

*"A Historic Past"*



*"A Bright Future"*

**Mayor**

John P. Buchheit, III

**Vice Mayor**

Paul H. Johnson, Sr.

**Council Members**

Betty Barrett

Michael J. Doebley

Ronald R. Graham, II

Jennifer M. Sullivan

**THE CITY OF DELAWARE CITY**

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Phone: 302-834-4573 Fax: 302-832-5545

**City Manager**

Richard C. Cathcart

**Chief of Police**

Daniel A. Tjaden

**Interim City Solicitor**

Max B. Walton

**City Treasurer**

Dawn K. Gwynn

**City Secretary**

Michelle A. Hartman

**CITY OF DELAWARE CITY  
REGULAR MAYOR AND COUNCIL MEETING  
FEBRUARY 27, 2012**

**CALL TO ORDER – PUBLIC HEARING – 950 Fifth Street Delaware City Refining Company Subdivision**

The Honorable Mayor Buchheit called to order the Public Hearing at 7:00 pm. Those in attendance were The Honorable Mayor Buchheit, Council Members Barrett, Graham, Johnson, Sullivan and Doebley. City Manager Cathcart, City Treasurer Gwynn and City Secretary Hartman were also in attendance. City Manager Cathcart gave a brief overview of the subdivision of the property surrounding the ball field which is currently owned by Delaware City Refining Company. The property is the intended site for the Solar Array project, approximately 4.25 acres. At their last meeting the Planning Commission approved the subdivision. If the subdivision is also approved by Mayor and Council Delaware Refining Company has offered to donate the property to the City of Delaware City. Discussion followed. There were no public comments at this time. The Public Hearing was recessed at 7:06PM.

**CALL TO ORDER – BOARD OF APPEALS- 3<sup>rd</sup> Quarter Supplemental Assessment for FY12**

The Honorable Mayor Buchheit called to order the Board of Appeals for the 3<sup>rd</sup> Quarter Supplemental Assessment for FY12 at 7:06PM. Those in attendance were Council Members Barrett, Graham, Johnson, Sullivan and Doebley. Also in attendance were City Manager Cathcart, City Treasurer Gwynn and City Secretary Hartman. The Mayor asked if there was anyone present to appeal their property assessment. There were no responses. The Honorable Mayor Buchheit asked for a recess until such time as someone came forward to appeal their property assessment or until 9:00PM. The Board of Appeals was recessed at 7:07PM.

**CALL TO ORDER – MAYOR AND COUNCIL MEETING**

The Honorable Mayor Buchheit called to order the regular meeting of the Mayor and Council at 7:30PM. Present were Council Members Barrett, Graham, Johnson, Sullivan, and Doebley. Also present were City Manager Cathcart, City Treasurer Gwynn and City Secretary Hartman.

**INVOCATION AND PLEDGE OF ALLEGIANCE**

The Honorable Mayor Buchheit led the Pledge of Allegiance and a moment of silence.

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

Councilmember Sullivan made a motion to approve the minutes of the January 23, 2012 Mayor and Council meeting. Councilmember Doebley seconded the motion. A roll call vote was taken, all ayes, motion carried. Councilmember Sullivan made a motion to approve the minutes of the February 3, 2012 Special Mayor and Council meeting. Councilmember Johnson seconded the motion. A roll call vote was taken, all ayes, motion carried.

### **ACTION UPON THE TREASURER'S REPORT**

City Treasurer Gwynn presented the January, 2012 Treasurers Report. Discussion followed. Councilmember Johnson made a motion to approve the January, 2012 Treasurers Report subject to audit. Councilmember Sullivan seconded the motion. A roll call vote was taken, all ayes, motion carried.

### **POLICE REPORT**

In Police Chief Tjaden's absence Officer Dave Kerr reported the statistics for the period from 1/24/2012 – 02/24/2012. He also reported the following.

- Received our Humvee from LESO this vehicle is listed at \$38,000. The refinery is going to assist in painting and marking the vehicle. This vehicle will be equipped with cold weather gear, flotation devices for flooding, and a back board for injured patients and several other items for removal and evacuation issues.
- We also received a 30KW generator from LESO listed at \$75,000 and only have 7 hours on it. This generator will be used to restore power at town hall or the community center in any emergencies such as storms.
- We also received a sidewalk sweeper from LESO valued at \$25,000 with 700 hours on it. This will be used to clean the sidewalks, curb areas in the business district and the park area. This machine is limited to what it can do, because of its hopper capacity and brush type.
- Met with Police Athletic League Board about the Community Center.
- Met with an attorney in reference to the overtime issue.
- We will be co-hosting the National Take Back Program for unwanted and expired prescription drugs with the Delaware City Refining Co. This will take place April 28<sup>th</sup> from 10AM to 2PM in the Administration Building Parking lot at the refinery.

Discussion followed.

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

City Solicitor was not in attendance.

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

- Attended the League of Local Governments meeting in Dover.
- Meeting with Gail Wagner, Reedy Point Players to discuss Fire Marshall Issues in their space.
- Meeting with State Fire Marshall to conduct follow-up inspection of the Community Center. All citations have been corrected.
- Meeting with Duffy's Hope about bringing their programs to the Community Center. Programs focus on ages 8 to 17 and include an academic component, sports activities and classes on various "life" issues.
- Meeting with Shari Rockroth from the Partnership for the Delaware Estuary about the City hosting a workshop on the "Living Shorelines". The event would be a community oriented workshop for coastal communities addressing rising sea levels, erosion and

other important issues facing these communities. The event will be scheduled May 17<sup>th</sup> from 4:30 PM to 6:30 PM at the Community Room in the Community Center Library.

- Meeting with Rita Landgraf, the Secretary of Health and Social Services. We discussed the possibility of the department conducting a health services assessment for the Delaware City and surrounding area. The goal in mind would be to include a "Wellness" component to the current or future operation. This would provide more health related services being offered to the community at the Govern Bacon campus. We also discussed various issues and concerns about future operations at Governor Bacon under the re-development proposal of the Governor.
- Meeting with representatives from the US Highway Administration concerning the Sterling's building and the former grant restrictions.
- Meeting with the new Library Society President, Deb Sellers, concerning various issues and future cooperative relationships.
- Had dinner with Herman Seedorf, DC Refinery Manager and the Mayor to discuss various issues and to establish a clearer level of communication.
- Meeting with Tim Holly, from Connolly, Bove, Lodge and Hutz, concerning police overtime pay issues.
- Held conference call with Bill Leitzinger, Division of Public Health, about co-hosting with DCEC a Healthy Homes Event. This program provides an in depth inspection of homes to assess any household hazards. The first 80 DC residents that sign up for the assessment receive \$50 worth of household products. The event is scheduled for March 28<sup>th</sup> from 4:30 PM to 6:30 PM at Grassdale.
- On Saturday February 18<sup>th</sup> conducted a Capital Budget Workshop. Currently getting estimated cost of the projects. Another workshop will be held to review project priorities based on costs.
- Received final approval of the FEMA reimbursement for expenses incurred during hurricane Irene. We will receive \$11,283 of the \$15,045 qualifying expenses.
- Received a request for a contribution from the Delaware City Athletic Association. The donation operating budget line has been expended; therefore no budgeted funds are available to meet this request.
- Met with the Police Athletic League about possible programs at the Community Center. They have the funding and grant money to put the facility to good use.
- The Army Corps Engineers plan to close the Reedy Point Bridge for 6 months 24 hours a day starting in April thru November. There will be a public meeting March 8<sup>th</sup> at 7PM in the Community Room at the Library with the Army Corp Engineers.
- Back Tax Collection procedure previously was done in house by sending 90 day notices. Spoke with the City Solicitor and have since implemented a new process.
- Main Street will be moving into a small room at the Community Center March 1<sup>st</sup> and are negotiating to be Property Managers for the city.
- Discussion followed.

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

The Honorable Mayor Buchheit would like to appoint Preston Carden to the Planning Commission. Councilmember Barrett made a motion to approve the appointment of Preston Carden to the Planning Commission. Councilmember Graham seconded the motion. A roll call vote was taken, all ayes, motion carried.

The Honorable Mayor Buchheit is proud to announce the Mayors Ball was a huge success. We raised over \$37,000, clearing \$28,000 of which Fort Delaware State Park

will receive 50% and the remaining 50% will go towards the Delaware City Community Center.

### **CITIZEN'S QUESTIONS AND COMMENTS**

Ray Fruytier – 909 Fifth Street – Thinks it's a very good idea to change the name of the refinery to PFG & working with the News Journal. He would like to see Councilmember's that turned down the Police Consultant come up with some solutions to the help improve the police department.

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

Planning Commission – Carol Schofield – During the February meeting they voted to make recommendations to Mayor and Council in favor of rezoning the Branch Canal-Natural Area and going forward with the subdivision of 950 Fifth Street. They also worked on the current sign ordinance. The current ordinance does need critiquing not a complete overhaul. They plan to present one recommendation to Mayor and Council for approval once complete.

Main Street – Mark Chura – Following up on Sterling's property in looking thru all the materials relating to the Transportation Enhancement program grant. Its intent was to stabilize the exterior of the building. The project agreement is very short but very clear. The point is to be able to sell that you have to be able to maintain the intent of the grant. Next thing is there are two grants associated to the C&D Canal relating to the Sterling's one is for \$50,000 the other \$100,000 hopefully going out for bid this spring. We have 4 of the 12 planters adopted so far. They will be relocated around Clinton Street and planted for the year. They would like sometime in April to have a dedication ceremony. The rebranding program has one piece done this will be Main Streets logo. They are still working on details as for the logo for the town. They have put together a committee to put things together for council and residents input. Main Street has made a commitment to Delaware City to have a more full time presence. He has decided to resign from Delaware Greenways. They plan to use space in the Community Center. He is looking into different programs for the Community Center such Diabetes Programs thru the YMAC. Discussion Followed.

Board of Health – Jen Sullivan – There was no meeting held due to lack of quorum.

Delaware City Day Committee – Dick Cathcart – They are moving along with getting mailings to vendors ready, they've contracted the fireworks already. The next meeting will be held next Thursday at 6:00PM at Town Hall, encourage anyone interested in volunteering to attend.

### **OLD BUSINESS**

There was no new business to discuss.

### **NEW BUSINESS**

Introduction and First Reading of Ordinance 12-0227-01 relating to the Rezoning of the Branch Canal-Natural Area from R-3 to OS-BA. Discussion Followed.

950 Fifth Street – Delaware City Refining Company Subdivision for Solar Panels. Councilmember Doebley made a motion to approve the subdivision. Councilmember Sullivan seconded the motion. A roll call vote was taken, all ayes, motion carried.

**RECESS REGULAR MAYOR AND COUNCIL MEETING**

Honorable Mayor Buchheit recessed the Regular Mayor and Council Meeting to reconvene the Public Hearing and Board of Appeals.

**ADJOURN THE PUBLIC HEARING**

There were no further comments from Council or Citizens, Councilmember Sullivan made a motion to adjourn the Public Hearing at 9:08PM. Councilmember Doebley seconded the motion. A roll call vote was taken, all ayes, motion carried.

**RECONVENE BOARD OF APPEALS**

The Honorable Mayor Buchheit reconvened the Board of Appeals at 9:10PM for the purpose of determining if anyone was in attendance to appeal a property assessment. There were no appeals.

**ADJOURNMENT OF BOARD OF APPEALS**

Councilmember Doebley made a motion to adjourn the Board of Appeals. Councilmember Sullivan seconded the motion, a roll call vote was taken, all ayes, motion carried.

**RECONVENE MAYOR AND COUNCIL MEETING**

The Honorable Mayor Buchheit reconvened the Mayor and Council Meeting at 9:12PM.

**COUNCIL COMMENTS**

Councilmember Johnson made a motion if any overtime is to be paid to the police officers either monetary or compensation time. Councilmember Doebley seconded the motion. Discussion followed. Councilmember Johnson withdrew his motion to wait for legal response. Councilmember Doebley withdrew second.

**ADJOURNMENT**

Councilmember Barrett made a motion to adjourn the meeting. Councilmember Graham seconded the motion. A roll call vote was taken, all ayes, motion passed. The meeting was adjourned at approximately 9:20PM.

Respectfully submitted,  
*Michelle Hartman*  
City Secretary