARKING, BUILDING HEIGHT AND OTHER DIMENSIONAL REQUIREMENTS FOR THE HPR DISTRICT.**

City Solicitor Walton gave a brief overview of the two ordinances being discussed this evening, saying that they included updates and revisions to the original ordinance that was adopted regarding Fort DuPont. He reminded the council that at the time that ordinance was adopted, the City knew there would be necessary changes in the future.

Mr. Brandell came forward to explain additional information regarding the ordinances. Mayor Green asked for questions and/or comments from Council.

Discussion followed. He then asked for questions and/or comments from the audience. There were none.

**ADJOURN PUBLIC HEARING**

*Council Member Greene made a motion to adjourn the Public Hearing. Council Member Barrett seconded the motion. A vote was taken, all ayes, motion carried. The Public Hearing was adjourned at 6:28 pm.*

**CALL TO ORDER – MAYOR AND COUNCIL MEETING**

The Honorable Mayor Green called to order the regular Meeting of the Mayor and Council at 6:30 pm.

**PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE**

Mayor Green led the Pledge of Allegiance to the Flag. Mayor Green recognized the death of Lewis “Don” Patterson and called for a moment of silence.

**ROLL CALL**

Present were The Honorable Mayor Green and Council Members Greene, Fitzwater, Titus, and Barrett. City Manager Cathcart, City Treasurer Hartman, Police Chief Baylor, Assistant City Clerk Clifton and City Solicitor Walton were also in attendance.

**ACTION UPON THE TREASURER’S REPORT**

The Treasurer’s Report was not completed for presentation.

**ACTION UPON THE MINUTES OF THE PREVIOUS MEETING**

The minutes were not completed for presentation.

**POLICE REPORT**

Police Chief Baylor reported the following:

- Chief Baylor and Sgt. Wysock responded to the mobile home park to assist the Delaware City Fire Department with a trailer fire at Lot #4. The Chief noticed an individual who was wanted by the Middletown Police Department for assault, breach of release and theft. While notifying the individual of the outstanding warrant and attempting to take him into custody, a struggle ensued. He was taken into custody with the assistance of firefighters from the Christiana Fire Department. He was charged with felony assault, two counts of resisting arrest, felony and criminal mischief for damage to a Delaware City Police vehicle.

- Investigated an incident in the mobile home park in which a 74 year old victim had his personal checks stolen and cashed. Three suspects have been identified and are facing charges, such as crimes against the vulnerable, felony theft, felony forgery, felony attempted theft and felony conspiracy. One suspect has been arrested and is out on \$13,000 bond. The message to anyone who commits a crime against the vulnerable is that the police will do everything within the law to bring them to justice.
- A Delaware City resident was arrested twice (two separate occasions) and charged with trespassing, after having been warned. The arrests occurred when the individual either moved the fencing or went around the fence to cross the bridge under construction.
- Received award money from the Delaware Criminal Justice Council's Byrne Grant. The funds from the first grant were used to purchase much needed equipment (finger print kits and other evidence collecting equipment). The funds from the second grant will be used to upgrade the police's firearms.
- March is Distracted Driving Awareness Month. There is increased enforcement on cell phone violations, for which the fine is more than \$200.
- Reminded parents that, as the warm weather approaches, they need to make sure their children properly secure their bicycles.

### **CITY SOLICITOR'S REPORT**

City Solicitor Walton reported the following:

- Prepared Charter Changes to be presented to the General Assembly.
- Worked with the City Manager Search Committee, which worked really hard to complete a valuable task for the City.

### **CITY MANAGER'S REPORT**

City Manager Cathcart reported the following:

- The extension for the Washington Street Flood Mitigation Grant has been approved by FEMA. They are now reviewing the new conceptual plan from a historic and environmental impact.
- The State Auditor of Accounts Office has completed an audit of our Crimes grants. Awaiting the report.
- As reported last month, the deck of the new Fifth Street Bridge was poured and completed. They are now forming the guard rails for the bridge with a pouring of concrete within the next week. Completion is still scheduled for the end of April.
- Attended the House of Representatives Administration Committee Hearing on the Bill that will make the requested changes to our City Charter. The bill cleared the Committee with a unanimous vote. The bill should come before the full House for a vote this week.

### General Meetings

- Fort DuPont Redevelopment and Preservation Board Meeting
- Fort DuPont Economic Development Committee Meeting
- Historic Preservation Commission Meeting

### Project Updates

- Washington Street Flood Mitigation Project: See above
- Fifth Street Bridge: See above

## **APPOINTMENTS, ANNOUNCEMENTS, COMMUNICATIONS**

Mayor Green announced that Dawn Gwynn resigned as City Secretary, effective April 30, 2017. Dale Slotter, who has a degree from Penn State in Architectural Engineering, resigned from the Historic Preservation Commission.

## **REPORTS OF COMMISSIONS, COMMITTEES AND ORGANIZATIONS**

Main Street - Tim Konkus, president, said there will be a fundraiser and silent auction at Crabby Dick's on March 30<sup>th</sup>, to support the Delaware City Farmer's Market that will open on June 17, 2017 and continue for twenty weeks.

Delaware City Fire Department – Mike McMichaels reported that they are looking for new members. They also have a cadet program for 14 to 18 year olds. Any interested party should stop at the fire hall or go to the website.

## **OLD BUSINESS**

### Second Reading & Adoption of Ordinance 17-0227-02 To Amend Chapter 54 Relating to Subdivision Submissions & Requirements

Mayor Green said this was introduced at a Mayor and Council meeting and a Public Hearing was held. *Council Member Malinowski made a motion for the Second Reading and Adoption of Ordinance 17-0227-02 To Amend Chapter 54 Relating to Subdivision Submissions & Requirements. Council Member Greene seconded the motion. There was no discussion. A roll call vote was taken, all ayes, motion carried.*

### Second Reading & Adoption of Ordinance 17-0227-03 – To Amend Chapter 46 Relating to Parking, Building Height & Other Dimensional Requirements for the HPR District

Mayor Green said this was introduced at a Mayor and Council meeting and a Public Hearing was held. *Council Member Malinowski made a motion for the Second Reading and Adoption of Ordinance 17-0227-03 To Amend Chapter 46 Relating to Parking, Building Height & Other Dimensional Requirements for the HPR District. Council Member Titus seconded the motion. There was no discussion. A roll call vote was taken with the Council Members voting as follows: Greene – nay, Fitzwater – aye, Titus – aye, Malinowski – aye, and Barrett – aye. Motion carried.*

## **NEW BUSINESS**

### **Potential Appointment, Discussion, and Potential Vote Upon a Candidate for City Manager**

Mayor Green announced that, pursuant to Section 9-01 of the Charter of Delaware City, he was appointing Carol Houck to the position of the City Manager upon the terms and conditions set forth in the contract circulated to Council by the City Solicitor. This appointment shall begin upon the conclusion of Ms. Houck's current employment. *Council Member Greene made a motion, to confirm and approve the appointment of Carol Houck as the new City Manager and approve the proposed contract for employment for City Manager. Council Member Titus seconded the motion. A roll call vote was taken with the Council Members voting as follows: Greene – aye, Fitzwater – abstain, Titus – aye, Malinowski – aye, and Barrett – aye. Motion carried.*

## **MAYOR & COUNCIL COMMENTS**

Council Member Greene – No Comments

Council Member Fitzwater – No Comments

Council Member Titus – Thanked the City Manager Search Committee for helping find a good candidate for the Mayor to appoint.

Council Member Malinowski – Attended the Search Committee Meeting and commended them for doing a fine job choosing a new City Manager.

Council Member Barrett – Said the Council selected the right people for the City Manager Search Committee and they did a terrific job.

Mayor Green – Added that the Council did an outstanding job and let the Search Committee do their job. He applauded the efforts of the Search Committee.

He said he has been working with the Fire Department regarding the recruitment of new members and any fundraising initiatives that he can assist with.

## **CITY MANAGER COMMENTS**

City Manager Cathcart said Carol Houck is currently the City Manager for the City of Newark. He said that when this appointment is made public, people around the State of Delaware are going to ask how Delaware City pulled that off. He said Ms. Houck is super qualified, as she has been City Manager of Newark for five years and employed by the City of Newark for 27 years. City Manager Cathcart agreed with the Council, saying that the Search Committee did a fine job. He said the City will be blessed to have Ms. Houck as the new City Manager.

## **CITIZENS COMMENTS**

There were none.

**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. The meeting was adjourned at 7:22 pm.*

Respectfully submitted,  
*Dawn K. Gwynn*  
City Secretary