

"A Historic Past"



"A Bright Future"

CITY OF DELAWARE CITY
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Delaware City, Delaware 19706
302-834-4573

**CITY OF DELAWARE CITY
MAYOR AND COUNCIL REGULAR MEETING AND
PUBLIC HEARING
AUGUST 17, 2015**

CALL TO ORDER – PUBLIC HEARING

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

ORDINANCE 15-0720-01 RELATING TO FIREARMS

Mayor Green explained that the purpose of this ordinance is to amend Section 29-3 of the City Code and to add a new Section 29-4, regulating the possession of firearms, ammunition components of firearms, and explosives in municipal buildings and police stations in the City of Delaware City. He said the ordinance was proposed by the City Manager and Mayor and Council. City Manager Cathcart explained that the ordinance was written by City Solicitor Walton and had been adopted by many municipalities.

PUBLIC COMMENTS

Mayor Green asked for public questions and/or comments. There were no questions or comments.

RECESS PUBLIC HEARING

Mayor Green recessed the Public Hearing at 6:05 pm.

RECONVENE PUBLIC HEARING

Mayor Green reconvened the Public Hearing at 6:25 pm. The mayor asked for public questions and/or comments regarding Ordinance 15-0720-01, Relating to Firearms. There were no questions or comments.

ADJOURN PUBLIC HEARING

Mayor Green asked for a motion to adjourn the Public Hearing. *Council Member Konkus made a motion to adjourn the Public Hearing. Council Member Malinowski seconded the motion. A vote was taken, all ayes, motion carried.* The Public Hearing was adjourned at 6:30 pm.

CALL TO ORDER – MAYOR AND COUNCIL MEETING

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

PLEDGE OF ALLEGIANCE & MOMENT OF SILENCE

Mayor Green led the Pledge of Allegiance to the Flag.

ROLL CALL

Present were The Honorable Mayor Green, Council Members Konkus, Johnson, Malinowski and Barrett. City Manager Cathcart, City Treasurer Hartman, City Secretary Gwynn, Assistant City Clerk Clifton and, acting for Police Chief Baylor, Officer Wysock, were also in attendance.

ACTION UPON THE TREASURER’S REPORT

City Treasurer Hartman presented the Treasurer’s Report for July 2015 to the Mayor and Council. Council Member Konkus questioned the Maintenance & Repairs – Streets which was over by 146%. City Treasurer Hartman explained that the City had just received the Municipal Street Aid Funds and she would reallocate the expenses provided they met the necessary requirements. *Council Member Johnson made a motion to approve the July 2015 Treasurer’s Report, subject to audit. Council Member Konkus 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 July 20, 2015 meeting as written. Council Member Malinowski seconded the motion. A vote was taken, all ayes, motion carried.

POLICE REPORT

Officer Wysock reported the following activity for the month of July, on behalf of Chief Baylor who could not attend the meeting: 2 burglaries, 3 theft investigations, 1 criminal mischief complaint, 5 domestic violence reports, 5 canines roaming at large complaints, two drug arrests, 1 death investigation, 4 traffic accidents and 20 traffic violations. The police department gave away 31 bicycle helmets during the month.

CITY SOLICITOR'S REPORT

There was no report at City Solicitor Walton was not present.

CITY MANAGER'S REPORT

City Manager Cathcart reported the following:

- Met with Tom Wilkes, of Remington, Vernick and Beach Engineers, concerning the replacement of our water meters and application for a low interest loan from the State of Delaware and possible grant opportunities. There would be no cost to the homeowners.
- Conducted interviews for the vacant Administrative Assistant Position.
- Met with Tim Kelly, Jeff Randol and representatives from Senator Coons office concerning the transfer of the Branch Canal and associated properties. This has been an ongoing discussion with the Army Corps of Engineers. Will continue to report progress.
- Met with the Fort DuPont Standards group to discuss building standards for the re-development of Fort DuPont.
- Met with Kevin Donnelly, New Castle Conservation District, concerning the work on the storm water drainage ditch clean-out at the Mobile Home Park. The sludge was hauled away in dump trucks to wherever the contractor has a permit to dump.
- Attended the opening ceremonies of the Cumberland County Volunteer Fireman's Convention.
- Mr. Carden has 30 days to vacate the Jefferson Street paper street. He received the letter from the City a couple of weeks ago.

General Meetings

- Friends of the African Union Cemetery Board.
- Fort DuPont Corporation Board.
- Historic Preservation Commission.
- Board of Adjustment.
- River Towns Ride and Festival.
- Delaware City Day Committee.

Project Updates

- Branch Canal Trail: The third and final lift has been installed. Still hoping for a fall completion date which is now being driven by the bridge installation.
- Dragon Run Tide Gate and Dike Repairs: The contract has been awarded for the project and should start construction in September.
- Washington Street Flood Mitigation Project: Still working on re-design as a result of the poor soils testing.
- Fifth Street Bridge Replacement: This project could be pushed back to next November because of the steel shortage. There is currently a six months lead time for the steel. Should know more about this in the future.
- Nothing new to report on the referendum for the annexation of Fort DuPont. The City is waiting for the State of Delaware to request the annexation.

APPOINTMENTS, ANNOUNCEMENTS, COMMUNICATIONS

Mayor Green said he wanted to appoint Bonnie Hanna to fill the vacancy, due to Miqui Beaston's death, on the Historic Preservation Commission. Her term would end September 2017. *Council Member Johnson made a motion to appoint Bonnie Hanna to the Historic Preservation Commission for a terming ending September 2017. Council Member Malinowski seconded the motion. A roll call vote was taken, all ayes, motion carried.*

REPORTS OF COMMISSIONS, COMMITTEES AND ORGANIZATIONS

There were no reports.

OLD BUSINESS

Second Reading and Adoption – Ordinance 15-0720-01 Relating to Firearms, to Amend Section 29-3 of the City Code and to Add a New Section 29-4, Regulating the Possession of Firearms, Ammunition Components of Firearms, and Explosives in Municipal Buildings and Police Stations in the City of Delaware City.

Council Member Konkus made a motion to accept the second reading and adoption of Ordinance 15-0720-01, Relating to Firearms. Council Member Malinowski seconded the motion. Discussion followed regarding required signs. A roll call vote was taken, all ayes, motion carried.

NEW BUSINESS

Introduction and First Reading – Ordinance 15-0817-01 Relating to Storage of Recreational Vehicles

City Manager Cathcart said Ordinance 15-0817-01 would be tabled.

Resolution 15-0817-01 – Relating to the 2015 Hazard Mitigation Plan

City Manager Cathcart explained that FEMA requires all municipalities and counties to adopt a hazard mitigation plan. In addition to the obvious need for a plan for hazard mitigation, it assists the City of Delaware City to apply to FEMA for grants. Last year the City was very successful in being awarded a FEMA grant of almost one million dollars. FEMA allows municipalities to adopt the county's plan. This resolution adopts the New Castle County Hazard Mitigation Plan.

Council Member Johnson made a motion to accept Resolution 15-0817-01 – Relating to the 2015 Hazard Mitigation Plan. Council Member Barrett seconded the motion. There was no discussion. A roll call vote was taken, all ayes, motion carried.

Resolution 15-0817-02 Relating to Delaware Land and Water Conservation Trust Fund (DTF) 2015 Park Grant

City Manager Cathcart said DTF has opened a grant for parks. The City would like to apply for a grant to pay 50% of the cost of improving the Fourth Street and Seventh Street parks. In order to apply the Mayor and Council needs to pass a resolution to that effect. This grant would fulfill this requirement. *Council Member Barrett made a motion to accept Resolution 15-0817-02, Relating to Delaware Land and Water Conservation Trust Fund (DTF) 2015 Park Grant. Council Member Malinowski seconded the motion. There was no discussion. A roll call vote was taken, all ayes, motion carried.*

COUNCIL COMMENTS

Mayor Green reported that:

- He took photos of the games at the ball field and recognized the children on facebook.com.
- He performed the wedding of his daughter at the Presbyterian Church. He thanked Jill Snow and Pastor Bill Reed for allowing them to utilize the church.
- He conducted the opening ceremony for the Council of State Governments which was hosted by the State of Delaware at the Hotel DuPont.
- Mayor Green also gave opening remarks, at the request of the Delaware City Fire Company, for the Cumberland County Volunteer Fireman's Convention.

Council Member Barrett – No Report

Council Member Malinowski – No Report

Council Member Johnson reported :

- The Delaware City Fire Company, thanked the City for their hospitality and generosity for the Cumberland Valley convention and parade and for the porta-potties.
- He reported that the wrap-up meeting for Delaware City Day was delayed due to the fireman's convention, but will be held before the next Mayor and Council meeting. Mayor Green said Delaware City Day was a tremendous amount of work. He said he had a tremendous amount of respect for Council Member Konkus who, when she was chairperson, ran the event almost single handedly. He asked for volunteers for next year.

Council Member Konkus reported that:

- She met with the EPA regarding the baseline nutrients and oxygen studies of the river they have been doing. They currently have no baseline data.
- She reported that Governor Markel visited the marina and spoke with her husband and her.
- She said, as a former board member of the African Union Cemetery, she was able to get a \$10,000 donation for the cemetery with help from Valerie Longhurst.
- Council Member Konkus also reported that the 4th Annual Winter Coat & Clothes Exchange will take place at the Marina on October 3rd, from 10:00 – 2:00. She said she will have a flyer by the next meeting.
- Representative Longhurst asked Council Member Konkus to report that after holding the PAL 5K Run in Hockessin for the last seven years, the Christmas run will take place in Delaware City, with the date to be determined.

CITIZENS COMMENTS

Kerry Rhoades, 124 Clinton Street, asked if the 35 MPH speed limit sign would be reinstalled by the ball field, going out of town. Currently the speed limit is 35 coming into town, but 25 leaving town. Discussion followed. It was thought the chief had previously stated that, due to safety issues at the ball field, he would like to keep the speed limit at 25 MPH. City Manager Cathcart said he would check with Chief Baylor.

John Buchheit, 210 Clinton Street, reported as a member of the business community, that Jackie Nye, who owned and ran the Imaginary Place for the last 12 years, passed away. He said every year she would personally pay for an ad for the sidewalk sale. He said she loved Delaware City and he would like for the City to recognize Jackie Nye. The Honorable Mayor Green called for a moment of silence in memory of Jackie Nye.

ADJOURNMENT

Council Member Malinowski made a motion to adjourn the Mayor and Council Meeting. Council Member Johnson seconded the motion. A vote was taken, all ayes, motion carried. The meeting was adjourned at 6:55 p. m.

Respectfully submitted,

Dawn K. Gwynn

City Secretary