

*"A Historic Past"*



*"A Bright Future"*

CITY OF DELAWARE CITY  
407 Clinton Street - P.O. Box 4159  
Delaware City, Delaware 19706  
302-834-4573

**MINUTES  
CITY OF DELAWARE CITY  
MAYOR AND COUNCIL MEETING  
MONTHLY MEETING  
Monday, February 17, 2020 at 6:30 p.m.  
DELAWARE CITY FIRE COMPANY  
815 FIFTH STREET**

**CALL TO ORDER**

Mayor Johnson called the February 17, 2020 meeting to order at 6:30 p.m.

**PLEDGE OF ALLEGIANCE**

Mayor Johnson led the Pledge of Allegiance

**ROLL CALL**

In addition to Mayor Johnson, Vice Mayor Malinowski, Council Members Titus, Konkus, Renoll, Buchheit were present. City Manager Baylor, Finance Manager Graham, and City Secretary Loveland were also present.

**ACTION UPON MINUTES**

Council Member Konkus made the motion to accept the January 9, 2020 Minutes as written. The motion was seconded by Council Member Titus. A vote was taken, all members were in favor. *Minutes were accepted as written.*

## **POLICE REPORT**

*Police Chief Baylor offered the following police report for the month of January:*

### Incident Report:

- At about 7:50 p.m. on Tuesday, January 7, 2020, DCPD responded to Hamilton Place in reference to a disorderly conduct in progress. When officers arrived, they were met by the victim, an 18-year female who stated that several subjects came to her residence and threatened to fight her over a video that appeared on Jn stag ram. During the incident, the victim' s vehicle was kicked and damaged. DCPD were able to positively identify the individual responsible for damaging the vehicle. Officers arrested and charged a 15-year-old New Castle City resident. He was charged with criminal mischief and released to the custody of his parents.
- At approximately 6:52 p.m. on Thursday, January 9, 2020, DCPD responded to the Delaware City Mobile Home Park to assist the Delaware City Fire Department with an unconscious person. Upon arrival, it was learned the individual may have consumed illegal drugs and was administered NARCAN. Because of the NARCAN administered by the DCFD, they were able to revive the 34-year-old female. She was transported to the Christiana Hospital for treatment.
- At about 11:00 p.m. on Saturday, January 11, 2020, DCPD responded to the 200 block of Jefferson Street in reference to a home invasion . Our investigation revealed three masked individuals, wearing dark clothing forced their way into the rear of the residence and stole various items. The homeowner was in the residence at the time and was not injured.
- On Sunday, January 12, 2020, the Delaware City Police Department investigated a burglary of an abandoned building on the grounds at Ft. DuPont. It is believed that unknown suspects forced their way into the building sometime between 10:00 p.m. Saturday evening, January 11, 2020 and 10:00 a.m. Sunday morning, January 12, 2020.

## **General Information**

The Delaware City Police Department is currently receiving applications for the position of Police Officer.

## **CITY MANAGER'S REPORT**

### City Manager's Report for February 2020

- On February 4<sup>th</sup>, Mr. Dave Athey, and I met with representatives from Blue Water and Mr. Randol of Ft. DuPont regarding the next step for the site plan review of the Campground proposal. The Bluewater team believes they are prepared to submit their site plan application to the city for review and approval. Once we receive their application, they will be put on the agenda for the next Planning Commission meeting, which is Monday, March 3, 2020.
- The City's Comprehensive Plan is almost complete and ready for submission to the State and then to Mayor and Council for review and adoption. It is anticipated that the Plan will be ready for this body either for the March or April meeting.
- Shane Miller, our new Code Enforcement Officer has been out the last three weeks due to a previously scheduled medical procedure. He has informed me that he has been cleared by his physician and will return to work next Monday, February 24<sup>th</sup>.
- On Tuesday, February 11, 2020, I attended the Citizens Advisory Panel Meeting at the Delaware City Refinery.
- The Board of Adjustment training will be held tomorrow evening at Town Hall. The training will begin at 6:00 p.m.
- The Chief of Police Position has been posted; all resumes and cover letters are due by Friday, March 6, 2020.
- Mayor Johnson, Vice Mayor Malinowski and I, along with Jeff Randol and Steve Gorski, Ft. DuPont, will be meeting with representatives and Engineers from DelDOT tomorrow morning regarding the proposed roundabout at the entrance to Ft. DuPont.
- *Mayor Johnson* asked if the Comp Plan will come before Council next month. City Manager Baylor said probably March.

- Council Member Buchheit asked if the Home Invasion was a break in and were the doors locked. City Manager Baylor said it is unusual for a home invasion in our area. With no other suspicious activity that night and the use of a mask, he believes there may be other factors the police have not yet been privy to. All indicators suggest this is an isolated incident.

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

City Solicitor Max Walton gave the Solicitors Report.

Comprehensive Plan – We met with the Planning Commission and reviewed comments received from PLUS and our suggested revisions to the Plan. Based on direction from PLUS, we reached out to DNREC, the Army Corps and New Castle County for additional comments on the Plan. We will meet with the Planning Commission in March, and will submit our PLUS response in March as well. We anticipate that the Comp Plan ordinance will be on the agenda for the March meeting for a first reading.

We have also assisted with the ongoing negotiations regarding the water system.

We have also been involved with and assisted on issues pertaining to the RV park plan submission.

We have drafted the DDD ordinance on for a first reading this evening.

The site plan ordinance did not make it on the PC agenda. That will be discussed at the PC meeting in March.

My staff assisted with various contract issues as well as FOIA issues.

We will be holding training for the new members of the Board of Adjustment tomorrow evening.

### **ACTION UPON FINANCE REPORT**

Finance Manager Graham presented the financial report as of January 31st, 2020 to Council. (Full report is attached)

Council Member Konkus made a motion to accept the finance report subject to audit; The motion was seconded by Council Member Renoll. *The Finance report was accepted.*

### Questions/Comments from Council

- Council Member Buchheit asked if the Facade Program is collecting interest, Finance Manager Graham said yes, \$72,068

### APPOINTMENTS

There were no Appointments this month.

### ANNOUNCEMENTS/COMMUNICATIONS

None

### REPORTS OF COMMISSIONS, COMMITTEES AND ORGANIZATIONS

There were no reports this month.

### OLD BUSINESS

*There was no Old Business on tonight agenda.*

### NEW BUISNESS

Introduction and First Reading Ordinance 20-0217-01 Relating to Impact Fees in the DDD

*Council Member Buchheit Recused himself from the vote.*

Council Member Konkus made the motion that was seconded by Vice Mayor Malinowski. There were four Ayes, *The motion passed.*

Resolution 20-0217-01 Relating to Charter Change Regarding resignations by Council Members

Council Member Titus made the motion that was seconded by Vice Mayor Malinowski.

Council Member Konkus said that under "Letter A", it should say resignation whether verbal or written.

Vice Mayor Malinowski made a motion to accept with the amendment, Council Member Titus seconded the motion.

Council Member Buchheit asked why this is only for Council Members; he would like it to also say City employees as well.

City Solicitor Walton explained that this section of the Code only addresses Mayor & Council. He said we can bring a new Resolution back next month.

Council Member Konkus said we can vote on this tonight and it can be amended next month.

Council Member Buchheit said he would like it to go for everyone, employees and Board Members, not just Council Members.

Mayor Johnson said the City Solicitor will look into Council Member Buchheit's request and bring it back next month.

Mayor Johnson asked for a vote on the amendment, the roll call vote resulted in 4 Ayes and 1 nay. *Motion passed.*

Mayor Johnson asked for a vote on the original motion, the vote resulted in 4 Ayes and 1 Nay. *Motion passed.*

#### **MAYOR & COUNCIL COMMENTS**

##### **Council Member Renoll**

None

##### **Council Member Konkus-**

**None**

##### **Council Member Titus**

None

##### **Vice Mayor Malinowski**

Attended the Fort DuPont Board Meeting

##### **Council Member Buchheit**

- Council Member Buchheit said he feels there should not be a meeting on president's day and hopes that will be considered next year.
- He asked why the flag at Town Hall is not lit. City Manager Baylor said it has never been lit but he will get a light put on it.
- He asked if Ft. DuPont is exempt from Impact Fees, City Solicitor Walton said No, he did not believe so.

##### **Mayor Paul Johnson**

1. Will be attending the DLLG mtg on 02/27

3. Trying to communicate with the refinery about the deer over-population issue
  4. Paving updates
  5. City Financials
  6. Budget hearings starting next month after a decision is made on the water system
- Council Member Buchheit asked if the Gazebo will come before Council, Mayor Johnson said yes.

### **CITIZENS COMMENTS**

Tim Dilliplane / 118 Clinton- Asked if we are on track to have an answer next month on the water system. City Manager Baylor said it's their goal to have something by the next meeting.

Lynn Dilliplane / 118 Clinton- She said the floor tiles in the last room at the community center are very loose and she's concerned it could be a liability.

Erica Lindsey / 905A Fifth Street- Expressed concern over the sale of the Grass dale Center and asked why there was signage at Ft. DuPont that is not allowed in Delaware City. City Manager Baylor said the signs at the Model Home have been taken down. It is being handled.

Dale Slotter / 210 Clinton Street- He asked again to have a master plan of the park down town. He feels things are just being randomly placed anywhere. He said he believes a park planner gave a report in the past, he thinks we should use that or get a new one.

*Mayor Johnson asked for a motion to go into Executive Session. Vice Mayor Malinowski made the motion that was seconded by Council Member Konkus. The regular meeting of Mayor and Council was recessed at 7:14 P.M.*

*Mayor Johnson Reconvened the Regular Mayor and Council Meeting at 7:32 P.M.*

### **ADJOURNMENT**

Mayor Johnson asked for a Motion to adjourn. Council Member Titus made the motion, Vice Mayor Malinowski seconded the motion, and all were in favor. *Mayor Johnson adjourned the meeting at 7:33 p.m.*

*Respectfully submitted,  
Britney Loveland  
City Secretary*