

"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
PUBLIC HEARING &
MAYOR AND COUNCIL MEETING
June 16, 2013**

CALL TO ORDER – PUBLIC HEARING

The Honorable Mayor Green called to order the Public Hearing at 6:00 PM. Present were Council Members Konkus, Titus, Buchheit and Johnson. Also present were City Manager Cathcart, City Secretary Gwynn, City Treasurer Hartman, and Assistant City Clerk Clifton.

ORDINANCE 14-0519-01 RELATING TO PUBLIC INDECENCY

Mayor Green, on behalf of Council Member Buchheit, withdrew Ordinance 14-0519-01. He said Council Member Buchheit would give an explanation during the regular Mayor and Council Meeting.

RESOLUTION 14-0616-01 ADOPTION OF ASSESSMENT ROLL & TAX RATE

City Manager Cathcart said this resolution sets the tax assessment rate for Fiscal Year 2015 which starts July 1, 2014 and ends June 30, 2015. It calls for a tax rate of \$1.09 per \$100 of assessed value and is unchanged from FY2014. Mayor Green asked if there were any questions or comments from the public regarding this resolution. There were none.

RESOLUTION 14-0616-02 ADOPTING OPERATING BUDGET

City Manager Cathcart said this resolution sets the Operating Budget for Fiscal Year 2015 at \$1,330,511.50. Mayor Green asked if there were any questions or comments from the public regarding this resolution. There were none.

RESOLUTION 14-0616-03 ADOPTING CAPITAL BUDGET

City Manager Cathcart said this resolution would set the Capital Budget for Fiscal Year 2015 at \$126,000. Mayor Green asked if there were any questions or comments from the public regarding this resolution. There were none.

RECESS PUBLIC HEARING

Mayor Green asked for a motion to recess the Public Hearing until 6:25pm or such time as someone wanted to ask a question or make a comment regarding the ordinances on the agenda. *Council Member Titus made a motion to recess the Public Hearing. Council Member Johnson seconded the motion. A vote was taken, all ayes, motion carried.* The public hearing was recessed at 6:04pm.

RECONVENE PUBLIC HEARING

The Honorable Mayor Green reconvened the Public Hearing at 6:25pm.

ORDINANCE 14-0519-01 RELATING TO PUBLIC INDECENCY

Council Member Buchheit said he wanted to withdraw this ordinance that he introduced, after considering the valid points made by resident Natalie Green at the previous Mayor and Council meeting.

Mayor Green asked if there were any questions or comments about the resolutions that were open for discussion. There were none.

ADJOURN PUBLIC HEARING

Council Member Buchheit made a motion to adjourn the public hearing. Council Member Konkus seconded the motion. A vote was taken and passed unanimously. Mayor Green adjourned the Public Hearing at 6:30pm.

CALL TO ORDER – MAYOR AND COUNCIL MEETING

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

PLEDGE OF ALLEGIANCE

Mayor Green led the Pledge of Allegiance to the flag.

ATTENDANCE ROLL CALL

Present were Council Members Konkus, Titus, Johnson, and Buchheit. Also present were City Manager Cathcart, City Treasurer Hartman, City Secretary Gwynn, Police Chief Baylor and Assistant City Clerk Clifton.

Mayor Green expressed his condolences to Council Member Malinowski whose mother passed away. She was 98 years old. He also expressed condolences to Council Member Buchheit who recently lost a very close friend.

PRESENTATION AND RECOGNITION

Mayor Green and Vice Mayor Johnson presented a check in the amount of \$20,000, half the profit from the Mayor's Ball, to Becky Webb, the director of Fort Delaware. Ms. Webb read a thank you letter on behalf of the State of Delaware Parks and Recreation.

Mayor Green also recognized the Mayor's Ball committee members who assisted with the event. The committee was comprised of Lisa Webster, Judy Reynolds, Bonnie Hannas, Brenda Parker, Gerry Woods and Jill Snow.

Mayor Green and Vice Mayor Johnson presented the Mayor's Civic Award to Anthony Branda, branch manager of Wilmington Savings Fund Society.

Mayor Green informed the attendees of the Good Neighbor Award that he was going to present to Bill Bradley for finding and uncovering an old brick sidewalk that had been buried by dirt and grass in front of his neighbor's house on Front Street. Mr. Bradley was not in attendance.

Mayor Green presented a proclamation to Collin O'Mara, as he is leaving his position as Secretary of Environment and Energy for the State of Delaware and going to a new position as President and CEO of the National Wildlife Foundation. Secretary O'Mara thanked Mayor Green and said he loves Delaware City and all the work that has been done here over the last five years.

Mayor Green introduced Police Chief Baylor and asked him to come forward to assist with presenting the Mayor's Merit Award to Michelle Hartman, Judy Masishin and Dawn Gwynn. Chief Baylor explained the events that occurred on May 29, 2014 when an individual came into town hall carrying a large firearm, which appeared to be a rifle or shotgun. He was demanding to see a police officer and pointing the gun in an aggressive manner. 911 was notified while the chief spoke on the phone with the individual. He said the threat was real and there was an immediate response from numerous police agencies. The individual was apprehended without anyone getting hurt thanks to the tenacity and professionalism of the employees in the building that day. Prior to coming to the building, the individual did shoot a loved one of his. Even though the gun was later found to be a high-powered pellet rifle, the gunshot wound left the victim in the hospital for three or four days as the pellet penetrated the skin and came close to severing the spinal cord. The individual is still on custody. Chief Baylor commended the employees and said the City will be looking at some security

arrangements to keep the employees and residents, who come to town hall, safe. Mayor Green presented the awards.

ACTION UPON THE TREASURER'S REPORT

City Treasurer Hartman presented the May 2014 Treasurer's Report. *Council Member Titus made a motion to approve the May 2014 Treasurer's Report, subject to audit. Council Member Konkus 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 19, 2014 Mayor and Council meeting as written. Council Member Titus seconded the motion. No discussion occurred. A vote was taken, all ayes, motion carried.

POLICE REPORT

Chief Baylor reported the following:

- Updating the information on the suspicious white van that was reported last month, he said he doesn't believe there was a white van in Delaware City that caused an incident with any Delaware City children. He has investigated every white van he has seen in the City. Chief Baylor said the children in town are safe, but parents need to know where their children are and that they are supervised. He said if anyone sees any suspicious activity they should report it to the police.
- False alarms from home alarm systems continue to be a problem. The police are checking into which locations are generating false alarms. They will take action. Chief Baylor asked people who are going away to alert the police so they can respond accordingly.
- There have been a couple accidents, one involving a school bus. He asked people to exercise caution as school is out and children may be crossing streets, etc. The police gave a ticket to an individual who ran three stop signs on Washington Street.
- Hired a new police officer who is experienced. He is currently working at Delaware State University and will be starting in a couple weeks.
- Chief Baylor said he has been working with New Castle County and the State to see about having their officers and horses help with patrols. He is also working to get some undercover police officers to assist.
- There are some issues in Harbor Estates with people running stop signs. Need four-way stop signs at 7th Street and Warfel Drive. They are also looking at stop signs on the east side of Fifth Street, as many are old and need to be replaced. They will be working to make speed limit signs on Clinton Street more visible.
- Chief Baylor asked for input from the citizens regarding any concerns they may have.

CITY SOLICITOR'S REPORT

There was no City Solicitor's Report.

CITY MANAGER'S REPORT

City Manager Cathcart reported the following:

- Fort DuPont legislation passed the House of Representatives with no dissenting votes. The bill will be before the Senate Committee this Wednesday and goes to the Senate floor for a vote this Thursday.
- Spent last Wednesday afternoon in Legislative Hall fighting HB 81 which would have reduced the number of municipal employees from 25 to 3 as the minimum for police officers to enter into collective bargaining. The bill failed the Senate vote.
- Catholic Heart Work Camp group will be returning again this year to repair and improve homes of those that don't have the financial wherewithal to do the repairs. This year they will be doing 15 houses within Delaware City.

GENERAL MEETINGS

- Friends of the AUCC Board Meeting.
- Rivers Town Ride Committee Meeting.
- Delaware City Day Committee.
- Historical Preservation Commission.
- Catholic Heart Fund Raiser

PROJECT UPDATES

- Streets, Curbs, Sidewalks progress continues.
- Branch Canal Trail; progress continues on the first "lift".
- Community Center/Dragon Run Trail Master Plan; progress towards final draft.

Council Member Buchheit asked if the public could attend the General Assembly and make comments. He was told that the public can only comment during the public hearing which takes place on Wednesdays.

Council Member Konkus asked how it was decided which houses would be repaired by the Catholic Heart Work Camp. The reply was that the City works with the data base of residents who have been approved for senior/disability exemptions.

APPOINTMENTS, ANNOUNCEMENTS, COMMUNICATIONS

Mayor Green announced that he would not be making an appointment at this meeting, but there is a vacancy on the Planning Commission. Carol Schofield who has served on that commission for a number of years recently resigned, as she was moving from Delaware City. He said he is looking for people who would be interested in serving on that commission. Ms. Schofield's term expires in September 2016.

REPORTS OF COMMISSIONS, COMMITTEES AND ORGANIZATIONS

There were none.

OLD BUSINESS

FY15 Budget

City Manager Cathcart said this would be addressed under New Business with the Budget Resolutions. He said the budget they will be voting on is the budget that was discussed at the Budget Workshop.

Second Reading & Adoption – Ordinance 14-0519-01 Relating to Public Indecency

This was withdrawn.

NEW BUSINESS

Resolution 14-0616-01 Adoption of Assessment Roll & Tax Rate

Council Member Titus made a motion to accept Resolution 14-0616-01 Adoption of Assessment Roll and Tax Rate. Council Member Johnson seconded the motion. A roll call vote was taken, all ayes, motion carried.

Resolution 14-0616-02 Adopting Operating Budget

Council Member Buchheit made a motion to accept Resolution 14-0616-02 Adopting Operating Budget. Council Member Konkus seconded the motion. A roll call vote was taken, all ayes, motion carried.

Resolution 14-0616-03 Adopting Capital Budget

Council Member Johnson made a motion to accept Resolution 14-0616-03 Adopting Capital Budget. Council Member Titus seconded the motion. A roll call vote was taken, all ayes, motion carried.

Introduction and First Reading of Ordinance 14-0616-01 Relating to Establishing Business Licenses

Mayor Green reminded the Council there would not be a vote on this as it was only the Introduction and First Reading of the ordinance. City Manager Cathcart

said this is the business license that has been discussed at the last two or three meetings. The ordinance would establish a business license for Delaware City businesses at a fee of \$50 per year. It also establishes a business license for mobile businesses for a fee of \$150 per year and prohibits mobile vendors in districts C-1 and C-2. Discussion followed regarding the prohibition of mobile vendors from selling their products in the commercial district, but there are no exceptions, such as vendors selling in the commercial district on special event days such as Delaware City Day. City Manager Cathcart said that would probably be addressed in an addendum. Additional discussion followed.

Authorizing City Manager to enter into a Stormwater Management Inter-Jurisdictional Agreement with DelDOT and New Castle County

City Manager Cathcart reported this is an effort that has to do with stormwater management and its discharge into navigable waterways. He said he and Assistant City Clerk Clifton have been working on this for the past two years. The federal EPA has changed many regulations and Delaware City has joined with several small towns and New Castle County to submit an application to the feds. The draft application was submitted last month. Sometime before the next meeting, the City would need to sign this agreement. Council Member Titus asked if the additional cost to comply with the regulations had been determined. City Manager Cathcart said they are still trying to determine the full cost. *Council Member Buchheit made a motion authorizing the City Manager to enter into a Stormwater Management Inter-Jurisdictional Agreement with DelDOT and New Castle County. Council Member Konkus seconded the motion. A roll call vote was taken, all ayes, motion carried.*

Authorizing City Manager to enter into an Agreement with the Conservation District

City Manager Cathcart said this is another piece of stormwater management. NCC Conservation District has oversight of stormwater drainage and is really the agency that is most familiar with drainage and stormwater management. They can do things along the lines of testing, less expensively, by utilizing staff that is already in place. The scope of work has not been totally determined yet as the federal government is still working on the regs. He said it would be a challenge next year when the City does the budget and the City would probably need to go to the legislature to help fund this program. He said the cost could be \$30,000 to \$40,000. *Council Member Buchheit made a motion authorizing the City Manager to enter into an Agreement with the Conservation District. Council Member Johnson seconded the motion. A roll call vote was taken, all ayes, motion carried.*

MAYOR AND COUNCIL REPORTS

Council Member Konkus reported that she attended the dedication of the new Delaware City DMV. She said the facility is fabulous. She also reported that Delmarva is installing new light poles throughout the town. City Manager Cathcart said they do it on a case by case basis and they come to town hall for a permit.

Council Member Titus reported that she also attended the DMV dedication and agreed that it is wonderful. She added that Delaware City Kitty is underway to trap, spay/neuter and release cats. She thanked the volunteers. She said right now they are getting cats from private residences and taking them to be spayed/neutered.

Council Member Titus said she has seen signs in the beach area that say "Turtle Crossing". She asked Senator Poore if we could get some "Turtle Crossing" signs.

Council Member Buchheit, said the marina celebrated National Marina Day, with a visit of a 100' boat from Australia. There was a wine tasting aboard. He gave kudos to the marina for doing an outstanding job of bringing people into our town. He commended Main Street for the good job they do. They had movie night in the park with a nice turn out.

Council Member Buchheit said he and Dale Slotter adopted an eleven year old one-eyed cocker spaniel and spent two hours cleaning up doggie poo in the park. While there, he noticed the area along the wall by Baby Beach is caving in. City Manager Cathcart said he would look into it.

Council Member Buchheit said Delaware City needs a sign on southbound Route 1. He asked Senator Poore if she could get us a sign there.

He donated \$240 that was raised during a fundraiser at Crabby Dick's for Catholic Heart Work Camp. He also donated \$500 for Christmas lights and \$196 from the tips at Cordelia's which will go to the Playground Fund.

Council Member Johnson thanked everyone, on behalf of the Fire Company, for their well wishes.

Mayor Green thanked Senator Poore and Representative Longhurst for all they've done for the Fort DuPont Redevelopment. He said he met with residents to share information regarding the annexation of Fort DuPont.

CITIZEN COMMENTS

There were none.

ADJOURNMENT

It was moved and seconded to adjourn the meeting. A vote was taken, all ayes, motion carried. Meeting adjourned at 7:30 PM.

Respectfully submitted,
Dawn K. Gwynn
City Secretary