

*"A Historic Past"*



*"A Bright Future"*

**CITY OF DELAWARE CITY**

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**CITY OF DELAWARE CITY  
MAYOR AND COUNCIL RESCHEDULED MEETING  
FEBRUARY 2, 2015**

**CALL TO ORDER – PUBLIC HEARING**

The Honorable Mayor Green called to order the Mayor and Council meeting at 6:30 p.m.

**PLEDGE OF ALLEGIANCE**

Mayor Green led the Pledge of Allegiance to the Flag.

**ROLL CALL**

Present were The Honorable Mayor Green, Council Members Konkus, Titus, Johnson, Malinowski and Buchheit. City Manager Cathcart, City Treasurer Hartman, City Secretary Gwynn, and Police Chief Baylor were also in attendance.

**RECOGNITION**

Council Member Malinowski, on behalf of the Mayor and Council read and presented a proclamation to Chief of Police Baylor and his police force, as a show of support for the Delaware City Police Department and its sworn officers.

**ACTION UPON THE TREASURER'S REPORT**

Council Member Konkus questioned specific line items that were over budget on the financial report. Discussion followed. Council Member Johnson asked for an explanation of the large amount in excess of \$369,000 that was listed on the

adjustments. City Treasurer Hartman explained that these funds were from the Texaco Settlement. They had been invested and were earmarked for the branch canal trail work expenses. Now that those expenses are being paid, the City had to liquidate the funds and deposit them to the General Fund. Council Member Buchheit questioned various grant funds. City Treasurer Hartman said the only grants listed in the budget are the grants that had been approved when the budget was prepared.

*Council Member Buchheit made a motion to approve the December 2014 Treasurer's Report subject to audit. Council Member Johnson seconded the motion. A vote was taken, all ayes, motion carried.*

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

*Council Member Konkus made a motion to approve the minutes from the December 2014 Mayor and Council meeting. Council Member Titus seconded the motion. A vote was taken, all ayes, motion carried.*

### **POLICE REPORT**

Police Chief Baylor reported the statistics for the month of December, including two death investigations, two burglaries, one armed robbery, one drug possession and one drug/alcohol overdose. Chief Baylor reported that he has begun testing to fill the position for a third full-time police officer. The candidates will take a written test, physical agility test and be interviewed. After performing background checks, a decision will be made and the person selected will enter the New Castle County Police Academy, probably in April.

Discussion followed regarding the criminal activity that was reported. Chief Baylor said the statistics are pretty good for a town the size of Delaware City. He added that more calls are coming in to the police station as the phone are answered on a regular basis and phone messages are returned within 24 hours. He said the increased police presence will help deter crime.

### **CITY SOLICITOR'S REPORT**

There was no City Solicitor's Report.

### **CITY MANAGER'S REPORT**

City Manager Cathcart reported the following:

- Had a telephone conference call with Tim Kelly, US Army Corp of Engineers concerning the new Fifth Street Bridge.
  - Fifth Street Bridge has received its final funding and will move forward to final design and construction. Should have tentative

construction schedule within a few weeks. Will notify Mayor and Council when schedule is known.

- Doing a comprehensive review of "Employee Benefits" for recommendations to be discussed at the yet to be scheduled Budget Workshop. Looking at the benefits being provided by other municipalities.
- Reviewing all tax and water delinquencies to develop collection strategies which will include sheriff sale of properties. Will consult with City Solicitor for legal avenues for collection.
- Will be reviewing "Employee Handbook" for needed changes and modifications.
- Received a \$1000 donation from Pike Creek Running Club for the playground fund. Lewinsky's donated \$130 to the playground fund.

#### General Meetings

- Friends of the African Union Church Cemetery
- Fort DuPont Redevelopment and Preservation Board
- Planning Commission

#### Project Updates

- Branch Canal Trail: Stockpiling material for next lift.
- Washington Street Flood Mitigation: Design about 16% complete.
- Dragon Run Floodgate and Dike Restoration: In design.
- Fifth Street Bridge Replacement: In design.

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

Mayor Green recommended that Mike Hendry, 400 Clinton Street, be appointed to fill the open position on the Planning Commission. *Council Member Malinowski made a motion to accept the appointment of Mike Hendry to the Planning Commissioner. Council Member Buchheit seconded the motion. A roll call vote was taken, all ayes, motion carried.*

Mayor Green recommended the following people to be appointed as members of the Board of Elections: April DeBenedictis, 104 Clark Circle, as chairperson; Bonnie Hanna, 406 Hamilton Street; and Joseph Patterson, 901 William Street. He asked for motions.

*Council Member Johnson made a motion to accept the appointment of April DeBenedictis to the Board of Elections. Council Member Malinowski seconded the motion. A roll call vote was taken, all ayes, motion carried.*

*Council Member Malinowski made a motion to accept the appointment of Bonnie Hanna to the Board of Elections. Council Member Johnson seconded the motion. A roll call vote was taken, all ayes, motion carried.*

*Council Member Johnson made a motion to accept the appointment of Joseph Patterson to the Board of Elections. Council Member Titus seconded the motion. A roll call vote was taken, all ayes, motion carried.*

Mayor Green recommended the following people to be appointed as Election Officers: Virginia Monroe, 212 Adams Street, as Inspector; Jean Bonner, 203 Clinton Street; Connie Howard, 208 Washington Street; and Cynthia West, 217 Bayard Street. He asked for motions.

*Council Member Titus made a motion to accept the appointment of Virginia Monroe as an Election Officer, serving as Inspector. Council Member Malinowski seconded the motion. A roll call vote was taken, all ayes, motion carried.*

*Council Member Malinowski made a motion to accept the appointment of Jean Bonner as an Election Officer. Council Member Titus seconded the motion. A roll call vote was taken, all ayes, motion carried.*

*Council Member Johnson made a motion to accept the appointment of Connie Howard as an Election Officer. Council Member Malinowski seconded the motion. A roll call vote was taken, all ayes, motion carried.*

*Council Member Malinowski made a motion to accept the appointment of Cynthia West as an Election Officer. Council Member Johnson seconded the motion. A roll call vote was taken, all ayes, motion carried.*

Mayor Green recommended the appointment of Vice Mayor Paul Johnson as chairperson of the Delaware City Day Committee for 2015. *Council Member Konkus made a motion to accept the appointment of Vice Mayor Paul Johnson to chairperson of the Delaware City Day Committee. Council Member Titus seconded the motion. A roll call vote was taken, all ayes, motion carried.*

Mayor Green announced that the Mayor's Ball will be held February 28<sup>th</sup>. Tickets are on sale at this time.

Council Member Titus announced that there are still nine spots available for any cats to be spayed/neutered.

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

Delaware City Day Committee – Council Member Johnson reported that the committee will try to meet in February.

Delaware City Library – Librarian Josias Bartram reported that the City owns the building and provides it to the Library free of charge. The City of Delaware City is the second largest source of support after New Castle County. He gave an update on his one and a half years and librarian. Circulation of the collection has been growing rapidly. During the last quarter of 2014, 228 people attended adult

programs. He said the Library Board minutes are on file in the library for anyone interested in reviewing them.

### **OLD BUSINESS**

There was no old business.

### **NEW BUSINESS**

#### **Certification of the 3rd Quarter Supplemental Tax Assessment FY15**

*Council Member Konkus made a motion to certify the 3<sup>rd</sup> Quarter Supplemental Tax Assessment for Fiscal Year 15. Council Member Titus seconded the motion. A roll call vote was taken, all ayes, motion carried.*

#### **Audit FY14 – Vincent Barbone**

Vincent Barbone of Haggerty and Haggerty summarized the City audit for FY14. He said they issued an unmodified opinion for all levels of reporting which means they issued clean opinions. He highlighted various line items.

The General Fund has a surplus of \$603,000 as of 6/30/2014 versus \$530,000 the prior year. Of the \$603,000, \$500,000 was reserved in accordance with City ordinances and set aside for a rainy day fund. He said the City is in the best position than it has been in since 1998 when he first audited the City's financials. There were no significant findings. \$101,223 has been set aside for capital reserve in accordance with City ordinances. City Manager Cathcart explained that anything over \$500,000 in the budget reserves automatically goes to capital improvements, which is why there is \$101,223 in the capital reserve.

Looking at Operations, which is total revenues versus total expenses, the general fund had a surplus of \$73,000 which is less than the surplus of FY13 \$114,000.

Special Revenues include funding from other governments, such as the State, Federal and possibly the County. During FY13 the City brought in \$186,000. During FY14 the City brought in \$350,000.

The Water Fund Operations shows a deficit of \$44,197 which is less than previous years. This reduction in the deficit is due to the large amount of water that is being purchased by the Refinery.

Of the four outstanding findings from FY13, three have been resolved. Only one has not been resolved because Artesian Water converted to new software which had glitches. This indirectly affected the City. Overall is it a great report. He thanked the City for giving Haggerty and Haggerty the opportunity to perform the audit.

*Council Member Malinowski made a motion to accept the Audit Report. Council Member Konkus seconded the motion. A vote was taken, all ayes, motion carried.*

Introduction and First Reading of Ordinance 15-0126-01 Relating to Technical Corrections of Floodplain Ordinance 14-1117-01

City Manager Cathcart explained this is simply technical corrections and self-explanatory. He said there would be a more detailed explanation at the next meeting.

**COUNCIL COMMENTS**

Council Member Johnson reported that he gave administrative rights to the City's Facebook page to Mayor Green, Council Member Buchheit and Assistant City Clerk Clifton. He said everyone is doing a good job. He said if any other council members would like to have access, he would arrange it.

Council Member Johnson said he spoke to Mayor Green about recognizing children in town for their accomplishments such as making the honor roll. He said the Delaware City Day Committee would meet the second Tuesday of the month at Town Hall. He said he would need volunteers.

He reported that he had asked the Mayor to consider appointing a Playground Committee and a Holiday Committee. He said the Council needs to use some of the capital funds for the playground.

Council Member Buchheit reported that they will be hiring an additional 50 employees when Crabby Dick's reopens, probably in May. There is a job fair planned.

Council Member Titus – No report

Council Member Malinowski said he agreed with Council Member Johnson about forming a Playground Committee. City Manager Cathcart said there is about \$32,000 in the Playground Fund. Council Member Johnson said Seventh Street Park will cost six figures. Mayor Green said he would need to reach out to the community before he can make appointments.

Council Member Konkus thanked the City Staff for the good Audit Report.

**CITIZENS QUESTIONS AND COMMENTS**

Kate O'Donnell, 109 Washington Street, reported on the newly formed Delaware City Heritage Association. She thanked City Manager Cathcart and City Solicitor Walton for assisting with the formation of the organization. She said the officers

are Charles Schauber – President, Chris McKinley - Vice President, Kate O'Donnell - Secretary and Craig O'Donnell - Treasurer.

Helene Malgiero, 311 Monroe Street, reported that the police, lead by Chief Baylor, have continued the investigation and conviction of the people involved with the assault of her son. She thanked Chief Baylor.

She mentioned there was an article in the City News which stated that parking more than 12" from the curb would result in a ticket. Ms. Malgiero pointed out that with heavy rains some gutters are filled with water, causing residents to park farther from the curb. She asked the police to take the weather into consideration. Chief Baylor said he would make a note of the comment.

Ms. Malgiero said she is also in favor of the Council taking action to form a Playground Committee, as parks are badly needed.

Jeff Gordon, 93 Clinton Street, reported the American Birders Association is hosting the first regional birding conference. This has never been attempted before. There will be about 50 people attending from as far away as Williamsburg, Pittsburg, etc.

#### **NEW BUSINESS REVISITED**

*Council Member Johnson made a motion to revert to New Business. Council Member Malinowski seconded the motion. A vote was taken, all ayes, motion carried.*

*Council Member Johnson made a motion that a Playground Committee and Holiday Committee be appointed at the next Mayor and Council meeting. Council Member Titus seconded the motion. A vote was taken, all ayes, motion carried.*

#### **ADJOURNMENT**

*Council Member Johnson made a motion to adjourn the meeting. Council Member Titus seconded the motion. A vote was taken, all ayes, motion carried. The meeting was adjourned at 7:30 p. m.*

Respectfully submitted,  
*Dawn K. Gwynn*  
City Secretary