

*"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  
MAYOR AND COUNCIL MEETING  
Monday, November 20, 2017  
Paul H. Morrill, Jr. Community Center**

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

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

**PLEDGE OF ALLEGIANCE**

Mayor Green led the Pledge of Allegiance to the Flag.

**ROLL CALL**

Before Roll Call, Mayor Green acknowledged the presence of The Honorable John Buchheit, Mr. Tim Konkus of Main Street and thanked Mr. Russell Hutton, who was wearing his Viet Nam hat, for his service to the country.

Present were The Honorable Mayor Green and Vice Mayor Malinowski along with Council Members Barrett, Titus, Fitzwater and Greene. City Manager Houck, City Treasurer Rzucidlo, City Secretary Hanna, Assistant City Clerk Clifton, Police Chief Baylor and City Solicitor Walton were also in attendance.

Mayor Green acknowledges the order of the agenda but leaves the option to change the order as he deems necessary or if he sees something that needs to be addressed.

**ACTION UPON THE TREASURER'S REPORT**

Mayor Green reminds Council that the Treasurer's Report is suspended until the results of the audit are available. He asked for a motion to continue on with the meeting. Council Member Titus made the motion to move forward. Vice Mayor Malinowski seconded the motion. All were in favor.

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

The minutes from the October 16, 2017 meeting were accepted as written.

## **POLICE REPORT**

Chief Baylor drew Council's attention to the year to date statistics and went on to report the significant events from October:

- An assault occurred on the unit block of Clinton Street around midnight on October 10 but was not reported until 12 hours later. Both parties are familiar to each other. Incident is still under investigation.
- A home invasion was investigated on the 300 block of Washington Street. Two (2) New Castle residents were arrested on numerous charges.
- Delaware City Police Department (DCPD) was awarded \$3,216.26 for drug enforcement and \$3,501.68 for overtime and various community relations programs including PAL Center from the State.
- Along with The Masonic Order at 4<sup>th</sup> & Clinton Streets, the DCPD delivered Thanksgiving dinners to twenty families in town. We thank Council Member Barrett for her help with this program.
- DCPD is actively looking for Kevin S. Magaw who is wanted for the sexual assault of a child under the age of 13. The tip line number was given if anyone has knowledge of his whereabouts.
- The individuals who damaged plants at Pampered Pets have been arrested, charged in Magistrate Court and banned from coming back to Delaware City.
- The DCPD would like to remind all citizens of the basic safety tips as they shop during the holiday season and extends wishes for a Happy Thanksgiving.

Mayor Green commented on how extremely pleased he is with the professional demeanor Chief Baylor has brought to Delaware City.

## **CITY SOLICITOR'S REPORT**

City Solicitor Walton reported the following:

- Has been working with City Manager Houck on the applications and requirements for the Washington Street Project including the governmental requirements and funding mechanisms.
- Considerable time was spent on the special meeting that was cancelled in early November. FOIA requests were issued as well as associated issues relating to the first right of refusal.
- Assisted in several collection and enforcement matters (3 properties) for past due taxes, water and enforcement of penalties owed.
- Attended the Board of Adjustment hearing on Adams Street and drafted the decision to the Board.
- Worked with City Manager Houck on two (2) resolutions on this evening's agenda.
- Have looked into certain issues relating to surplus property in the City.
- Completed the City's audit response letter.

## **CITY MANAGER'S REPORT**

City Manager Houck reported the following:

- Ms. Maggie Rzucidlo will be joining the permanent staff as of November 27 as Finance Manager. She has vast financial software skills and reporting experience that will align well with our organization.



- Weather permitting, the completion date of the maintenance work on the Reedy Point Bridge is expected to be before the New Year. No total shutdown is foreseen.
- In response to the discussion of ownership of Battery Park, it has been confirmed that Delaware City owns it. However, the land and building associated with the Fort Delaware Ferry is owned by the State therefore making two (2) distinct parcels.
- Questionnaires pertaining to the Downtown Redevelopment Plan Effort (which is a grant funded program) and suggestions for Delaware City Day have been included in this month's newsletter. We are looking for feedback from the residents on these two endeavors. A committee will evaluate the returns.
- DelDot has been approached concerning a guardrail along the sharp drop off along SR9 just past Canal Street. A pedestrian railing is deemed more appropriate and would not encroach on the sidewalk. An engineering team is looking into estimates for the installation. Updates will be forthcoming.
- The Halloween events put on by PAL and Main Street were well attended. The community and I appreciate the efforts that went into making these events happen.
- The first meeting of the Parking Task Force will be November 28<sup>th</sup>. The discussion will ultimately result in recommendations being made to Mayor and Council. Updates will be given as these discussions progress.
- A meeting is planned with our Auditor and Finance Manager regarding the FY2017 audit and expect it to lead to the item being placed on the December Council Meeting Agenda.

Update on the Washington Street Request for Period of Performance Extension:

- We are still navigating through the various State Divisions and our Congressional Leaders hoping to obtain the extension.
- Deadlines are out of our control for the Revolving Loan funding approvals. They do not match the deadlines of FEMA.
- We are hopeful our project will be placed on the December 6<sup>th</sup> meeting of the Water Infrastructure Advisory Council (WIAC) for discussion and vote.
- Updates will continue

City Manager Houck listed in her report the meetings and events she attended during the month of October.

Council Member Barrett asks who will cover the cost of the Pedestrian Rail. City Manager Houck responded it is DelDot's responsibility because it's a right of way.

Mayor Green asks City Manager Houck to expand more on the details of the Washington Street Project and she complies. He adds to her comments that this has been a matter of attending extensive meetings because FEMA wants to be sure Delaware City has the funds in place for Phase 1 of the project

### **APPOINTMENTS, ANNOUNCEMENTS, COMMUNICATIONS**

Mayor Green announced that Peggy Thomas has resigned from the Delaware City Day Committee. He will assume that role until another person comes forward.

Mayor Green nominates Paul Starrett to the Board of Ethics. The motion to accept Mr. Starrett was made by Council Member Titus and seconded by Vice Mayor Malinowski. A vote was taken and Mr. Starrett was unanimously approved.



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

Main Street – Tim Konkus, President reports it has been a very busy 30 days:

- The Halloween Parade was very successful and extends thanks to Pampered Pets and Crabby Dick's for the prizes.
  - Main Street was awarded \$3400.00 grant towards The Cycle To The Sea project to customize bike racks. A design contest will be held using the theme of Delaware City's nautical history.
  - The Second Annual Tree Lighting Festival will be held this Saturday at 6 p.m. in Battery Park in conjunction with the all day Small Business Saturday. Santa will arrive via the DCFC fireboat. Free pictures with Santa will be offered.
  - On December 9<sup>th</sup> the Annual Holiday Parade will take place. Anyone and everyone is invited to participate. Line up at the Community Center will begin at 5:30. The parade will begin at 6 p.m. There will be traffic restrictions. Chief Baylor, the DCPD and DCFC will be assisting in traffic and pedestrian control.
  - The PAL Santa 5K Race will be Sunday, December 10. The race raises significant money for PAL. Sponsoring the race again this year is Crabby Dick's.
- Council Member Fitzwater raises the question if information on what businesses and their hours will be available to visitors. Discussion continued on the necessity of putting a directory to downtown together. Mr. Konkus mentioned each business had been asked to make a Facebook page with all their pertinent info. Mayor Green injects that having this information available in town to visitors is very important however; there are businesses with varied hours and days of operation. He feels its incumbent on Council to come up with a solution.

### Library

- New library cardholders are up by 20% due to the past months efforts to engage new readers to come into the library.
- The library's Pre-Holiday Celebration Silent Auction and 50/50 Raffle fundraiser is scheduled for Thursday, December 7 from 6 to 9 p.m. at Crabby Dick's. Crabby Dick's will be donating 20% to the library.
- Donations for the silent auction are welcome; contact the Library Director, Alex Monroe.
- The complete list of ongoing events is posted on the library's website at [www.delawarecity.lib.de.us](http://www.delawarecity.lib.de.us)

### **OLD BUSINESS**

There was no old business to discuss

### **NEW BUSINESS**

Review 2018 Meeting Schedule: the schedule will be available on the website: [www.delawarecity.delaware.gov](http://www.delawarecity.delaware.gov)

### **Introduction and First Reading - Ordinance 17-1120-1 Relating to Clarifying the Procedures for Certain Zoning Classification Change Applications**

City Solicitor Walton requested Council table the reading of this Ordinance until next month's meeting. There is a technical defect in the title. Council Member Titus made the motion to table the reading. Council Member Greene seconded the motion. All members were in favor. Motion to table the reading of the Ordinance was carried.



Resolution 17-1120-01 Requesting the General Assembly to Amend the Charter of the City of Delaware City Relating to the Position of City Treasurer

Mayor Green asked City Manager Houck to explain why this resolution has been drafted. City Manager Houck explains the modifications recommended will bring an extra level of responsibility and timelier oversight of our financial matters. These changes are in the effort to make the financial operation more open and transparent.

The Financial Manager will be responsible for the financial records and will report to the City Manager. Her duties will consist of drafting checks and reviewing the backup detail on a weekly basis. City Manager will sign checks and review the same information. The City Manager and Financial Manager will review the monthly financial reports in advance of placing them on the Mayor and Council Agenda. She will consult with the audit team at both the beginning and end of the audit.

Mayor Green asks for a motion to accept the Resolution. Vice Mayor Malinowski makes the motion and Council Member Titus seconds it.

Council Member Fitzwater opened the discussion asking if the checks will require two (2) signatures. City Manager Houck says yes just as they always have but now the Financial Manager will draft the checks and two (2) different people other than her will do the signing.

Council Member Titus asks if these checks and balances are what the auditor has been suggesting for the last several years. City Solicitor Walton answers that he does not recall any specific requests but the request from the auditor was to have a separation and this will achieve that. City Manager suggested when the auditor delivers his findings that he may comment and perhaps have other recommendations to add.

A roll call vote was taken to accept the resolution. The Council Members voted unanimously to accept.

City Solicitor Walton explains to the public in attendance how the changes will take place. Any Charter changes must be forwarded to our State Representative where it will be put into bill form and sent to the General Assembly for a vote. This does not happen right away however the practice of the resolution can be implemented.

Resolution 17-1120-02 Requesting the General Assembly to Amend the Charter of the City of Delaware City Relating to the Position of City Secretary

City Manager Houck explains this change will better align what the current duties of City Secretary entails. Some of the duties and responsibilities have not been active for sometime.

Mayor Green asks for a motion to accept the resolution as written. Council Member Titus makes the motion and Vice Mayor Malinowski seconds it. A roll call vote was taken. The motion passed unanimously.

**COUNCIL COMMENTS**

Council Member Barrett – Understands it's difficult to find people who are willing to be on commissions/committees but when someone is nominated Council would like to have them attend so they can be introduced to Council.

Vice Mayor Malinowski – asks why the numbers on the resolution for City Treasurer were different on the agenda as on the resolution. City Solicitor Walton said they had been prepared for the Special Meeting that was cancelled. Vice Mayor Malinowski attended the Fort DuPont Board of Directors Meeting.

Council Member Titus – With all that is going wrong in the world today, she is thankful to live in peaceful little Delaware City.



Council Member Fitzwater - commends City Manager Houck for the job she is doing in structuring the roles and responsibilities which will show us exactly who is accountable for what positions moving forward. He feels the direction City Manager is putting Town Hall in along with all her responsibilities will help eliminate the problems exiting 2017. Once again, Council Member Fitzwater urges anyone interested in running for Council to please come forward. There are three (3) seats up for election.

Council Member Greene – No Report

Mayor Green – says he totally agrees about the election. He feels we are very fortunate to be able to run as individuals not on party lines. As individuals who hold office we are responsible for our own actions and responsible to the residents of Delaware City. Therefore, if someone wants to file a complaint about one of us, they can. He agrees totally with Council Member Titus that we are fortunate to live in Delaware City

- Attended the Refinery Rally where the Governor and Mayor Green spoke. He was pleased to see how the employees were excited about their jobs and hopes as the Refinery expands they will keep the checks and balances in place to insure the employees, Delaware City will be taken care of.
- Attended the funeral of Former Mayor Patricia Harrison and presented her family with a Memorial in her honor. The family was very moved by this. Delaware City cares about its people.
- Visited with Mark Breeding at the VA Hospital. Pleased to say he is now home after a very serious illness.
- Setting up a meeting with DCFC Auxiliary Committee for the Mayor's Ball to be held February 24, 2018

### **CITIZENS COMMENTS**

Chase Renoll - 120 Clinton Street: addresses City Manager Houck and asked if the suggestions for Delaware City Day could be filled out online as was the survey. City Manager said that is possible.

Kate O'Donnell - 109 Washington Street: asked who resigned from a committee. Mayor Green responded Peggy Thomas resigned from The Delaware City Day Committee. Mrs. O'Donnell said she would like to work on the committee but not as Chair. She also brought up the typos she found in the newsletter and she feels the questionnaire only brought up more questions. She specifically points to item 6 regarding economic incentives. She has no idea what that means. She believes more information is necessary.

### **ADJOURNMENT**

Vice Mayor Malinowski 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 7:21 pm.

Respectfully submitted,

*Bonnie Lynn Hanna*

City Secretary