

"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

407 Clinton Street – P.O. Box 4159

Delaware City, Delaware 19706

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

Michelle A. Hartman

City Secretary

Dawn K. Gwynn

**CITY OF DELAWARE CITY
REGULAR MAYOR AND COUNCIL MEETING
MARCH 19, 2012**

CALL TO ORDER – PUBLIC HEARING – Ordinance 12-0227-01 relating to the Rezoning of Branch Canal-Natural Area – from R3 to OS-BA

Vice Mayor Johnson called to order the Public Hearing at 7:00 pm. Those in attendance were Vice Mayor Johnson, Council Members Barrett, Graham, Sullivan and Doebley. City Manager Cathcart, City Treasurer Gwynn and City Secretary Hartman were also in attendance. There were no public comments at this time. The Public Hearing was recessed at 7:05PM.

CALL TO ORDER – MAYOR AND COUNCIL MEETING

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

INVOCATION AND PLEDGE OF ALLEGIANCE

Vice Mayor Johnson led the Pledge of Allegiance and a moment of silence.

NEW BUSINESS

Jen Bruhler the Assistant Director of Urban Forestry for The Delaware Center for Horticulture gave a brief update on the Delaware City Tree Sale. The goal was to sell 70 trees so far they have sold 50. The tree orders are due by March 30th and pick up will be at the Fire House on May 12th from 9:00AM – 12:00PM. There will be workshops held at 10:30AM for those who have never planted trees before to instruct them how to do so properly.

ACTION UPON THE MINUTES OF THE PREVIOUS MEETING

Councilmember Barrett made a motion to approve the minutes of the February 27, 2012 Regular Mayor and Council meeting. Councilmember Sullivan seconded the motion. A roll call vote was taken, all ayes, motion carried.

ACTION UPON THE TREASURER'S REPORT

City Treasurer Gwynn presented the February, 2012 Treasurers Report. Discussion followed. Councilmember Doebley made a motion to approve the February, 2012

Treasurers Report subject to audit. Councilmember Sullivan seconded the motion. A roll call vote was taken, all ayes, motion carried.

POLICE REPORT

Police Chief Tjaden reported the statistics for the period from 02/27/2012 – 03/25/2012. He also reported the following.

- Chief Tjaden met with Kallie from American Heart and Lung, to assist her in putting together a Motorcycle Poker Run ending at Crabby Dick's.
- Attending a Federally Graded Radiological Exercise on April 3rd and May 22nd.
- Working with PAL to look at obtaining workout equipment via LESO.
- Obtained 3 ATV's from LESO at Harrington Police Department.
- COPS Grant for Seasonal Officers is due this week, there are 6 departments up for this grant.

Discussion followed.

CITY SOLICITOR'S REPORT

City Solicitor was not in attendance.

CITY MANAGER'S REPORT

- Met with web designer for the City's new Web Page. This work is being performed free of charge through a State service offered through the League of local Governments
- On February 29th attended an all day "Wetlands" conference sponsored by DNREC.
- Met with representatives from the Delaware Center for Horticulture for a planning session for a grant request. The grant will focus on the Community Center demonstrative landscaping, community garden and educational events.
- Met with Mark Chura and a professional planner about the concept of restoration and establishment of a "Pocket Park" in that general area. (More on that below)
- Met with Bob Ehemann of DNREC and Mark Chura concerning the leveraging of other grant funds with available funding through DNREC to assist in the creation of a park at the Community Center. The meeting included a tour of the Community Center site.
- Met with Terri Schemlegelow, Field Director for HUD and the Mayor to discuss issues and needs for Delaware City.
- On March 7th a briefing was held to update the staffs of the Delaware congressional delegation on the status of the Branch Canal Trail project.
- Attended a dinner sponsored by the Fort Delaware/Fort DuPont Parks group in reference to starting a "Friends Group".
- On March 8th, I facilitated the meeting with the Army Corp of Engineers and staff members from all three congressional offices. The meeting was held to give the business community and other residents an opportunity to voice their concerns about the closing of the Reedy Point Bridge.
- On March 14th attended a Flood Workshop sponsored by NCC Emergency Management Agency.
- On March 15th attended the "Pre-bid Meeting" for the Delaware/Chesapeake City Canal Trail project. The bids for this project are due the middle of April.
- Met with Herman Seedorf, Delaware City Refinery, to walk the site for an expansion of the municipal parking lot and the Stouffer Slip area and Baby Beach areas.
- Attended the fundraiser for the Friends of the African Union Church Cemetery. Funds will be used to restore the cemetery along the new Branch Canal Trail.

UPDATES:

- The Branch Canal Trail project will be released for bid within the next 10 days with a bid opening date towards the end of April. Construction is anticipated to start in late May with completion projected in December or January. Some work has been started along the eastern property line with the clean-up and fence installation along this property line.
- Expansion of the municipal parking lot was discussed with the refinery plant manager, Herman Seedorf, as part of the site visit. The refineries staff will now do some research to determine the actual property line and resolve some ownership questions. However, in general they will provide land for the expansion absent of any property ownership issues.
- The cooperative partnership grant request with the Delaware Center for Horticulture was submitted March 15th requesting \$45, 986 with a 25% in-kind match. Briefly the project includes the creation of a community garden featuring raised planting beds with water and electric available at the beds. There will also be a native plant demonstration garden which will result in the re-landscaping of the Community Center with native plants. This also includes the removal of trees planted against the building that has caused damage in recent years. The project will include the planting of 61 trees, 50 shrubs and 700 perennials. The project will be managed by a decision making team consisting of the City Manager, a Council Member, a member of Main Street, a Delaware City Environmental Coalition member, a member of the DCH and two community members. The DCH will facilitate the expansion of this group with subgroups that will carry out the implementation of the overall plan.
- The Police Athletic League Board has approved the conceptual plan to expand their program to the Delaware City Community Center. The Board instructed the Executive Director to present a final budget to be approved at the April Board meeting. There was a contractor in the gym area this past Thursday to look at the floor for a price to refinish and re-line the floor.
- The Day Care operation was shutdown on March 8th as a result of the Department of Services for Children, Youth and Their Families suspending the license of the Children's Garden Day Care Center. DSCYF has indicated in a letter that they have no intention to re-license the operator in the future. There were also violations cited by the Fire Marshalls office that contributed to the problems at the center. I have sent notice to the operator that she must vacate the premises by March 31st. I have forward our City Solicitor a request to collect the \$6,000 back rent from the operator.
- The tentative agreement with the Army Corp of Engineers as of this morning is as follows:
 - They have agreed to keep the bridge open on weekends starting at 3:00 PM on Friday through midnight Sunday with the following exceptions: There will be a 19 day closure starting Monday, July 23rd through Friday, August 10th. Therefore, the weekend of July 27th and weekend of August 3rd will be closed to traffic.
 - There will also be a two weekend closure sometime after the Labor Day weekend.
 - There will be some weekends where there is only one lane opened. However, there will be traffic light control with very short delays at the crest of the bridge.
- Met with Dawn Gwynn about her position as City Clerk/Treasurer. As she is concerned about caring for her mother. I've decided to promote Michelle Hartman to that position and Dawn will go back to being the Administrative Assistant.

- Concerning the April 9th Mayor and Council Meeting following the elections. State law states that any new councilmember elected at the April 3rd election cannot be sworn in for a minimum of seven days, which would be April 10th. Typically in the past the regular meeting is brought to order then runs thru the Treasurers Report, and is then recessed until the following night.

Discussion followed.

APPOINTMENTS, ANNOUNCEMENTS AND COMMUNICATIONS

Vice Mayor Johnson would like to appoint Michelle Hartman to the City Treasurer Position and Dawn Gwynn to the City Secretary Position.

CITIZEN'S QUESTIONS AND COMMENTS

Ray Fruytier – 909 Fifth Street – He asked for an update on the Police Boat that is to be loaned to Philadelphia Police Department.

Kathy Walls – 220 Franklin Street – Wanted an update on the CRS (Community Rating System) Application the City started the process about a year ago. They were at the end of the application process when she left the City. This benefits residents that live in the flood zone. Also is there a time frame which the trees planted on the promenade will be moved?

Khayree Bey – 203 Polktown Place – Is concerned about the sexual predators housed at Governor Bacon and the rehab facility. Recently a patient of the rehab facility knocked on their door late at night asking to use the phone. They contacted the police to file a report but never received a copy. He would like to know the security measures taken by Governor Bacon & the Rehab Center to ensure the residents safety.

John Martin – 212 Washington Street – He thinks policing is a very important issue that council needs to address now. The Pilot Program came about when discussions began about annexing the refinery, to bolster our police department. The Reedy Point Players are concerned they are being pushed out of the Community Center.

Debra Martin – 212 Washington Street – As you are discussing the expansion of the parking lot the drainage basin needs repaired before we expand the lot. The main basin is backed up and is mosquito heaven. They need to be cleaned out and possibly the water treated.

REPORTS OF COMMISSIONS, COMMITTEES AND ORGANIZATIONS

Main Street – Mark Chura – He is unaware of any reason the Reedy Point Players would feel as if anyone is trying to get them out of the Community Center. Hoped to have an update on the re-branding but unfortunately the consultant works nationally but he has promised to have something in a timely fashion. They now have six out of the twelve planters adopted. The planters will be hopefully moved by the end of this month. Main Street is responsible for the plantings and maintenance of the planters. There were monies granted by USDA for sidewalk replacement around Sterling's and to be sure the equipment was in place for the C&D Trail Project. Main Street is working with the refinery on plans for Baby Beach and Stouffer Slip which is currently owned by the refinery, which they are waiting for them to sign off on. Main Street is looking to clean out that area. Also some of the funds from the Penalty Fund Grant they applied for in partnership with The Delaware Center for Horticulture are for planting, hope to use that there as well. They also are looking into the feasibility of putting a canoe/kayak launch

in as well. The main part of the grant is to install an observation platform behind Wisowaty's property. Main Street is looking into having a Community Farmers Market in June at the Community Center, Draw Bridge Market. For residents to be able to purchase fresh fruit and vegetables, etc. Discussion Followed.

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

HPC – Debra Martin – The HPC met March 6th. They considered and passed one case located in the voluntary compliance area of the historic district for window replacement. They also voted to adopt guidelines for the consideration of solar panels in the historic district. The guidelines will be available in Town Hall for distribution on request and hopefully on the website. The Commissioners were also all asked to participate in an online survey for the formulation of the State of Delaware's next five year plan for historic preservation for the state. Commissioners were reminded of upcoming training on preservation law at Del-State University on March 28th. They also discussed various ideas for next years CLG Grant opportunity. They discussed and decided to pursue a historic study of the Lock, a documentary search. The study is in preparation for future consideration of a conditions assessment and eventual rehabilitation plan. The amount offered by the state is \$5,000 which will require a \$2,000 match from the City. There is no budget for a cash match so they are looking into partners or in kind matches. The HPC would hope the Mayor and Council would take that in consideration when doing the draft budget. The deadline for the grant application is April 15th. Discussion followed.

Delaware City Athletic Association – Julie Johnston – They submitted a letter last month requesting a donation from the City. The books were requested she has copies of the last three years since she took over. They are in need of dirt on the field and any funds to help with uniforms. This year they have 2 – 10 & under teams, 2 – 12 & under teams and 1 – 15 & under team, no T-Ball this year due to low sign ups. There is a \$50 fee but if they cannot afford it they are not turned away. Discussion followed.

NEW BUSINESS (CONTINUED)

NPDES Annual Report – City Manager Cathcart gave a brief description of the report there is no action required just notification purposes.

Councilmember Barrett made a motion to make a \$1,000 donation to the Delaware City Athletic Association. Councilmember Graham seconded the motion. Discussion followed. A roll call vote was taken, all ayes, motion carried.

Councilmember Sullivan made a motion to have the City Solicitor attend Mayor and Council meetings annually. Councilmember Doebley seconded the motion. Discussion followed. Councilmember Sullivan withdrew the motion. Councilmember Doebley withdrew his second.

Councilmember Sullivan made a motion to have the City Solicitor attend Mayor and Council meetings quarterly. Councilmember Barrett seconded the motion. A roll call vote was taken, all ayes, motion carried.

Councilmember Graham made a motion to address the use of the Pilot Program funds at the next fiscal years budget to hire an additional officer. Councilmember Barrett seconded the motion. A roll call vote was taken, all ayes, motion carried.

Councilmember Doebley made a motion to approve the appointment of Michelle Hartman to the City Treasurers position. Councilmember Graham seconded the motion. A roll call vote was taken, all ayes, motion carried.

Councilmember Graham made a motion to approve the appointment of Dawn Gwynn to the City Secretary position. Councilmember Sullivan seconded the motion. A roll call vote was taken, all ayes, motion carried.

RECESS REGULAR MAYOR AND COUNCIL MEETING

Vice Mayor Johnson recessed the Regular Mayor and Council Meeting to reconvene the Public Hearing.

OLD BUSINESS

Second Reading and adoption of Ordinance 12-0227-01 relating to the Rezoning of the Branch Canal-Natural Area from R-3 to OS-BA. Councilmember Graham made a motion to adopt Ordinance 12-0227-01. Councilmember Sullivan seconded the motion. A roll vote was taken, all ayes, motion carried.

ADJOURN THE PUBLIC HEARING

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

RECONVENE MAYOR AND COUNCIL MEETING

Vice Mayor Johnson reconvened the Mayor and Council Meeting at 9:10PM.

COUNCIL COMMENTS

Councilmember Doebley referenced the work being done on the Charter. Hopefully by the next Council meeting The Charter Review Committee will have finished what they've been working on for almost a year. There are no major changes and there will be a Public Hearing held. He encourages everyone to take a look at it. Councilmember Doebley would like to publically thank Deb Sellers for all the editing work she has put into this.

Vice Mayor Johnson wants to remind everyone that April 3rd is the next Town Municipal Election at the Community Center in the Motiva Room from 12:00-8:00PM. There are 3 seats up for election this year, himself, Councilmember Graham and Councilmember Barrett. There are 5 people running, all 3 incumbents, Megan Titus and Stan Green. Vice Mayor Johnson wishes everyone good luck and invites everyone to attend "Meet the Candidates" on March 27th.

ADJOURNMENT

Councilmember Barrett made a motion to adjourn the meeting. Councilmember Sullivan seconded the motion. A vote was taken, all ayes, motion passed. The meeting was adjourned at approximately 9:10PM.

Respectfully submitted,
Michelle Hartman
City Secretary