

"A Historic Past"



"A Bright Future"

CITY OF DELAWARE CITY
407 Clinton Street - P.O. Box 4159
Delaware City, Delaware 19706
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**CITY OF DELAWARE CITY
PUBLIC HEARING &
MAYOR AND COUNCIL MEETING
December 16, 2013**

CALL TO ORDER – PUBLIC HEARING

The Honorable Mayor Green called to order the Public Hearing at 6:00 PM.

ROLL CALL

Present were Council Members Barrett, Titus, Johnson, and Buchheit. Also present were City Manager Cathcart, City Secretary Gwynn, City Treasurer Hartman, Police Chief Tjaden and City Solicitor Walton.

415 CLINTON STREET – JASON & KIMBERLY HUTT/WHITTAKER BROTHERS – SUBDIVISION OF ONE (1) LOT – 208' X 81' INTO TWO (2) LOTS – Lot #1- 112' x 81' and Lot #2- 96' x 81'

Mayor Green asked if anyone present was interested in speaking about this subdivision. No one was there to make a comment.

RECESS PUBLIC HEARING

Mayor Green asked for a motion to recess the public hearing until such time as someone came forward to speak on the subdivision. *Council Member Barrett made a motion to recess the Public Hearing. Council Member Titus seconded the motion. A vote was taken, all ayes, motion carried.* Public Hearing was recessed at 6:05 PM.

RECONVENE PUBLIC HEARING

Mayor Green reconvened the Public Hearing at 6:28 PM. He asked is anyone was present to speak about the subdivision of 415 Clinton Street. As there was no one present regarding the subdivision, Mayor Green asked for a motion to adjourn the Public Hearing.

ADJOURN PUBLIC HEARING

Council Member Johnson made a motion to adjourn the public hearing. Council Member Titus seconded the motion. A roll call vote was taken and passed unanimously. Council Member Green adjourned the Public Hearing 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

Mayor Green led the Pledge of Allegiance to the flag.

ATTENDANCE ROLL CALL

Present were Council Members Barrett, Titus, Johnson, and Buchheit. Also present were City Manager Cathcart, City Treasurer Hartman, City Secretary Gwynn, Police Chief Tjaden and City Solicitor Walton.

PROCLAMATION FOR LOCAL WORLD WAR II VETERANS

Mayor Green read and presented a copy of a Proclamation for World War II Veterans, proclaiming thanks, admiration and respect, to William Miller, Walter Comegys, Charles Walton (posthumously) and Frank Hughto (posthumously). Mr. Walton's and Mr. Hughto's families received the proclamation on the veterans' behalf.

OLD BUSINESS

KEVIN DONNELLY - DRAGON RUN FLOOD MITIGATION UPDATE

Kevin Donnelly from New Castle County Soil Conservation and engineers from Pennoni Associates, Inc. made a presentation explaining the status of the Tide Gates on Dragon Run. They reviewed the work to be done at the cost of approximately \$500,000. Senator Poore and Representative Longhurst said they are totally in favor of this project and have heard no negative feedback from any government entities. Discussion followed.

AUDIT FY13

Auditor Vince Barbone from Haggerty and Haggerty presented the audit for the City of Delaware City for the year ended June 30, 2013. He said it was a good audit and that they had issued "unmodified" opinions. The term "unmodified" replaced the previous term "unqualified", which means the City had a clean audit. Mr. Barbone pointed out that there was general fund surplus of \$113,686. He said FY13 was one of the better years in a long time as far as generating surpluses.

Mr. Barbone reminded the Mayor and Council that about a year ago they adopted an ordinance establishing a budget reserve fund and a capital reserve fund. As of the end of June 2013, the City has almost reached the \$500,000 ceiling in the budget reserve and put aside \$51,125 in the capital reserve. He said if the City has the same level of activity in FY2014, the City would have achieved its objectives stated in the ordinance adopted last year.

Mr. Barbone explained there were some findings and that they made some recommendations which have already been corrected by the City. He said the findings were not significant enough to change the unmodified opinion. He said this was one of the better reports and commended the staff, management and Council.

Council Member Barrett made a motion to approve the FY2013 Audit. Council Member Titus seconded the motion. A roll call vote was taken, all ayes, motion carried.

ACTION UPON THE TREASURER'S REPORT

Council Member Buchheit made a motion to approve the November 2013 Treasurer's Report, subject to audit. Council Member Titus seconded the motion. No discussion occurred. A vote was taken, all ayes, motion carried.

ACTION UPON THE MINUTES OF THE PREVIOUS MEETING

Council Member Titus made a motion to approve the minutes of the November 18, 2013 meeting as written. Council Member Buchheit seconded the motion. No discussion occurred. A vote was taken, all ayes, motion carried.

POLICE REPORT

Chief Tjaden reported the police activity statistics for the period from 11/16/2013 through 12/15/2013, with a total of 40 arrests: 20 criminal arrests, 18 traffic arrests and 2 drug arrests. He also reported the following:

- Obtained warrants for a burglary that was committed last month on Adams Street. While looking for the suspect in the New Castle area, found

suspect and his girlfriend breaking into a house. They were arrested and are currently in Gander Hill.

- Received reports of two daytime attempted burglaries. No entry was made and police have a suspect.
- Apprehended a suspect in a daytime burglary which cleared one of the above listed attempts.
- All radios have been purchased and installed in the police cars with funds from the Port Security Grant. The Grant is now closed.
- Escorted 97 motorcycles on Saturday, December 7th from the Memorial Bridge to A. I. DuPont Hospital for Children.
- Escorted, with Mayor Green, state troopers and Blue Knights, the Wreaths Across America, which consisted of about 9 tractor trailers that were traveling from Connecticut to Arlington Cemetery. They contained wreaths to be placed on the soldiers' graves.

CITY SOLICITOR'S REPORT

City Solicitor Walton reported the following:

- Performed and worked on, with the City Manager, a pair of zoning issues which have now been resolved.
- Worked on application for Delaware City Day.
- Presided with the Chair of the Board of Adjustment in assisting in two Board of Adjustment hearings.
- Prepared the ordinance that is on this meeting's agenda.
- Will be accompanying the Mayor and City Manager tomorrow to Fort Monroe to assist with the Fort DuPont project.

CITY MANAGER'S REPORT

City Manager Cathcart reported the following:

- Contract for Street, sidewalk and Gutter rehabilitation has been awarded to Eastern State and will begin as weather permits.
- Held the final meeting to finalize the Delaware City Hazard Mitigation and Climate Adaptation Action Plan. Report should be available to the public within the next few weeks.
- Had a meeting with John Gysling and George Haggerty concerning how New Castle County will be treating the review of permits for projects within the flood plain.
- Met with Berry Refrigeration concerning the new control system in the Community Center. Also discussed the condition of the four rooftop units that will all need replacing within the next four years.

- Met with Vince Barbone for our official audit review. Audit report will be presented tonight, however, overall we had a good audit. We also ended the year with a significant budget surplus.
- Delaware City Day Annual Silent Auction set a new fund raising record with \$2,900 raised. Thanks to Beth Konkus, John Buchheit, Dale Slotter, Stan Green and Kate Cieslak for their work on this.
- The Mayor, City Solicitor and I will be traveling to Fort Monroe this Tuesday and Wednesday to meet with individuals that were instrumental in the re-development of the Fort. Will introduce legislation in January 2013, which will determine how the Fort DuPont redevelopment will be governed. There are only three parties involved in this process and the City is one. City Solicitor Walton said he is very excited about this project. He has done a lot of research on redevelopment authorities. He said Delaware City residents should know that DNREC and the planners have a great plan and the City Manager should be commended for being a key part of this project.

General Meetings

- African Union Cemetery Friends
- Mayors Ball Committee
- Historical Preservation Commission

Project Updates:

- Branch Canal Trail: Progressing as expected.
- Street, sidewalks and curbs: Just awarded, starting as weather permits.
- Community Center Master Plan: Identifying stakeholders and steering committee members.
- Clinton Street Sidewalk and Plaza: 90% complete.
- Fort DuPont Redevelopment: Visiting Fort Monroe with state officials December 17 and 18, 2013.

MAYOR AND COUNCIL REPORTS

Council Member Buchheit reported the following:

- The holiday parade was postponed until December 21st at 6:00. Participants can meet at Kathy's Crab House.
- Volunteers for Annabelle's Toy Run will be distributing toys starting at 11:00 AM on Christmas Eve. Anyone knowing of children in need of toys should contact Council Member Buchheit or Town Hall.
- The trees in the park were donated again this year by the McCarthy Christmas Tree Farm. All trees have been adopted and decorated.
- Questioned trash cans that are being left out by some businesses on Clinton Street after the trash has been picked up. City Manager Cathcart said he would look into it.
- Attended HPC meeting last month where HPC was acting in an advisory capacity because the historic home was not in the commercial district. Suggested that HPC be give more authority to protect historic homes. Discussion followed. City Manager Cathcart suggested that HPC could be charged to review that section of the Code and make recommendations to the Mayor and Council. Council agreed that would be a good idea.
- Mayor Green will be judging the "Best House Contest" for the holidays. Prizes are: 1st - \$250 gift card for Crabby Dick's, 2nd - \$100 gift card for Crabby Dick's, and 3rd - \$50 gift card for Cordelia's.

Mayor Green reported the following:

- Attended the Senior Center, PAL meeting, Delaware City Fire Company meeting, and Breakfast with Santa at the DCFC.
- Held meeting for the Mayor's Ball Committee.
- Was moved by the patriotism displayed by the crowds lining the route of the Wreaths Across America escort.
- Thanked folks for decorating trees downtown.
- Thanked Senator Poore and Representative Longhurst for being here for this meeting and for the work they have done in relation to the flood mitigation.

APPOINTMENTS, ANNOUNCEMENTS, COMMUNICATIONS

Mayor Green said he would like to appoint David Turley to the Historic Preservation Commissioner. The appointment will be for a three-year period of time from 2013 to 2016. *Council Member Buchheit made a motion to appoint David Turley to the Historic Preservation Commission. Council Member Titus seconded the motion. A roll call vote was taken, all ayes, motion carried.*

REPORTS OF COMMISSIONS, COMMITTEES AND ORGANIZATIONS

Delaware City Day – City Manager Cathcart reported that the annual silent auction that was held on Saturday, December 14th raised \$2900 for Delaware City Day, which set a record. He thanked members of the committee who worked hard to make this a success.

Third Annual Mayor's Ball Committee – Lisa Webster said the ball will take place on March 8, 2014. She gave an update of work that has been completed on the invitations, website, solicitation correspondence, the logo, sponsorship order form, and tickets. Ms. Webster said they are hoping to get the tickets ordered within the week.

Delaware City Library – Librarian Josias Bartram reported that the library has an intern working on gathering and cataloging a local history collection. They will be putting out a call to the community for local history information, photos, etc.

He said the Job Center Program will be expanded by the State into a new direction to bring new technology and training to the community.

The Library is working to build virtual reference so that even if the Library is closed, questions can be asked and answered on Facebook or the internet.

NEW BUSINESS

415 CLINTON STREET – JASON HUTT/KEVIN WHITTAKER – SUBDIVISION 1 LOT – 208'X81' INTO 2 LOTS – LOT #1 – 112'X81' AND LOT #2 – 96'X81'

City Manager Cathcart said this subdivision has been through all the appropriate commissions and was approved unanimously. *Council Member Buchheit made a motion to approve the subdivision of 415 Clinton Street. Council Member Titus seconded the motion. A roll call vote was taken, all ayes, motion carried.*

INTRODUCTION AND FIRST READING – ORDINANCE 13-1216-01 RELATING TO ESTABLISHING A PROCEDURE TO ENABLE THE TRAPPING, NEUTERING AND RETURN OF ABANDONED, STRAY, LOST OR FERAL CATS IN THE CITY

Council Member Titus explained the ordinance. She said there have been problems in the past with feral cats in the city. When a City traps, neuters and returns cats into the community, the cats will maintain their levels and will reduce their numbers over time. She said she is going to apply for a PetSmart Charities grant. She will be looking for volunteers to assist with sponsoring traps and trapping and transporting cats. City Solicitor Walton said that when the ordinance was formatted from his computer, the letters for the sections were left off. He said the final version that will be voted on at the next Mayor and Council meeting will be correctly lettered. Discussion occurred regarding the City's liability if a cat were to bite a cat handler.

Council Member Buchheit made a motion for the introduction and first reading of Ordinance 13-1216-01, Relating to Establishing a Procedure to Enable the Trapping, Neutering and Return of Abandoned, Stray, Lost or Feral Cats in the City. Council Member Johnson seconded the motion. A vote was taken, all ayes, motion carried.

CITIZEN COMMENTS

There were no citizens' comments.

ADJOURNMENT

Council Member Buchheit made a motion to adjourn the Mayor and Council Meeting. Council Member Johnson seconded the motion. A vote was taken, all ayes, motion carried. Meeting adjourned at 8:10 PM.

Respectfully submitted,
Dawn K. Gwynn
City Secretary