

*"A Historic Past"*



*"A Bright Future"*

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

**CITY OF DELAWARE CITY  
MAYOR AND COUNCIL MEETING  
OCTOBER 21, 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, City Solicitor Walton and Police Chief Tjaden.

**ACTION UPON THE TREASURER'S REPORT**

City Treasurer Hartman presented the September 2013 Treasurer's Report. She also reported that the revenue, before expenses, from the River Towns Ride was \$37,602.67. The balance in the Playground Fund is \$3837.44, with \$178.44 from Betty's Buckets. There was a question about the electric bills from Delmarva Power. City Treasurer Hartman said that Solar City is working with Delmarva Power to correct the overbillings. Council questioned the surplus for FY2013. City Treasurer Hartman said Auditor Vince Barbone would address that during his presentation.

*Council Member Titus made a motion to approve the September 2013 Treasurer's Report, subject to audit. Council Member Barrett seconded the motion. A vote was taken, all ayes, motion carried.*

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

*Council Member Barrett made a motion to approve the minutes of the September 16, 2013 meeting as written. Council Member Titus seconded the motion. A vote was taken, all ayes, motion carried.*

### **AUDIT 2013**

Vince Barbone, auditor from Haggerty and Haggerty, gave a status report, stating that the field work has been completed and he is working on the final review. He said the final draft should be ready for the November 2013 Mayor and Council meeting. He said there were a couple issues that will not impact the opinion. Mr. Barbone explained those issues and how they impacted the surplus.

### **POLICE REPORT**

Chief Tjaden reported the police activity statistics for the period from 9/13/2013 through 10/18/2013, with a total of 61 arrests: 19 criminal arrests, 40 traffic arrests and 2 drug arrests. He also reported the following:

- Executed a third search warrant in the Delaware City Mobile Home Park and made two arrests.
- Learned about the closing night specials planned at the Delaware City Bar and Grill, such as "all you can eat/drink for \$5.00". Contacted the ABC who said that was illegal. Reached out to the bar owners and were told they were not offering those specials. Due to concern, scheduled three officers to work overtime that night. Things got a little out of hand and made 4 arrests.
- Investigated a theft from a residence and an arrest was made there.
- Received information that a tattoo shop was operating at 58A Clinton Street. Obtained a search warrant. Police and Board of Health seized all equipment. They were issued a cease and desist order.
- Worked with City Manager and Mayor for the River Towns Ride.
- Helped organize and escort the 153<sup>rd</sup> Delaware City Military Police Unit, returning from Afghanistan.
- Investigated a felony theft of a credit card that was used in the amount of \$1500.
- Participated in the first Santa Ride to A. I. DuPont Hospital for Children.

Discussion followed regarding possible sex offenders and their interaction, if any, with children on Halloween.

## **CITY SOLICITOR'S REPORT**

City Solicitor Walton reported the following:

- Assisted with the River Towns Ride.
- Prepared a zoning decision in response to a question that was posed to the City Manager.
- Worked on a few issues relating to Delaware City Day forms and applications.
- Worked on the easement for the Central Hotel that is on the agenda this evening.
- Worked with the City Manager on various questions.
- Had a distinguished guest during a training session conducted for the University of Delaware. City Treasurer Hartman attended the FOIA training.

## **CITY MANAGER'S REPORT**

Mayor Green commended City Manager Cathcart and his staff for the fine job that is being done.

City Manager Cathcart reported the following:

- Finalized the JMT contract for the Community Center Master Planning. Will be meeting with the JMT team this week to kick off the project.
- The Delaware Pride event discussed in last month's report was cancelled by the organization.
- Have been working with an individual interested in opening a Day Care Operation in the Community Center. This individual is currently operating a pre-school. There is a Fire Marshall inspection of the space this Wednesday. The operator is projecting a December/January opening.
- Met with Matt Carter from the U of D T-Square Transportation Center to review the final report of the Transportation Assets study conducted this summer. The report and detail of the street, curb, sidewalk and traffic sign conditions are very impressive.
- Met with Duffield Associates in preparation of Bid documents for the street, sidewalk and curb improvements bid. The pre-bid meeting is this Friday and the bid opening is scheduled for November 4, 2013.
- The October 5<sup>th</sup> River Towns Race and Festival was a very successful event. Although there were some logistical issues, all of which can be fixed, the actual event was trouble free and was attended by a crowd estimated to be over 2,000 in both towns. The event generated about

\$5,000 and the TV chances raised about \$1,300 with a total of \$6,300 going towards the Play Ground Fund.

- After many hours of work and effort a 600 page grant request was submitted to FEMA on October 17<sup>th</sup> for the Washington Street Flood Mitigation project for a cost of \$920,000. Keep your fingers crossed.

### General Meetings

- River Towns Ride and Festival
- African Union Cemetery Board
- HPC
- Planning Commission
- League of Local Government Annual Meeting
- Attended and Spoke at the Mike Castle Trail opened ceremonies Friday.

### Project Updates

- Branch Canal Project is progressing fairly well, however there have been some delays.
- Clinton Street sidewalk and plaza expansion is 50% complete.
- Fort DuPont Redevelopment final Master Plan should be available next week.

### **APPOINTMENTS, ANNOUNCEMENTS, COMMUNICATIONS (continued)**

Mayor Green thanked Senator Nicole Poore for attending the meeting tonight.

Council Member Titus reported that she attended a cat symposium regarding the trap/neuter/release program. She said she would like to apply for a grant through Main Street Delaware City so that this program could be conducted in Delaware City. Council Member Titus also reported that she held a bake sale, raising \$987 for the playground fund.

Council Member Buchheit reported that the job fair was a success. Twelve positions were filled, with nine of them going to residents. He said there will be another job fair in about 90 days.

Council Member Barrett reported on the TFAP Food program which is manned strictly by volunteers, including Council Member Barrett. She reported that food

was distributed to 44 families this month, for a total of 107 people. She said anyone who would like to volunteer would be welcome. They distribute food on the last Thursday of each month at Dragon Run Park. Food donations can be made at the Valero Gas Station.

Council Member Johnson reported on the fire at 300 Washington Street. He said the residents lost everything. They had the home insured, but not the contents. The Delaware City Fire Company will be listing clothing sizes that are needed, on their website.

Mayor Green reported that he worked with Chairperson Parker and members of the Board of Health to establish a process for reporting and monitoring vacant properties. He attended the ribbon cutting ceremony for the Mike Castle Trail. He also attended board and commission meetings. He is working on the Mayor's Ball in conjunction with Council Member Buchheit who agreed to work as a consultant. He said he also worked with Council Member Johnson to raise money to purchase the TV that was raffled off at the River Towns Ride.

Mayor Green commended Vice Mayor Johnson for the fine job he did as the Deputy Chief during the fire at 300 Washington Street.

Mayor Green said he would like to appoint John Long and Dana Renoll to the Planning Commission, Elizabeth Wahbe to the Historic Preservation Commission and Cynthia West to the Board of Health. He gave a brief bio of each appointee.

*Council Member Johnson made a motion to appoint John Long to the Planning Commission. Council Member Barrett seconded the motion. A roll call vote was taken, with the Council Members voting as follows: Barrett – aye, Titus – aye, Johnson – aye, Malinowski – nay and Council Member Buchheit – nay. Motion carried*

*Council Member Buchheit made a motion to appoint Dana Renoll to the Planning Commission. Council Member Titus seconded the motion. A roll call vote was taken, all ayes, motion carried.*

*Council Member Titus made a motion to appoint Elizabeth Wahbe to the Historic Preservation Commission. Council Member Buchheit seconded the motion. A roll call vote was taken, all ayes, motion carried.*

*Council Member Buchheit made a motion to appoint Cynthia West to the Board of Health. Council Member Malinowski seconded the motion. A roll call vote was taken, all ayes, motion carried.*

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

Main Street - Program Manager Mark Chura, announced that there will be a free flu shot clinic at the Community Center on 10/22, done in conjunction with the Marina.

He said there would be a number of events taking place on 11/2, including a ghost tour (educational, including history of Delaware City). The Christmas parade will be on December 14<sup>th</sup> at 6:00 PM.

Main Street member Lincy Baffone reported that the Halloween parade will take place on 11/2 at 6:00 PM. Movie Night will follow the parade at dusk. There will be a candy buy back so that excess candy can be sent overseas to the troops. More information about the parade will be put on Facebook. Ms. Baffone said they could use volunteers.

Delaware City Fire Company – Cheryl Dennis thanked the City for asking the Ladies Auxiliary to provide the food for the River Towns Ride. She said they raised over \$1200. November 2<sup>nd</sup> is the annual Open House from 11:00 – 2:00.

## **OLD BUSINESS**

### **Authorize City Manager to Enter into an Easement Agreement with Silver Heron I**

City Manager Cathcart said the Council had before them the Easement Agreement that they approved in August. Silver Heron I's attorney prepared the agreement and City Solicitor Walton reviewed the document. Discussion occurred regarding the change that he made. He said there were some negotiations conducted. *Council Member Barrett made a motion to authorize the City Manager to enter into the Easement Agreement with Silver Heron I. Council Member Buchheit seconded the motion. A roll call vote was taken, all ayes, motion carried.*

### **Community Center Management Agreement**

City Manager Cathcart said that this agreement was discussed with Main Street during a couple meetings. The basic agreement is similar to last year's with the following exceptions: Main Street Delaware City gets the first \$20,000 of rent payments that come to the Community Center, however, starting this year \$10,000 is guaranteed. Main Street spent hours to get rentals up and running but received almost nothing in exchange. Main Street has agreed to hire a part time employee who will take over events and assist with rentals, maintenance etc. The employee will work from Town Hall. Main Street Delaware City will pay this employee. Discussion followed regarding rental revenue when the building is totally rented. City Manager Cathcart estimated that it would be \$25,800, not including daily rentals. This rental revenue does not include the rental of the

three rooms on the Library side of the building. Council asked for a presentation from Main Street, indicating their different programs, what Main Street represents, etc. Mr. Chura said he should be able to provide that presentation at the December Mayor and Council meeting. Discussion followed regarding the rental procedures, both long term rentals and daily rentals. City Manager Cathcart said the only other change to the Management Agreement was that the old agreement was capped at \$25,000 and this one is capped at \$20,000. Council asked if this is an annual agreement. The response was, "yes". *Council Member Johnson made a motion to authorize City Manager Cathcart to enter into an agreement with Main Street for management of the Community Center. Council Member Titus seconded the motion. A roll call vote was taken, all ayes, motion carried.*

### **NEW BUSINESS**

#### **Certification of 2<sup>nd</sup> Quarter Supplemental Tax FY14**

City Treasurer Hartman explained the reason for the changes in the property assessment. *Council Member Johnson made a motion accept the certification of the 2<sup>nd</sup> Quarter Supplemental Assessment for FY14. Council Member Titus seconded the motion. A roll call vote was taken, all ayes, motion carried.*

#### **FY15 Grant-In-Aid Application: Delaware City Day Committee & Delaware City Community Center**

City Manager Cathcart said he was requesting authorization to submit the Grant-in-Aid applications for the Delaware City Day Committee and the Community Center. Discussion followed, with grant amounts for the Delaware City Day Committee - \$37,000 and for the Community Center - \$45,000. *Council Member Titus made a motion authorizing the City Manager to submit the two Grant-In-Aid applications. Council Member Barrett seconded the motion. A roll call vote was taken, all ayes, motion carried.*

#### **Authorize City Manager to Enter into an Agreement for Street Resurfacing**

City Manager Cathcart explained that there is a bid on the street, with a bid opening before the next meeting. He said there is a little urgency to have the work done before the black top plants close for the winter. The budget is approximately \$227,000. The work would be done on portions of Jefferson, Washington and Bayard Streets. There would be curb repairs on Clinton Street. *Council Member Johnson made a motion authorizing the City Manager to enter into a contract to do the street work provided the bids come in within budget. Council Member Titus seconded the motion. A roll call vote was taken, all ayes, motion carried.*

**CITIZENS' COMMENTS**

There were no citizen's comments.

**ADJOURN MAYOR AND COUNCIL MEETING**

*Council Member Barrett made a motion to adjourn the Mayor and Council meeting. The motion was seconded. A vote was taken, all ayes, motion carried. Meeting adjourned at 7:40 PM.*

Respectfully submitted,  
*Dawn K. Gwynn*  
City Secretary