

“A Historic Past”



“A Bright Future”

CITY OF DELAWARE CITY
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**CITY OF DELAWARE CITY
REGULAR MAYOR AND COUNCIL MEETING
March 21, 2011**

CALL TO ORDER – MAYOR AND COUNCIL MEETING

The Honorable Mayor Martin called to order the regular meeting of the Mayor and Council at 7:40 p.m. Present were Council Members Barrett, Green, Parets and Graham. Also present were Interim City Manager/City Treasurer Walls, City Secretary Gwynn and City Solicitor Losco.

INVOCATION AND PLEDGE OF ALLEGIANCE

The Honorable Mayor Martin led a moment of reflection and the Pledge of Allegiance.

ACTION UPON THE TREASURER’S REPORT

City Treasurer Walls presented the February 2011 Treasurer’s Report and asked for questions from the Mayor and Council. Council Member Green commended the City for good budget control. Council questioned various line items. Council Member Green made a motion to approve the February 2011 Treasurer’s Report subject to audit. Council Member Graham seconded the motion. A vote was taken, all ayes, motion carried.

ACTION UPON THE MINUTES OF THE PREVIOUS MEETING

Mayor Martin corrected the date of the HPC meeting listed on page 6 of the minutes. Council Member Graham made a motion to approve the minutes of the February 28, 2011 Mayor and Council meeting with the noted correction. Council Member Green seconded the motion. A vote was taken, all ayes, motion carried.

POLICE REPORT

Police Chief Tjaden reported the statistics for the period from 2/29/2011 to 3/20/2011. There were a total of 63 arrests for the month. He reported that the Delaware City Fire Company worked very hard trying to save a baby who eventually died from SIDS. A suspicious person on Washington Street was arrested and the police confiscated bundles of heroin. Chief Tjaden reported that the \$10,000 grant from the American Heart and Lung Association was approved. He also reported the City is still in the que for the COPS grant. Chief Tjaden told about the fire at Lot #29 in the trailer park that totally destroyed the mobile home. He stated that the DCFC was great and that Sean Johnston and Steve Divirgilio from the Cutting Edge assisted. The Chief stated that he is still trying to get part time officers to fill in for Officer Filippone while he is in Afghanistan. The Chief is attempting to get part-time officers from New Castle who worked here as seasonal hires and would be familiar with the town.

Chief Tjaden reported that DEMA and the Delaware Division of Public Health will distribute potassium iodide tablets, free of charge, on Wednesday, April 6th from 1-7 pm at the Middletown Fire Company, 27 W. Green Street, Middletown.

Council congratulated the Chief for getting the American Heart and Lung Association grant. Discussion followed regarding domestic violence. Additional discussion occurred regarding the noisy motorcycles. Chief Tjaden said he would put the sign out, stating that the City prohibits loud motorcycles, when the ground dries out.

CITY SOLICITOR'S REPORT

City Solicitor Losco reported the following:

- The Robinson v. Filippone lawsuit has been voluntarily dismissed without prejudice. This was due to the fact that Police Chief Tjaden helped Mr. Robinson get a job. The plaintiff has the right to re-file the suit within the SOL period.
- Have collected just under \$9000 due to collection efforts against Dr. Burdick. The first judgment has almost been paid in full.
- Provided advice regarding a bankruptcy matter involving a resident with water and tax balances with the City.
- Provided assistance and advice to the Mayor concerning FOIA related issues.

Discussion followed regarding water related issues at the Delaware City Mobile Home Park.

CITY MANAGER'S REPORT

Interim City Manager Walls filed a written report and highlighted the following:

- Excavation work continues on the Canal Promenade Phase IV. The light fixtures are in place and powered up to 3rd Street. Pavers have been laid to the 2nd Street triangle.
- The RFP ad for the street repairs was placed in the News journal on Saturday, March 19th and Wednesday, March 23rd. A pre-bid meeting will be held on March 25th with the bid deadline being March 31st. There is a completion deadline of 90 days. The City will look at re-prioritizing the work list prior to the beginning of work.
- The last City News included articles about the Canal Promenade and the Canal Connector Project as there was some misinformation about the projects.
- Representatives from DNREC and Homeland Security performed our Community Assistance Visit on March 3rd. As part of their visit, they examined the files for every building permit issued in the 100 year flood plain since 2006 to make sure they met minimum FEMA standards. Assistant City Clerk Clifton did the prep work for this visit and it went very well.
- Received a funding request from the Delaware City Athletic Association.
- Reminded the Mayor and Council that the April meeting would be held on the 2nd Monday, 4/11/11. This portion of the meeting will be the organizational meeting and will be recessed. The Council needs to set a date for the continuation of this meeting anytime after 4/12/11. Discussion followed. It was determined that the meeting would be continued on 4/13/11.

APPOINTMENTS, ANNOUNCEMENTS AND COMMUNICATIONS

The Honorable Mayor Martin announced that there would be a program regarding the Harriet Tubman Underground Railroad Focus Group at the Delaware City Library on 3/28/11 from 7:00 to 8:00 pm. He encouraged people to attend.

He also reported that the "Meet the Candidates Night" would be held at the Delaware City Library on 3/23/11 at 7:00 pm.

CITIZEN'S COMMENTS

Beth Konkus, 302 Canal Street, asked the status of the search for a new City Manager. Mayor Martin said it would be reported during Reports of Committees, Commissions and Organizations. She asked if the City has a point of contact for the Salem Nuclear Plant. Council informed the attendees that there is a siren system that would be activated if a dangerous event should occur at the nuclear reactor. Interim City Manager Walls said DEMA controls the system. She said she would see if someone from DEMA could attend a future meeting to give information to interested citizens.

John Buchheit, 30 Clinton Street, suggested that the sign at the Little League field could be used to announce "Meet the Candidates Night" and election day.

Interim City Manager Walls informed Mr. Buchheit that the seawalls were scheduled to be removed 3/21/11, but the ground was too wet. They will be removed as soon as the ground is dry enough to drive trucks onto the park without doing damage. Mr. Buchheit said that he has attempted to contact Julie Johnston several times to offer to do a fundraiser for the Little League and to be on a fundraising committee, with no response from Ms. Johnston.

Julie Johnston, Little League Chairperson, said she had talked to Mr. Buchheit in the past and the fundraiser that was suggested by Mr. Buchheit, having families come to his restaurant and spend money, would not be feasible for most Little League families. Ms. Johnson reported that 80 kids have signed up so far. She said that a 13-15 year-old team was added this year. Ms. Johnston said the kids have been tagging (asking for donations) at Kmart and Wal-Mart every weekend.

John Buchheit, 30 Clinton Street, said he is not against the Little League or kids, but he thinks that if the government gives kids money at an early age to play Little League it's like saying you can count on the government for the rest of your life and kids need to know they have to work a little bit to get something. Mr. Buchheit said there are many other ways to raise money and he would be willing to assist with fundraising for the Little League.

REPORTS OF COMMISSIONS, COMMITTEES AND ORGANIZATIONS

New City Manager Search Committee- Mayor Martin said the committee recommended follow-up reference calls. He added that the #1 candidate would be invited to attend a Special Mayor and Council meeting on 3/30/11, when Council would go into executive session to conduct an interview to determine if they are interested in the candidate that was recommended. Discussion followed. A realistic time line is about 30 days until the new City Manager's start date.

Main Street – Mark Chura reported that the street planter guidelines were distributed to the committee and will be posted early in April. By the end of April, the committee will recommend the accepted bidder to the Mayor and Council. Mr. Chura also reported that the joint efforts of Main Street, DRBA, Fort Delaware and Salem County were successful last year in promoting the three forts ferry services. They are interested in working on this again this year; however, Salem County and DRBA are looking to Delaware for about \$5000 funding. Discussion followed regarding Fort Delaware and advertising. Mr. Chura asked for a letter of interest from the Mayor and Council and said he would contact the Greater Wilmington Visitor's Bureau. Council suggested they could try to prod the state into providing assistance.

Board of Health – Deborah Crabtree said the BOH did not meet as they did not have a quorum. She handed out the recommendations made previously. She reported that the next meeting would be held April 13, 2011. Discussion followed

regarding a conflict with the Mayor and Council meeting. Ms. Crabtree suggested meeting at 5:00 on 4/13/11.

Delaware City Day Committee – John Buchheit reported that they would like to have an art show in all three floors of Sterling’s and put the BINGO game in a tent outside. Discussion followed regarding property insurance and liability insurance. Interim City Manager Walls said she would inquire into the coverage that would be necessary to allow people to access all floors of the building. Discussion followed regarding parking problems, the expected closure of Monroe Street, and the amount of police coverage planned. Discussion followed regarding the jitney. Interim City Manager Walls said that when she contacted Burk’s, per the instructions of Council, they said they would not assess the jitney as it was not under warranty or purchased from them. Sean Johnston gave a \$200 estimate for the cost of repairs. Interim City Manager Walls stressed that it is a liability issue as the City has no vehicle to pull the jitney and that is the vehicle that would be insured. The Cutting Edge used their equipment previously to pull the jitney, but then their insurance company refused coverage. The City’s insurance company said it would be almost impossible to find a company to provide coverage. The City acquired the jitney originally when the State of Delaware eliminated it due to liability risk. Discussion followed. The Council reached a consensus that there is too much risk to allow the jitney to be used for Delaware City Day.

OLD BUSINESS

There was no Old Business.

NEW BUSINESS

NPDES Permit

The members of the Mayor and Council received a copy of the 2011 Annual Report NPDES Permit DE 0051071. The Honorable Mayor Martin asked for a motion to approve the annual report which states the City does all the things listed in the report, so the City would be in compliance. Council Member Barrett made a motion to approve the 2011 Annual NPDES Permit Report. Council Member Graham seconded the motion. A roll Call vote was taken, all ayes, motion carried.

Certification of the 4th Quarter Supplemental Assessment FY11

Council Member Parets made a motion to approve the 4th Quarter Supplemental Assessment FY11. Council Member Green seconded the motion. A roll call vote was taken, all ayes, motion carried.

Consideration of Donation to the Delaware City Athletic Association

The Honorable Martin stated that the DCAA is a worthwhile organization that helps the community by helping the City’s youth. He added that some of the

participating families can't support the organization and encouraged the Council to approve a donation. Council Member Parets made a motion to grant a \$1000 donation to the Delaware City Athletic Association for FY11. Council Member Barrett seconded the motion. Council stated that there are few things of greater value than a community's youth. They recognized the championship team and stated that they would like to show the children that the City cares. A roll call vote was taken, all ayes, motion carried.

COUNCIL COMMENTS

Council Member Green said he is not running for reelection due to conflicts with his work schedule, but that he appreciates working with his brothers and sister on Council and appreciates the confidence of the people. He added that he learned a great deal and thanked everyone.

ADJOURNMENT

Council Member Graham made a motion to adjourn the meeting. Council Member Barrett seconded the motion. A vote was taken, all ayes, motion passed. The meeting was adjourned at approximately 8:55 pm.

Respectfully submitted,

Dawn K. Gwynn
City Secretary