

"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 & COUNCIL MONTHLY MEETING
JULY 17, 2017**

CALL TO ORDER – PUBLIC HEARING

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

**ORDINANCE 17-0619-01 – RELATING TO PRELIMINARY SUBDIVISION
PLAN APPLICATION FEES**

Mayor Green opens the Public Hearing with the reading of the Ordinance. He asked City Solicitor Walton the following questions:

- a). To define what the terms major subdivision and minor subdivision means.
City Solicitor Walton defined a major subdivision as five (5) or more and a minor as less than five (5). Vice Mayor Malinowski thought it was three (3) or more for major and less than three (3) for minor. City Solicitor made the correction.
- b). The monies that are associated with the major jump in fees.
City Solicitor answered that former City Manager Cathcart set up the fee schedule and it is reasonably proportioned according to cost necessary for processing fees.
- c). To look at studies from other communities that were doing the same.
City Manager Houck said staff members, Kathy and Kyle had inquired about the fees in other cities.

Mayor Green asks if there were any questions from the public. No reply.

ADJOURN PUBLIC HEARING

Mayor Green asked for a motion to close the Public Hearing. Council Member Greene made the motion and Vice Mayor Malinowsky seconded it. All members were in favor. The hearing was closed at 6:25 p.m.

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.

ROLL CALL

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

ACTION UPON THE TREASURER'S REPORT

The June Treasurer's report was tabled pending financial review to be conducted at the City Manager's request in relationship to concerns with the formula errors discovered with the May report. Council Members agreed and were in favor of having a forensic review completed or a similar review to determine the cause of the errors. Council Member Barrett made the motion to table the report until next month and Council Member Titus seconded. The Treasurer's Report was tabled until next month.

ACTION UPON THE MINUTES OF THE PREVIOUS MEETING

Mayor Green had several comments on the minutes.

- He asked Police Chief Baylor to comment on the two (2) burglary investigations on the 400 and 500 Blocks of Clinton Street when he presented his report.
- City Manager Houck was asked to comment on the installation of the rooftop cooling units at the Community Center and the Washington Street Flood Mitigation Project on the bids during her report to Council.
- Noted a correction under the City Solicitor's report.
- Mayor Green will address some of the Citizens Comments later in the meeting.

Council Member Greene made the motion to accept the June minutes and seconded by Council Member Titus.

POLICE REPORT

Using the Year-to-date reporting method, Chief Baylor initiated last month, he reported:

- Part 1 offenses - 5 assaults (domestic related)
- Part 2 offenses - 3 criminal mischief
- Part 3 offenses - 4 animal complaints; 5 false alarms; and 7 suspicious Veh/Person

Report on Delaware City Day

- Some pushing/shoving assaults occurred and one lady took a swing at Chief Baylor, which resulted in her arrest. Chief is planning to hold a debriefing with his officers about the day. He sends out kudos to all the merchants for how they handled the day and the Fire Department for helping with parking. He offered his apologies to the residents because he did not have enough staff to keep the streets clean.

Animal Attack - Most concern of the Police Department this month

- The owner (420 Clinton Street) of the dogs who attacked and killed a cat in its owner's fenced yard came forward.
- Moving forward, all dogs must be leashed. There will be no exceptions. It is necessary to be pro-active to prevent future attacks on domestic animals and a special concern for safety of children.

PAL Program

- Chief will meet with NC City Police about expanding the outreach and activities of the PAL Center. Council Member Greene said Caesar McLean does a lot of work with kids and would put him in touch with the Chief.

Comments from Council Members

- Council Member Barrett would like to see "No Parking" signs by the American Birding Association. Chief Baylor agrees it is a concern as is the area along the deck at Crabby Dicks. Also, Council Member Titus suggested the timing of deliveries should be discussed with all merchants. Mayor Green wants this to be on next month's agenda. In the meantime, City Manager Houck and Chief Baylor meet to prepare a presentation for next month's meeting.
- Mayor Green thanks Chief Baylor for the great job and the people working with him, New Castle City Police, Newport Police, Newark Police, Dover Capitol Police and Homeland Security. Mayor Green passes along Mrs. Green's heartfelt thanks to Chief Baylor for his concern for her on Delaware City Day.

CITY SOLICITOR'S REPORT

No report this month

CITY MANAGER'S REPORT

Delaware City Day

- As it was her first year assisting in the event she felt it went smoothly. She will have a debriefing in the weeks ahead to better prepare for the 2018 event. She has some ideas for improvement of logistics, etc. City Manager Houck commends Chief Baylor for his leadership.
- City Manager Houck commended The Cutting Edge, under the leadership of Sean Johnston, for their dedication and very professional can do attitudes.
- City Manager thanked Mayor Green, Fort DuPont Representative Peggy Thomas and Chase Renoll for their commitment and the weeks of work that made the event a success.

Roof Top Cooling Units in the Community Center

- Units have been installed and working well. The work was funded from the FY17 Capital program.

Washington Street Flood Mitigation Project

- City Manager advised she would be meeting Friday, July 21 with DEMA regarding a third extension for this project. She stressed the importance of the extension to facilitate moving forward and aligning additional funds for the project (State of DE Revolving Loan Fund was mentioned as an option) so Delaware City does not have to refund the grant monies already spent to design the project.
- City Manager advised there would be a full report to Council on this matter following the meeting and a path forward is determined.
- City Manager is also working closely with Duffield Associates to determine if the project might require phasing to accomplish this much needed project.
- Mayor Green questioned was the cost \$1,905,000. City Manager clarified that is was \$1,090,000 after the \$500,000 reduction.
- City Manager said the approved number started out at \$800,000. But some has been spent on engineering and now there is a second engineer involved.
- City Manager feels the bulk can be done with the \$400,000 that is left.

Meetings Attended by City Manager

- Delaware City Day Meeting
- Delaware City Planning Commission site visit and monthly meeting
- Legislative Hall – June 30th – Local Governments Participation at the end of the session lobbying for street aid and realty transfer tax for municipalities to remain intact in FY2018 Budget was successful.
- Meeting with State of DE consultant regarding Water Utility Financial Viability review – requirements to being considered for grants useful to our organization
- Washington Street Project conference call with Duffield Associates
- Fort DuPont – Crab Feast setup observation for future events
- Fort DuPont Redevelopment Corporation Monthly Meeting
- New Castle County Meeting regarding coordination/cooperation between local jurisdictions
- Historic Preservation Committee meeting
- PAL Director Bob Jameson – Community Center site tour and discussion
- Library Site tour and discussion
- Finalized fireworks permit and updated fireworks company's shooter license
- Various Delaware City Day logistic meetings/event preparation work

APPOINTMENTS, ANNOUNCEMENTS, COMMUNICATIONS

Mayor has none this month

REPORTS OF COMMISSIONS, COMMITTEES AND ORGANIZATIONS

No reports

OLD BUSINESS

Discussion of Delaware City Day 2016

Council Member Greene passed her time to comment to Council Member Barrett

- Council Member Barrett asked Chief Baylor if he had enough manpower for the event to which Chief replied he would have liked another 15 officers.
- Council Member Fitzwater questions the discussion was intended for 2016 but Mayor Green said he was willing to waive that to discuss 2017 and City Solicitor Walton agreed.
- Council Member Barrett questioned Chief Baylor if there was an emergency, i.e. chemical leak, haze mat situation, personal injury/illness, how would it be handled. Chief Baylor responds that every possible scenario has to be evaluated and these are major safety concerns to discuss with the Fire Department.
- The parking on the shoulders on all the roads leading into Delaware City created a major concern for emergency vehicles to quickly respond to any call.
- Council Member Titus stated catastrophes happen therefore cannot be planned in advance. She suggested the pope mobile could take an individual to where the ambulance is waiting. Also, a designated place for the helicopter to land to facilitate an evacuation.
- Council Member Fitzwater wondered why the parking lot at Gunning Bedford was not utilized as a staging area to bus visitors into Town. Chief Baylor agrees but it may be difficult to have the general public know to go there.
- Chief Baylor stated the local residents were upset about the streets being shut down. Its his opinion an educational period is necessary so people will accept the logistical changes. Bottom line is, there needs to be more planning involving every citizen and business to work together.
- Mayor Green agrees this is all part of the planning process. Council Member Fitzwater volunteers to be part of the planning for the 2018 event.
- Council Member Barrett suggests perhaps having the fireworks on a different day than Delaware City Day.
- Mayor Green asks Council Member Greene if this discussion answers her questions and she replies, yes.

NEW BUSINESS

Second Reading & Adoption – Ordinance 17-0619-01 – Relating to Preliminary Subdivision Plan Application Fees

Mayor Green asks if there are any comments or discussion. None. He asks for a motion to accept. Council Member Greene makes the motion and Council Member Titus seconds it. A roll call vote was taken resulting in all ayes. The Ordinance is passed.

MAYOR & COUNCIL COMMENTS

Council Member Greene – addresses her comment to Chief Baylor. She was pleased to see the increased presence of the elderly and children downtown. She was sure it was due to the police presence making the citizens feel secure.

Council Member Fitzwater – No Comments

Council Member Titus – Agreed with Council Member Greene that is was a more pleasant crowd of a larger age range than in the past.

Vice Mayor Malinowski – Attended the Fort DuPont Site Tour and the Planning Commission Meeting. He also added, in addition to the 15 minute parking at the Post Office, the handicap should have signage and City Manager Houck added there should be additional handicap parking. Again, Mayor Green asked this to be put on next month's agenda.

Council Member Barrett – no comment.

Mayor Green

- The Mayor and his family threw out over 20 pounds of candy. He was so pleased to see all the children with their grandparents along the route.
- Attended the Refinery Meeting
- City Manager Houck covered the Delaware City Day report. Thanks for those involved for the time and effort put into it and special thanks to our City Manager.
- City Manager and I will be meeting to review what steps/actions can be taken regarding the vacant houses. They are becoming unsightly and this will not do
- Planning to have a meeting with City Manager about major street repairs, especially on Clinton Street. This is our main street and one people see when they come into town
- Applauds Chief Baylor on his efforts to the PAL Center. Mayor has a vested interest in the program. He has been on the Board of Directors since the inception of the program and the opening of the first in Garfield Park.
- Mayor accomplished his greatest achievement on Delaware City Day, which was to comply with his wife's wishes and plant flowers at his home.
- Thanks to John Buchheit for lending his car at the last minute to the firehouse so Mr. McMichael could ride in a posthumous honor to Michele Smith. A plaque will be given to Mr. Buchheit to pass along to the family.
- Mayor spoke with Delaware City Firehouse President Johnson about another dedication of the bridge. Mr. Johnson said the family is private and wished to be honored by having their own ceremony. We thought by having the car dedicated to Michele in the parade was a dignified public salute.

CITIZENS COMMENTS

Paul Johnson, President Delaware City Fire Company

- Thanks for selecting the Michele Smith & Family as Grand Marshall of the parade and having Mike McMichael ride in the car
- A huge thanks to Chief Baylor for his support and staff. There were very minimal events of public safety.
- DCFC raised \$2700 in parking fees
- Volunteers are still at a critical low. This is a countywide problem due to recent operational changes. Meeting tonight to discuss hiring additional career staff.

Mayor Green asks everyone to stand in honor of Michele Smith and our first responders.

Ray Fruytier, 909 5th Street

- Still feels the bridge dedication without public notice was wrong. He hopes in future events there will be better planning so the citizens will have the information.
- The parking for Delaware City Day needs to be planned out and advertised so the public is informed.

John Buccheit

- Prior to Delaware City Day, he met with City Manager, Police Chief and Mayor to discuss merchants' concerns. He's pleased to report the business district had their best revenue day compared to the past.

- Mr. Buchheit said folks interested in investing in the city have contacted him. Currently the merchant spaces are almost full. This brings new energy and jobs into town.
- As for parking on Delaware City Day, he feels residents should know what the protocol is after 35 years of the event. He suggests the pump that was temporarily set in place 4 or 5 years ago be moved.
- Mr. Buchheit admonishes Council Member Greene for her uncomplimentary comments regarding him and his business on Facebook

Mayor Green takes a brief recess.

Lisa Webster, 100 Clinton Street, Apt. #5

- Would like to see the residents along Clinton Street be considered in the coming years. They would like to enjoy the fireworks from outside their homes. In the past a parked car hindered this with engine running by her front door spewing fumes into her apartment and a spotlight that was as bright as daylight. Both were gone this year. She understands in light of all the terrorist events in other major cities emergency equipment is posted at various logistic areas but, please don't take for granted the residents over the visitors coming into town.

Representative from the Library

- The Library has been experiencing an issue of people using its parking lot to go on the trails. She would like to see signage go up discouraging this practice. Mayor Green suggests the Library contact City Manager Houck about this.
- There is a summer lunch program offered on Mondays and Wednesdays from 12:30 to 2 p.m.

Council Member Fitzwater on behalf of Chris McKinley, 405 Hamilton Street

- Would like to see the trash collection day changed from Monday to Tuesday. The reason being, most visitors come into town over the weekend. Residents put their trash receptacles on the street Sunday afternoon. He feels this is an unsightly welcome to visitors.

Ray Fruytier, 909 5th Street

Mr. Fruytier was given permission by the Mayor to speak once more

- Would like to know if the Refinery still had the plot of land available for the City to purchase for additional public parking.

ADJOURNMENT

Mayor asks for a motion to adjourn. Council Member Barrett makes the motion, which is seconded by Vice Mayor Malinowski. Meeting adjourned at 7:30 p.m.

Respectfully submitted,

Bonnie Lynn Hanna

City Secretary



ATTENDANCE SHEET – PLEASE SIGN IN

MEETING:

Mayor & Council Meeting

DATE:

Mon July 17, 2017

NAME:

ADDRESS:

CINDY WEST
Magical Quilts

217 Bayard St
900 4th St.

Jen & Jann Campen

305 Monroe St.

John Buchheit

210 Clinton

DAVE BUTLER

Laurie Adams

32 Clinton

Lisa Webster

100 Clinton, #5

William Michael

129 Washington

RAY FRUYTIER

909 5th D.C.

Dave Veasey

400 Adams St. D.C.

Kirsten Hickey

250 5th St.

Tim DILLIPLANE

118 CLINTON ST DC

Lisa Lindsey

4550 Warrick Hill Rd.

Sandra Malenouch

304 Bayard St.

MIKE HADDAY / DEB SALLAS

400 CLINTON ST

PAUL JOHNSON

DLFC