

"A Historic Past"



"A Bright Future"

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

**MINUTES
CITY OF DELAWARE CITY
PUBLIC HEARING AND
MAYOR AND COUNCIL REGULAR MEETING
JUNE 19, 2017**

CALL TO ORDER – PUBLIC HEARING

The Honorable Mayor Green called to order the Public Hearing at 6 p.m. In attendance were Vice Mayor Malinowski, Council Members Barrett, Titus and Fitzwater. Also present were City Manager Houck, City Treasurer Hartman, City Secretary Hanna, Police Chief Baylor and City Solicitor Walton.

301 Adams Street – Richard Cathcart – Subdivision of 1 lot (91x100) into 2 Lots (45.5x100) each

Resolution 17-0619-01, Adoption of Assessment Roll FY18 & Tax Rate FY18

Resolution 17-0619-02, Adopting Operating Budget FY18

Resolution 17-0619-03, Adopting Capital Budget FY18

Mayor Green asks if there were any questions regarding these items. There was no response. Mayor Green recessed the Public Hearing.

***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 p.m.

*The recorder had not been turned on following the recess of the Public Hearing until New Business was discussed.

PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

Mayor Green led the Pledge of Allegiance to the Flag. Mayor Green recognized the life and passing of Mr. Bill Yowell by reading a tribute and called for a moment of silence.

ROLL CALL

Present were The Honorable Mayor Green and Vice Mayor Malinowski as well as Council Members Barrett, Titus, and Fitzwater. City Manager Houck, City Treasurer Hartman, City Secretary Hanna, Police Chief Baylor and City Solicitor Walton were also in attendance.

ACTION UPON THE TREASURER'S REPORT

City Treasurer Hartman presented the Treasurer's Report for May 2017. Council Member Barrett asked why the ending balance from April was not the same as the beginning balance for May. City Treasurer Hartman said she would look into it and get back to Council. Council Member Barrett made a motion to approve the April 2017 Treasurer's Report, while waiting for clarification. Vice Mayor Malinowski seconded the motion. A vote was taken, all ayes, motion carried.

ACTION UPON THE MINUTES OF THE PREVIOUS MEETING

Mayor Green noted a few corrections to be made to the May 15, 2017 minutes. Council Member Titus made the motion to accept the minutes with the corrections. Council Member Barrett seconded the motion. Council Member Barrett made the motion to accept the minutes from the Special Mayor and Council Meeting of May 11, 2017. Vice Mayor Malinowski seconded the motion. Vote was taken to accept both meeting's minutes. Motion carried.

POLICE REPORT

Chief Baylor reported the following:

- Moving forward, all police reports will incorporate year-to-date crime statistics for Delaware City that are reported to the FBI at the State Bureau in Dover
 - Total Part 1 Offenses 51
 - Total Part 2 Offenses 347
 - Total Part 3 Offenses 279
- Domestic incident in the 100 Block of Fifth Street
- Theft investigation in the 300 Block of Canal Street
- Burglary investigation in the 500 Block of Clinton Street. Police have a suspect
- Theft investigation in the 100 Block of Clover Circle
- Home invasion in the 300 Block of Jefferson Street – Arrests made and now in Gander Hill
- Domestic incident in the 100 Block of Warfel Drive
- Domestic incident in the 300 Block of Third Street
- Burglary investigation in the 400 Block of Clinton Street – possible suspect
- 2 Drug overdoses in the unit Block and 100 Block of Clinton Street – individuals were revived with Narcan and transported to the hospital

Safety Reminders:

- Encourage all children to wear helmets while riding bikes
- It's a traffic offense to use any hand held device while driving. A fine of \$280.00 will be given.
- Keep your vehicles locked and any property hidden or secured out of view or in the trunk

Council Member Barrett asked if the curfew law could be announced in the newsletter. Reminders of the law will begin June 20. Citations will be issued as of July 1 for any violations of the 10 p.m. curfew.

Mayor Green comments on the excellence of the City of Delaware City's Police Department.

City Solicitor Walton explains the donation of the Pope-Mobile by his family to the Police Department

CITY SOLICITOR'S REPORT

City Solicitor Walton reported he has been working with City Manager Houck and regarding subdivision adjustment.

CITY MANAGER'S REPORT

City Manager Houck reported the following:

Regarding Delaware City Day:

- June 20, 2017 at 1 p.m. a meeting for Delaware City Day is scheduled at Town Hall. Things are shaping up and the planning activity will ramp up in the weeks ahead.
- City Manager Houck's primary involvement to date is outreach to newspapers for publicity and assisting with volunteer recruitment
- City Manager Houck, Peggy Thomas from Fort DuPont, and Chief Baylor will meet with the Fire Department to finalize parking arrangements

Meetings/Events attended on behalf of the City:

- Delaware City Day Meeting
- Water meter grant update/introductions with consultant
- Delaware City Day Parade – Police Detail meeting
- Delaware City Planning Commission Meeting
- League of Local Governments Legislative Committee
- Delaware Downtown Development District update/introductions with consultant
- DFIT Stewardship meeting
- Artesian Water
- Legislative Hall Local Governments Day
- New Castle County Sanitary Sewer Informational Meeting
- Washington Street Project update/introductions with consultant
- Delaware City Bridge dedication event
- Fort DuPont Redevelopment Corporation Monthly Meeting
- Introduction meeting with Delaware City Refinery
- Introduction meeting with Sean from Cutting Edge related to town services
- Farmers' Market

City Manager Houck has been meeting with Former City Manager Cathcart and staff members to better understand the roles each play, work they are involved in currently and to generally orient herself with all operations.

Installation of rooftop cooling units at the Community Center

The work is scheduled to begin June 29 and 30th. Total cost of the units is \$109,385, which was approved in the FY2017 Capital Program totaling \$110,250. The dates were coordinated as best as possible since it was not recommended the facility be occupied during the installation process.

Downtown Development District Plan Update – Grant Award & Approval to Enter Agreement

AECOM assisted in submitting, a Neighborhood Building Blocks grant application to develop a Downtown Development District Plan. The grant was awarded for \$46,500. The next step is to seek your approval to enter into a subsequent agreement with AECOM for an amount not to exceed this grant level, to initiate our Downtown Development Plan to be completed by March 2018. It will include the creation of a task force, downtown boundary identification, community outreach including a questionnaire, and attendance at various meetings. The result will be a final master plan of downtown and submission for the State of Delaware Downtown District designation which allows us the opportunity to access additional grant funding and program assistance. I therefore recommend that Mayor and Council authorize me to enter into this agreement on behalf

Washington Street Flood Mitigation Project

I expect to have updated pricing in hand by June 21st enabling me to provide more formal details related to the project at the July 17 Mayor and Council Meeting. I have been briefed and will continue to work closely with Duffield Associates as the project progresses.

APPOINTMENTS, ANNOUNCEMENTS, COMMUNICATIONS

Mayor Green presented the following names for appointment to The Board of Health for a 2-year term:

- Lisa Webster - Council Member Titus made the motion to accept. Council Member Barrett seconded the motion
- Cynthia West - Vice Mayor Malinowski made the motion to accept. Council Member Titus seconded the motion
- Donia Copeland - Council Member Barrett made the motion to accept. Council Member Titus seconded.

All nominees were appointed

REPORTS OF COMMISSIONS, COMMITTEES AND ORGANIZATIONS

Main Street – Tim Konkus, President, reported

- The new banners are receiving very good reviews
- Farmers' Market was visited by over 80 people and sold out except for one bunch of parsley even on a rainy day
- Please continue to spread the word. Market is open 8 a.m. until Noon every Saturday until the end of October.
- Looking for a new vendor for eggs. The current one lost her hens to a raccoon.

Delaware City Fire Department

Mike McMichael expressed gratitude to all who attended the dedication of the 5th Street Bridge. When DelDot finishes the lights and guardrail the signage dedicating the bridge to Michele will be set in place.

OLD BUSINESS

- FY18 Budget approval - Council Member Titus made the motion to accept the FY 18 Budget. Vice Mayor Malinowski seconded. Vote taken, all in favor. Motion carried
- Approval of Contract for Washington Street Flood Mitigation Project - Council Member Fitzwater made the motion to accept. Vice Mayor Malinowski seconded the motion. Vote taken, all in favor. Motion carried.
- Discussion of Delaware City Day 2016 – Council Member Fitzwater made the motion to table this discussion until more information was available. Council Member Barrett seconded the motion. Vote taken, all in favor. Discussion tabled.

NEW BUSINESS

(There were no questions or discussion on the following resolutions)

Resolution 17-0619-01, Adoption of Assessment Roll FY18 & Tax Rate FY18

Council Member Titus made the motion to accept the Resolution. Council Member Barrett seconded the motion. Roll call vote was taken, all ayes. Motion passed.

Resolution 17-0619-02, Adopting Operating Budget FY18

Council Member Titus made the motion to accept the Resolution. Vice Mayor Malinowski seconded the motion. Roll call vote was taken, all ayes. Motion passed.

Resolution 17-0619-03, Adopting Capital Budget FY18

Council Barrett made the motion to accept the Resolution. Council Member Titus seconded the motion. Roll call vote was taken, all ayes. Motion passed.

301 Adams Street – Richard Cathcart – Subdivision of 1 Lot (91x100) into 2 Lots (45.5x100)

Discussion began when Vice Mayor Malinowski asked City Solicitor Walton to explain the Board of Adjustments decision concerning the subdivision. City Solicitor Walton responded that the request meets all the requirements, was deemed code compliant and the Board voted both variances.

Council Member Titus appreciates the improvements to the property that are being made but is very concerned over the impact subdividing the lot will have on traffic and parking.

City Solicitor Walton replies that Council has to vote because it was approved and Council lacks discretion to turn down the subdivision. He continued to explain using other cases to make his point. Mr. Cathcart injects there are 8 other lots that are 40 feet wide in the area.

Mayor Green, to gain clarification, summarizes what has been discussed so far and asks if Council should be voting on this. The Mayor's question to City Solicitor Walton is, if there are legal parameters regarding the subdivision can it then be sent back but if not it's a different matter? City Solicitor Walton says that is correct, there are no legal parameters because the Board approved the variances

Council Member Barrett asked if the property owners involved are not in favor of the decision could they appeal? The answer is yes but no appeals were made. All the neighbors were notified and attended the Board of Adjustment hearing.

Vice Mayor Malinowski made the motion to accept the subdivision. Council Member Barrett seconded the motion. Mayor Green asked for a roll call vote. Council Member Fitzwater – aye; Vice Mayor Malinowski – aye; Council Member Barrett – aye; Council Member Titus – abstained. Motion was approved by a 3 to 1 vote.

Introduction & First Reading – Ordinance 17-0619-01, Relating to Preliminary Subdivision Plan Application Fees

There were no questions or discussion. Council Member Titus made the motion to accept the Ordinance. Council Member Barrett seconded the motion. Roll call was taken, all ayes. Motion was accepted. Public Hearing will be held during the July Mayor and Council Meeting.

Authorize City Manager to Enter into Contract with AECOM for the Downtown Development Plan

City Manager Houck answers Council Member Fitzwater's question that yes, the \$46,500 will cover the development of the plan. If for any reason it goes over she will return to Council. Council Member Fitzwater asks if the grants will be more substantial then what is being spent for the plan. City Manager Houck says it will be banked on funding the State has appropriated at the time we are ready and we are designated a Downtown District. We can apply and be competing for that money. However, we can't do anything unless we have a plan. This information satisfies Council Member Fitzwater's question. There were no other questions or comments. Council Member Barrett made the motion to accept City Manager's request. Council Member Fitzwater seconds the motion. Roll call was taken, all ayes. Motion carried.

COUNCIL COMMENTS

Council Member Fitzwater: We need to honor and respect the abilities of the PC, HPC and Board of Adjustments to make decisions. We voted to appoint these members and should not try to out vote their decisions. Mayor Green added that is a fair assessment and where checks and balances come in.

Council Member Titus: Citizens need to have a voice when they purchase property. They need to be able to protect their property value.

Council Member Barrett: no comments

Vice Mayor Malinowski: I attended the following meetings, PC, Board of Adjustments and Fort Dupont

Mayor Green: Would like to see a Toddlers' Park built. Money is needed to fund this project. City Manager Houck and Peggy Thomas are working together on planning Delaware City Days. In 2018, The Mayor's Charity Ball will be held to raise monies to fund future projects.

CITIZENS COMMENTS

Ray Fruytier, 909 5th Street: Very concerned over the misuse of the handicap parking at the Post Office. He has seen cyclists using these slots. He would like to see the signs changed to indicate these slots are for handicap only. Mr. Fruytier was also concerned that the dedication

of the new 5th Street Bridge was not widely announced. He knew of many people who would have liked to attend. Council Member Fitzwater suggested when the bridge is completely finished there be another dedication and the public made aware of time and date. City Manager Houck said she would follow-up on this suggestion.

RECESS MAYOR AND COUNCIL MEETING

Mayor Green recessed the Mayor and Council Meeting at 7:20 pm.

RECONVENE THE PUBLIC HEARING

Mayor Green reconvened the Public Hearing at 7:20 p.m. He once again read the four (4) items.

- 301 Adams Street - Richard Cathcart – Subdivision, *Approved*
- Resolution 17-0619-02 Adoption of Assessment Roll FY18 & Tax Rate FY18, *Approved*
- Resolution 17-0619-02, Adopting Operating Budget FY18, *Approved*
- Resolution 17-0619-03, Adopting Capital Budget FY18, *Approved*

There were no further discussion or comments. Mayor Green asks for a motion to adjourn the Public Hearing. Council Member Barrett makes the motion; Vice Mayor Malinowski seconds the motion. All in favor, Public Hearing adjourned at 7:21 p.m.

RECONVENE MAYOR AND COUNCIL MEETING

Mayor Green reconvened the Mayor and Council Meeting

ADJOURNMENT

There were no further comments or discussion. Council Member Barrett made the motion to adjourn Mayor and Council Meeting. Council Member Fitzwater seconds the motion. All members were in favor. Meeting adjourned at 7:25 p.m

Respectfully submitted,

Bonnie Lynn Hanna

City Secretary



ATTENDANCE SHEET – PLEASE SIGN IN

MEETING: Mayor & Council Meeting DATE: June 19, 2017

NAME:

ADDRESS:

CYNTHIA West
Chase Renoll

217 Bayard St
170 Clinton

RAY FRUYTIER
Dave Veasey

909 5th D.C.
400 Adams St. D.C.

Toby Williams

403 HAMILTON

W. M. M. M. Michael

129 WASHINGTON ST

J. M. DILLIPLANE

118 CLINTON ST

Anne Marie Kane

202 Adams St.

Kirsten Hickey

D.C. Library

Alex Monroe

11

TIM KONKUS

302 CAWTR