

"A Historic Past"



"A Bright Future"

CITY OF DELAWARE CITY
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**CITY OF DELAWARE CITY
PUBLIC HEARING &
MAYOR AND COUNCIL MEETING
June 17, 2013**

CALL TO ORDER – PUBLIC HEARING

The Honorable Mayor Green called to order the Public Hearing at 6:07 pm.

ROLL CALL

Present were Council Members Barrett, Titus, Johnson, Malinowski and Buchheit. Also present were City Manager Cathcart, City Secretary Gwynn, City Treasurer Hartman, Assistant City Clerk Clifton, Police Chief Tjaden and Chris Griffith on behalf of City Solicitor Walton.

RESOLUTION 13-0617-01- ADOPTION OF ASSESSMENT ROLL & TAX RATE

City Manager Cathcart said this was discussed at the Budget Workshop. Mayor Green asked if there was anyone present to make comments regarding this resolution. There was no response.

RESOLUTION 13-0617-02 – ADOPTING OPERATING BUDGET

City Manager Cathcart reminded the Mayor and Council that this was the budget for FY14 that they discussed at the workshop.

Kathy Walls, 220 Franklin Street, asked why there were no grants budgeted. She also asked why there was no Municipal Street Aid budgeted. Discussion followed between Ms. Walls, City Manager Cathcart and City Treasurer Hartman. City Manager Cathcart said that no grants are budgeted unless they have been

awarded. No grants are included in the budget as the funds are not guaranteed. There is no grant funding included in the operating budget. He asked Ms. Walls to give the City a heads up regarding her questions so that in the future, they would be prepared to answer.

RESOLUTION 13-0617-03 ADOPTING CAPITAL BUDGET

City Manager Cathcart said this was discussed at the budget workshop. Kathy Walls, 2220 Franklin Street, asked where the “city-owned” sidewalks, with \$10,000 budgeted for repairs, were located. City Manager Cathcart said they were located in front of Town Hall, the sash shop on Washington Street, the Community Center, etc. He stated that a summer intern from the University of Delaware is doing a Transportation Asset Survey and will return to the City with his findings. One of the things he is looking at is sidewalks.

FRONT STREET SUBDIVISION – WHITTAKER BROTHERS, INC. – 1 LOT INTO 3 LOTS

City Manager Cathcart recommended that this be postponed until the July meeting as the written decision has not been submitted to the City. There were no other comments.

RECESS PUBLIC HEARING

At 6:20 PM, The Honorable Mayor Green recessed the Public Hearing until 6:30 PM.

RECONVENE PUBLIC HEARING

The Honorable Mayor Green reconvened the Public Hearing at 6:30 PM. City Manager Cathcart reminded the Mayor and Council that the Operating Budget is a balanced budget that does not depend on grant income. He said the City should not be budgeting money that is going to be appropriated to us by the General Assembly. That is like budgeting money that the City does not have. If the funds are appropriated, they will be accounted for, but not budgeted for. Mayor Green said he agreed fully.

ADJOURN PUBLIC HEARING

Council Member Green adjourned the Public Hearing at 6:32 PM.

CALL TO ORDER – MAYOR AND COUNCIL MEETING

The Honorable Mayor Green called to order the regular meeting of the Mayor and Council at 6:32 PM.

INVOCATION AND PLEDGE OF ALLEGIANCE

The Honorable Mayor Green led the Pledge of Allegiance.

ATTENDANCE ROLL CALL

Present were Council Members Barrett, Titus, Johnson, Malinowski and Buchheit. Also present were City Manager Cathcart, City Treasurer Hartman, City Secretary Gwynn, Assistant City Clerk Clifton, Police Chief Tjaden and Chris Griffith on behalf of City Solicitor Walton.

ACTION UPON THE TREASURER'S REPORT

City Treasurer Hartman gave the Treasurer's Report for May 2013. She pointed out reallocation of funds due to the Grant in Aid. Council questioned some line items and a check. Council also questioned the Real Estate Taxes, with \$710,000 budgeted, but \$866,578 actual. City Treasurer Hartman said the difference was due to the City's collection efforts. Assistant City Clerk Clifton reminded the Council that the City conducted a major dunning and posted the delinquent accounts in the City News. City Treasurer Hartman also said there would be a surplus at the end of the fiscal year. *Council Member Barrett made a motion to approve the Treasurer's Report, subject to audit. Council Member Titus seconded the motion. No discussion occurred. A vote was taken, all ayes, motion carried.*

ACTION UPON THE MINUTES OF THE PREVIOUS MEETING

Council Member Buchheit made a motion to approve the minutes of the May 20, 2013 meeting as written. Council Member Titus seconded the motion. No discussion occurred. A vote was taken, all ayes, motion carried.

POLICE REPORT

Chief Tjaden reported the police activity statistics for the period from 5/19/2013 through 6/16/2013, with a total of 48 arrests: 6 criminal arrests, 42 traffic arrests and 0 drug arrests. He also reported the following:

- Assisted with former Mayor Dee Bennett's funeral, along with the Delaware City Fire Company. He thanked the fire company for their participation.
- Attended, with Mayor Green, Public Safety Day at Cedar Lane Elementary School.
- Attended the grand reopening of the Christiana Hospital Emergency Room in Wilmington, with Mayor Green.
- Worked with City Manager Cathcart, Mayor Green, DNREC and the Refinery to prepare for the Title V Permit meeting. It was successful with approximately 2000 attendees.

- Responded to a call about an armed robbery in Harbor Estates. The resident had been followed from Delaware Park and robbed at gunpoint. After looking at the casino video, a suspect who lives in Avondale will be arrested on the 18th.
- Applied for a Port Security grant in the amount of \$25,000 to purchase new laptops and radios for the police cars.

APPOINTMENTS, ANNOUNCEMENTS, COMMUNICATIONS

Senate Tribute to The Honorable Mayor John Buchheit

Mayor Green announced that The Honorable Senator Poore was in attendance to make a presentation to former Mayor John Buchheit. Senator Poore said former Mayor John Buchheit was at Legislative Hall and received a tribute from the House, but didn't have sufficient time to go to the Senate. So she brought the commendation to him. She read the Senate Tribute, dated 6/12/13, in recognition of Mayor Buchheit's years of service to the citizens of Delaware City as Mayor and Member of Council. Mayor Green thanked her for keeping Delaware City in her heart and for recognizing former Mayor Buchheit.

CITY SOLICITOR'S REPORT

Chris Griffiths, on behalf of City Solicitor Walton, reported the following:

- There were a series of articles reporting on City Solicitor Walton's representation of DNREC Administrative Agency relating to the Coastal Zone Act. City Solicitor Walton wanted to make it clear that he was not representing the refinery, but rather DNREC. The case was pending litigation, so additional comments could not be made. He said if anyone had any questions, they should contact him.
- Provided pro bono seminar for the Board of Adjustment and participated in two hearings.
- Worked with the City Manager regarding the Branch Canal Project.
- Worked with the House attorneys at Legislative Hall regarding the Charter amendments. As the City Solicitor received comments, he was working hard to turn them around quickly in order to push through the Charter changes during this General Assembly.

CITY MANAGER'S REPORT

City Manager Cathcart reported the following:

- Met with Mike Casson of Casson Consulting who is working with the City to put together a business incubator conceptual plan and identify funding for the Community Center. His fees will be paid for by a yet to be identified grant.
- Met with David Arthur, Executive Director of the Delaware Sports Commission, about bringing a water oriented event to Delaware City.

- Spent significant time coordinating preparation for the DNREC public hearing on the refinery air permit. 2,200 people were in town on June 4th for this hearing. All went well.
- Implemented storm preparation plan two times over the past several days. No significant problems.
- Attended the Delaware City Inspection Lane ground breaking.
- Attended the House Administration Hearing on the City's Charter Bill. The Bill was released from committee and passed the House the following day.
- Have been working with Representative Longhurst and Senator Poore to obtain funding for street repairs.
- Summer intern has started the transportation asset survey/assessment.
- Catholic Heart Workcamp will begin the repairs to eight of our residents' homes beginning June 24th through June 27th. This work is at no cost to the home owners.

General Meetings

- Historical Preservation
- Board of Adjustment
- African Union Cemetery Friends Group

Project Updates

- The Solar System was dedicated on June 10th. Although the turnout was low we got great press coverage from Channel 6, the internet, print, etc.
- We have received a draft permit from the Army Corp of Engineers which we reviewed and indicated we had no change request. Hopefully the final permit is only weeks away.
- Community Center Park Master Plan RFP will be received June 21st.

REPORTS OF COMMISSIONS, COMMITTEES AND ORGANIZATIONS

Board of Health – Brenda Parker reported the following:

- Preparing final draft of the Community Assistance Team Manual.
- Several members registered to attend the Citizens Emergency Response Training in July.
- Working on issues regarding vacant buildings.

Main Street – Mark Chura reported the following:

- Working with the University of Delaware students to obtain oral histories.
- Music in the Park during August. Posters are around town and sponsors have come forward for each concert.
- Two potential tenants for the Community Center.

Delaware City Day Committee – City Manager Cathcart reported the following:

- All is going well toward July 20th events.
- Still in need of volunteers, especially to work with kids games and rides.

OLD BUSINESS

None

NEW BUSINESS

Front Street Subdivision – Whittaker Brothers – 1 Lot into 3 Lots

City Manager Cathcart recommended that the discussion about the subdivision be postponed, as the City is waiting for a written decision from the Board of Adjustment. *Council Member Johnson made a motion to table the Front Street Subdivision. Council Member Titus seconded the motion. There was no discussion. A roll call vote was taken, all ayes, motion carried.*

Resolution 13-0617-01 – Adoption of Assessment Roll & Tax Rate

Council Member Johnson made a motion to adopt Resolution 13-0617-01, Adoption of Assessment Roll and Tax Rate. Council Member Barrett seconded the motion. There was no discussion. A roll call vote was taken, all ayes, motion carried.

Resolution 13-0617-02 – Adoption of Operating Budget

Council Member Titus made a motion to adopt Resolution 13-0617-02, the Operating Budget for FY14. Council Member Malinowski seconded the motion. There was no discussion. A roll call vote was taken, all ayes, motion carried.

Resolution 13-0617-03 – Adoption of Capital Budget

Council Member Johnson made a motion to adopt Resolution 13-0617-03, the Capital Budget for FY14. Council Member Titus seconded the motion. There was no discussion. A roll call vote was taken, all ayes, motion carried.

Surplus Property, 503 Fifth Street– City Manager Cathcart said he received a letter from Mr. Lockard about a piece of property (approximately 18' x 12') at the back of his property, that is owned by the City. He is interested in purchasing it. He contacted Nickle Realty about the value of the property. Nickle notified him that property has sold recently for 26 cents per square foot to \$2.50 per square foot. Mr. Lockard has offered to purchase the lot at 50 cents a square foot which comes to \$108. City Manager Cathcart said he was not prepared to make a recommendation, but wanted to make the Mayor and Council aware of this offer.

COUNCIL COMMENTS

Council Member Titus said she was at a large festival in Butler, Pa, where they had cigarette butt receptacles on top of trash containers. She suggested this for Delaware City.

Council Member Buchheit gave a report of his activity for the month. He added that he wrote to DNREC asking that an impact fee be issued to Delaware City on any kind of expansion permits granted to the refinery. He gave the Sierra Club permission to put an air monitoring system on Crabby Dick's. He gave a \$388 check from The Ice Cream Parlor to the playground fund.

The Honorable Mayor Green called for a moment of silence in memory of former Mayor Dee Bennett.

Mayor Green gave a report of his activity for the month. He said he had started an album of photographs of vacant properties so the City can start to do something about them.

Council Member Johnson asked about the status of the Charter changes. City Manager Cathcart said the bill was introduced and passed in the House. Council Member Johnson asked about the status of the flood mitigation. City Manager Cathcart said the City has taken the lead on this project even though it is not their responsibility. At this point the City is trying to determine where the money is coming from to repair the flood gate. He reminded the Mayor and Council that there is a flooding problem, not just due to the Dragon Run flood gates, but also a flooding problem on the lower end of Washington Street.

CITIZENS QUESTIONS AND COMMENTS

The Honorable Mayor Green reminded the attendees that the Mayor and Council want to hear citizen's comments. He said they would listen and follow up if needed.

Albert Schrack, Lot 66, reported on behalf of the Delaware City Fire Department, that one senior member, Jim Watson, was being inducted as the president of the Cumberland Valley Fireman's Association. He added that this is a great honor as it is an association of fire companies from five states. At the end of a president's term, their home fire company hosts the annual conference. As a result of this tradition, Delaware City will host the Cumberland Valley Fireman's Association Conference July 29th through August 1st 2015.

Diane Maxwell, 705 Henry Street, said the DNREC meeting was remarkable. She asked what the cost was to Delaware City taxpayers. City Manager Cathcart said it didn't cost the City anything. It was still being determined who was going pay the costs. It will be the State and/or the refinery.

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 7:15 PM.

Respectfully submitted,
Dawn K. Gwynn
City Secretary