

"A Historic Past"



"A Bright Future"

CITY OF DELAWARE CITY
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**CITY OF DELAWARE CITY
MAYOR AND COUNCIL MEETING
SEPTEMBER 16, 2013**

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

Present were Council Members Barrett, Titus, Johnson, Malinowski and Buchheit. Also present were City Manager Cathcart, City Secretary Gwynn, City Treasurer Hartman and Police Chief Tjaden. City Solicitor Walton was unable to attend.

APPOINTMENTS, ANNOUNCEMENTS/COMMUNICATIONS

Mayor Green presented to Paul H. Johnson, Jr. a plaque with the proclamation mounted on it, in recognition for throwing out the first pitch to officially open New Castle Babe Ruth baseball season on April 20, 2013. Mayor Green also presented an autographed baseball to Paul. Paul thanked everyone who attended to watch him throw out the first pitch and thanked the Mayor for the proclamation and baseball.

ACTION UPON THE TREASURER'S REPORT

City Treasurer Hartman presented the August 2013 Treasurer's Report. There were questions regarding balances and specific line items. City Treasurer Hartman said the Electric-GA was over budget and it was being researched. It seemed to be due to the metered solar field that records the number of kilowatts that are put back on the electric grid. The City has not been receiving credit from Delmarva Power. Council Member Barrett asked for a legal fee summary, as it had been some time since Council received one. City Treasurer Hartman said she would put copies in their mailboxes. The City Treasurer also said the City was reimbursed for the loss of a leased police car, in the amount of \$15,429. *Council Member Barrett made a motion to approve the August 2013 Treasurer's Report, subject to audit. Council Member Titus seconded the motion. A vote was taken, all ayes, motion carried.*

ACTION UPON THE MINUTES OF THE PREVIOUS MEETING

Council Member Titus questioned the absence of comments she and other Council Members made before the vote for the ordinance at the August meeting. City Secretary Gwynn said that the minutes were not verbatim so the comments were just mentioned by stating that a discussion of the ordinance occurred. *Council Member Titus made a motion to approve the minutes of the August 19, 2013 meeting as written. Council Member Barrett seconded the motion. A vote was taken, all ayes, motion carried.*

POLICE REPORT

Chief Tjaden reported the police activity statistics for the period from 8/14/2013 through 9/12/2013, with a total of 49 arrests: 6 criminal arrests and 43 traffic arrests. He also reported the following:

- There was a total of \$41,000 in grants approved from Sallie, EDIE, Violent Crime Funds and FEMA Port Security.
- Investigated a credit card fraud and made an arrest.
- Searched a home in N. St. Georges with Probation and Parole for known probation violators. Arrest made. Chief Tjaden said this case was a prime example of heroin use, as the residents ripped everything from the house, including copper tubing and copper wiring, to be sold to purchase heroin. Discussion followed regarding vacant homes in Delaware City. Mayor Green said the Board of Health is compiling a summary of vacant houses. Chief Tjaden asked the attendees to report it to the police if they see anyone leaving a property with an air conditioner, copper tubing, etc.
- Investigated a burglary in Harbor Estates. Arrest Made.
- Executed a search warrant on a cell phone for an Unlawful Sexual Contact investigation. Case pending.

CITY SOLICITOR'S REPORT

City Solicitor Walton was not present. Therefore, City Manager Cathcart read his report:

- His family spent 1 ½ hours in the park waiting for the ferry boat and his kids loved it.
- Researched municipal services that are provided throughout the City and if the City is required to provide them.
- Communicated to the attorney for the Central Hotel the format and information for the easement. City Manager Cathcart approved the content for the easement and sent it to the City Solicitor for review.
- Answered a FOIA question that was submitted by the City Manager.
- Researched First Amendment issues in relation to the parade and City property permits. The Mayor and Council received a summary of that research.
- Gave guidance on certain Board of Adjustment issues.

CITY MANAGER'S REPORT

- Received the JMT fee proposal and have notified JMT of the desired scope of work for the Community Center Park Master Plan. We are awaiting their acceptance of our proposed fee for said services.
- Met with Delaware Pride to discuss their event on October 19, 2013 and had subsequent communication with them as to the terms and conditions of the event.
- Met (along with the Mayor) with DNREC, Main Street and DelDOT to finalize the layout of the Fort DuPont Byway Trail. The design bid package will now be developed and put on the street within the next several weeks. There will be one more meeting before going to bids.
- Met with the NPDES Stormwater Discharge Permit consortium to discuss the ramifications of the new permit. There are clearly some cost implications for the various municipalities that are participating in the joint permit. This includes scheduled street sweepings, outfall monitoring for volume of discharge and testing Stormwater quality that have costs associated with them. None of this has been finalized, but informed of costs associated with this process.
- There was a well-attended press event last Thursday that included the Governor and the Secretaries of DNREC and DEDO announcing the American Birding Association's relocation from Colorado Springs, CO to Delaware City. We also received great press coverage in the News Journal and WDEL Radio. This is huge for Delaware City.

General Meetings

- African Union Cemetery Board
- River Towns Race and Festival
- Police Athletic League Board

Project Updates

- Branch Canal Project mobilization started last Friday. Actual construction should start this week.
- Byway Trail design bid documents should be on the street within the next several weeks. Community Center Master Planning process to begin around the 1st of October.
- Construction on the Clinton Street sidewalk and Plaza expansion is underway.

Discussion followed regarding people camping in the corner of the park on Clinton Street. City Manager Cathcart said it was a group of young adults kayaking from Annapolis to raise money for Ronald McDonald House.

Discussion followed about updates on the Fifth Street Bridge. City Manager Cathcart said there was nothing new since the August Mayor and Council Meeting.

APPOINTMENTS, ANNOUNCEMENTS, COMMUNICATIONS (continued)

Mayor Green announced that he would like to appoint Joyce Bensinger, 400 Hamilton Street, to the Historic Preservation Commission (HPC). He stated her qualifications and discussion followed. *Council Member Buchheit made a motion to appoint Joyce Bensinger to the HPC. Council Member Johnson seconded the motion. A roll call vote was taken, with Council Members voting as follows: Barrett – nay, Titus – aye, Johnson – aye, Malinowski – aye, and Buchheit – aye. Motion carried.*

Mayor Green announced that he would like to reappoint Carol Schofield, 205 Cleaver Road, to the Planning Commission. He said he spoke with Ms. Schofield and she would be interested in being reappointed. *Council Member Barrett made a motion to appoint Carol Schofield to the Planning Commission. Council Member Titus seconded the motion. A roll call vote followed, all ayes, motion carried.*

Council Member Titus reported that she would be attending a cat symposium conducted by HSUAS. She said it is free and would be held at Blue Ball. The topic is about how to control feral cats and will explore what different communities are doing to deal with this issue. If anyone is interested in attending,

they should contact Council Member Titus for additional information. Council Member Barrett suggested that someone from the Board of Health attend.

Council Member Buchheit thanked the residents who owned the Sterling's building for ten years. He also reported that there would be 20 new job openings in Delaware City due to some new businesses he is acquiring. Applications will be accepted on October 4th from 10 AM to 2 PM. Council Member Buchheit gave dates for upcoming fundraisers at Crabby Dick's for Greyhounds of America and Stacy McClain's recovery fund.

Council Member Buchheit asked City Manager Cathcart if street vendors would be charged a licensing fee along with permanent businesses. City Manager Cathcart said this is being addressed with the City Solicitor. The Council Member also asked if the City had thought about installing parking meters in the commercial district in order to increase revenues. City Manager Cathcart said he would be glad to look into that if it was the desire of Council. Discussion followed. It was determined that City Manager Cathcart would research parking meters.

Council Member Barrett said she had spoken with Semia Hackett from Dart regarding a desperately needed bus shelter for Fifth Street. Council Member Barrett asked if the City Manager would invite Ms. Hackett to the next Mayor and Council meeting to get ridership statistics and to let DeIDOT know there is a need for a shelter. Discussion followed. City Manager Cathcart said he would contact Ms. Hackett.

Mayor Green reported the following:

- Pointed out that the new Head Librarian for Delaware City was present. He asked New Castle Library Society President, Deb Sellers, to introduce Josias Bartram during the Reports of Commissions, Committees and Organizations.
- Thanked Council Member Buchheit for all the work he did as Mayor toward completing the sale of Sterling's.
- Performed first marriage at Battery Park on 8/21/13. Donated \$100 stipend to the Playground Equipment Fund.
- Attended ABA meeting.
- Worked with City Manager and Chief of Police to stop unauthorized sale of electric.
- Thanked DCFC president, Representative Valerie Longhurst, City Manager Cathcart and U. S. Senator Tom Carper for helping resolve the situation at the Delaware City Post Office.
- Thanked Council Member Malinowski for follow-up questions and meeting regarding an incident that was reported by the refinery. Will do a follow-up report.
- Attended Delaware City Senior Center and luncheon at Dragon Run.

- Asked Council Member Barrett to provide statistics, at the next Mayor and Council Meeting, for the Food Subsidy Program that she has been overseeing for the past two years at Dragon Run.

OLD BUSINESS

There was none.

NEW BUSINESS

Replace Totaled Police Vehicle

City Manager Cathcart said the City received a check in the amount of \$15,429 from the insurance company for the total loss of the police vehicle, due to flooding. He said he had checked into the cost of a new police vehicle on State of Delaware contract, which would cost \$22,000. He feels we should move forward and get a new police vehicle. The City has a couple surplus vehicles which could be sold and should bring in at least \$5000, leaving a shortfall of about \$1600. City Manager Cathcart said that \$1600 could be taken from the general fund to pay for the vehicle. He said there are a couple surplus items that could be rotated out of inventory by June 2014. If they were sold, the money could be reimbursed to the general fund. The good news is that the City would have two brand new vehicles in the fleet. The other two vehicles have a good bit of mileage on them. This would place the City well ahead of the current replacement schedule. *Council Member Barrett made a motion authorizing City Manager Cathcart to purchase a new police vehicle. Council Member Johnson seconded the motion. Discussion followed. A roll call vote was taken, all ayes, motion carried.*

REPORTS OF COMMISSIONS, COMMITTEES AND ORGANIZATIONS

Board of Health - Lisa Webster, reporting for Brenda Parker who was unable to attend the meeting, stated that they have been working on a plan for dealing with vacant homes. They are putting together a survey of vacant homes. This came about as a result of accessing, with permission, a vacant home on Jefferson Street. It was discovered that cats had made a home there and in the opinion of the Board of Health, the building should be condemned. A letter was sent to the property owner. The City Manager said the owner's response was positive.

The other issue the Board of Health had been dealing with is feral cats. Brenda Parker had spoken with Megan Titus to see about the possibility of doing a spring spay/neuter project with the feral cats in town.

A citizen attended the BOH meeting and expressed concerns about a vacant property he owns on Clinton Street.

Main Street – Mark Chura said they've worked with the Delaware City Marina to plan a free flu shot clinic. It is scheduled for October 22nd, from 11AM – 2PM at the Community Center.

Approached by DRBA to run some fall service between Delaware City and Salem, NJ in order to improve ecotourism. He passed out brochures. At the Delaware City end, working with the marina, there will be different types of boating options available to New Jersey residents. Hope to build on this in the spring.

The Byway Grant end product will be a paved trail that will take advantage of the bike/pedestrian improvements on the Fifth Street Bridge, going into Fort DuPont and connect all the WWII and most of the WWI facilities. It will also connect to the C & D Canal by going under the Reedy Point Bridge.

The next public Main Street meeting will be the second Tuesday of October.

Delaware City Athletic Association (DCAA) – Ron Smysar, in charge of fundraising, said the former treasurer resigned and took the books with her. He said the City had allocated a donation for the DCAA, but before the donation could occur, the City would need proof of the DCAA's 501(c)3 statuses. He said they had applied for a new tax payer ID number, but they didn't have the money to obtain 501(c)3 status. He asked if the City could give the DCAA the donation which could then be used to file for the 501(c)3. Discussion followed regarding donations that were budgeted for FY14, fund raising that has/has not been done by DCAA, and cost to kids to play ball. City Manager Cathcart said the way things stand at this point the money could not be donated until the City received proof of 501(c)3 certification. He said he would feel more comfortable if he could speak with the City Solicitor before the Council made a decision. Mayor Green said City Manager Cathcart would contact Mr. Smysar after he had a chance to contact the City Solicitor.

Delaware City Library Society – Deb Sellers introduced new Library Director Josias Bartram. She thanked the search committee, Beth Konkus and Mike Hendry, for a great job. Mr. Bartram thanked the library board and the library staff for all the help they have given him. He said everyone he met has been very welcoming and gracious. He said his philosophy of libraries is that they are here to serve the community. Mr. Bartram said he looks forward to working with the City and Main Street.

Delaware City Fire Company (DCFC) – Albert Shrack said the DCFC participated in the statewide Delaware Volunteer Firefighters Association conference and parade. The fire company won four awards: the best appearing ambulance; best

appearing pumper; second in the men's marching unit without music; and the ladies auxiliary placed sixth in their marching unit. Mr. Shrack gave the following dates for upcoming events, including: 10/5 - Silent Auction, 10/20 – Basket Bingo, and 11/2 – Open House. The DCFC is continuing progress on Cumberland Valley Volunteer Firefighter's Association celebration and parade that is scheduled for August 2015 in Delaware City. He encouraged Council Members to participate in the process.

CITIZENS' COMMENTS

Albert Shrack, Lot 66, said he had spoken at a previous Mayor and Council meeting about a municipality that works under the premise that if someone feeds a feral cat, then that person becomes responsible for the care of that cat. He said the idea to have the cats spayed and neutered was an excellent idea. He wondered who would capture the cats.

Tim Konkus, 302 Canal Street, announced a winter coat exchange that will take place at the Delaware City Marina on September 28th, 12:00 to 4:00 PM. The way it works is "Bring one, take one." Mr. Konkus said they will also accept donations of items to be passed on. Donations or exchanges can be dropped off at the Marina between 8:00 AM and 5:00 PM, seven days a week. The final day for collections is Friday, September 27th.

Pastor Andre Smith, Down to Earth Family Worship Church, introduced himself as the pastor of the church at 123 Fifth Street. He asked if the City had any houses that are set up as transitional/job training/education program housing. He said there are a number of state certified teachers in his congregation who would volunteer to work with families who have children with educational needs or disabilities.

Pastor Smith asked if there were any comprehensive mentoring programs for the youth of the City, other than the PAL center. He started a program called "Young Gentlemen of Purpose" in the Christiana School District. It was very successful. He gave details of the program.

Pastor Smith said his church wants to host a school supplies/book bag give away for low income families. They would like to hold it in the park, with possibly a moon bounce, hot dogs and juice. He asked who he should contact regarding these questions. Pastor Smith thanked Delaware City for making them feel welcome in town. He said they would like to work cohesively and intimately with the residents and leaders of Delaware City. Mayor Green asked Pastor Smith to contact City Manager Cathcart about his questions and next steps.

Mike Hendry, 400 Clinton Street, advocated that the feral cat situation be handled humanely and said he would be willing to contribute to the spay/neuter program. He also wanted to acknowledge the amount of work Deb Sellers put

into running the Library program as interim director. Mr. Hendry said he has complained every year about the downtown parking situation during ferry season. He said he would like to see that be resolved and maybe parking meters would be the answer.

ADJOURN MAYOR AND COUNCIL MEETING

Council Member Johnson made a motion to adjourn the Mayor and Council meeting. Council Member Titus seconded the motion. A vote was taken, all ayes, motion carried. Meeting adjourned at 7:45 PM.

Respectfully submitted,
Dawn K. Gwynn
City Secretary