

"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, December 21, 2020 at 6:30 p.m.
DELAWARE CITY FIRE COMPANY
815 FIFTH STREET**

MONTHLY MEETING OF MAYOR & COUNCIL

CALL TO ORDER

Mayor Johnson called the December 21, 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, Council Members Buchheit, Konkus and Barrett were present. City Manager Baylor, Finance Manager Graham, Chief of Police Smith, Interim City Solicitor Rhodunda and City Secretary Loveland were also present.

ACTION UPON MINUTES

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

Council Member Barrett made the motion to accept the December 2, 2021 Minutes as written. The motion was seconded by Council Member Konkus. A vote was taken, all members were in favor. *Minutes were accepted as written.*

POLICE REPORT

Police Chief Smith offered the following police report for the month:

	November 2020	November 2019
Criminal Arrests	8	3
Traffic Arrests	18	16
Traffic Warnings	10	15
Crime Prevention Checks	31	21
Crime Reports	45	25
Field Service Reports	62	29
Total Calls For Service	88	84
	YTD 2020	YTD 2019
Criminal Arrests	37	52
Traffic Arrests	163	195
Traffic Warnings	76	135
Crime Prevention Checks	26	115
Crime Reports	267	377
Field Service Reports	462	390
Total Calls For Service	947	1101

HIGHLIGHTS:

DC-PD assisted Delaware City FD-EMS with forced entry of a residence in Harbor Estates to assist the owner that had a medical emergency.

DC-PD is investigating the theft of 14 catalytic converters stolen from state vehicle surplus at Fort DuPont.

DC-PD officer responded to a physical domestic w/weapon (bat) – The victim stated his ex-girlfriend threatened him with a baseball bat and then returned to the home and took his car without permission. The female fled the scene and has not returned. Active warrant DC-PD responded to the Fort DuPont area for a physical domestic. The male half had punched his girlfriend in the mouth causing swelling and bleeding. The out of town suspect was arrested on scene.

DC-PD officers responded to a heroin overdose. The female subject had been given Narcan prior to officer and EMS arrival. EMS arrived and transported to CER.

DC-PD assisted Animal Welfare and responded to a woman thrown from a horse that was frightened by a dog off leash. The woman was hospitalized, and the owner of the dog was cited for unlicensed dog, and no up to date rabies vaccine. The horse from Cozy Quarters was quarantined.

DC-PD Officers responded to the area of Canal Street for a suspicious subject complaint. When we arrived, we found a local resident passed out. It was determined the individual suffered from an overdose. The male subject was subsequently arrested for possession of fentanyl and several other charges.

DC-PD responded to a physical domestic w/weapon. The father of the suspect stated his son was in possession of a kitchen knife and was suicidal. The suspect fled the area and was found by DC-PD. The suspect was taken to CER for a 24 hr committal.

Councilmember Konkus asked how many police we have on staff. Chief Smith said 3.

Councilmember Konkus asked if we are looking to hire. Chief Smith said yes. She said she asked because speeding has been an issue in Town lately. Chief Smith said they will try to keep an eye on it.

CITY MANAGER'S REPORT

City Manager Baylor gave the following report:

- The Grant-In-Aid application for FY-21 was submitted to the state on December 2, 2020. In the application, the City has requested \$100,000.00 for the Delaware City Community Center and \$50,000 for Delaware City Day.
- Front Street Pump Removal Update -Last week I met with Mr. Steven Lewandowski of Duffield Associates regarding the assessment of the city's system to remove the pump on Harbor Street. Mr. Lewandowski has completed his assessment and will appear before Mayor and Council in January to provide details on his assessment and to explain the scope of the project.
- Lease update - The Lease with the Delaware City PAL has been signed and is complete. This lease will run through September 30, 2023. We are currently working on finalizing the lease with the Cutting Edge of Delaware, the Reedy Point Players. I do not have any update on the Delaware City Library Lease.
- Our Finance Manager is currently working on an issue with Verizon regarding our most recent telephone bill. We recently received a phone bill in the amount of \$1,800. We learned that our phone system had been compromised and several long distance calls to Europe was billed to the City. We are currently working with the phone company to address this issue.
- COVID-19 – recently the staff at Town Hall and the Police Department had to undergo a series of COVID-19 testing due to potential exposures of individuals that indirectly had tested positive for COVID-19. Town Hall will continue to remain operational. In effort to reduce the potential for Delaware City employees to contract COVID-19, we are

asking that anyone requiring services from the Town Hall staff to contact us and make an appointment.

- Future Mayor and Council Meetings – We are in the process of setting up the capability of allowing all Mayor and Council meetings, Planning Commission meetings, Historic Preservation Commission meetings, & Board of Adjustment meetings to be viewed by the public via zoom. We are hoping to be able to launch this capability next month.
- Solar Farm Update – I was able to contact Mr. Brian Yerger of AERCA Advisors Inc. Mr. Yerger was the original consultant hired by the City regarding the Solar Farm project. After discussing some of the financial concerns the City has regarding this project, Mr. Yerger has agreed to meet with Mayor Johnson, Vice Mayor Malinowski and myself to review the financial and operations concerns with us.
- Fort DuPont – During the Fort DuPont Redevelopment Corporation Board meeting on December 9, 2020, Mr. Randol advised the Board there was interest in converting the Tilton Building and the adjacent building into apartments.
- Hamilton Street Paving Project – Unfortunately due to the recent inclement weather, the paving project for Hamilton Street between Fifth Street and Fourth Street will be postponed until April 2021.

Council Member Buchheit asked if the apartments are zoned for that. City Manager Baylor said yes.

Council Member Buchheit asked if there was an update on the Refinery Fence, City Manager Baylor said no, he will look into it.

Council Member Buchheit asked if the road that runs along the canal near grass dale will remain public road, City Manager Baylor said yes.

Council Member Konkus asked if we can have documents available to the audience during the meeting. City Manager Baylor said we will make an effort to do that.

Council Member Barrett asked if there is anything we can do for the Library Lease, like go above the Board of Directors. City Manager Baylor said he is trying his best and the attorney is trying to handle it now.

CITY SOLICITOR'S REPORT

William Rhodunda gave the following report:

- Guidance to 2 FOIA Requests
- Bluewater Development Project
- Request for Referendum presented today related to Bluewater
- Resolution Drafter for Tonight.

ACTION UPON FINANCE REPORT

Finance Manager Graham presented the financial report as of November 30th, 2020 to Council. (Full report is available)

Questions/Comments from Council

Council Member Buchheit asked if we track how many properties are owner occupied. He suggested possible tax credits for owner occupied properties.

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

APPOINTMENTS

None

ANNOUNCEMENTS/COMMUNICATIONS

None

REPORTS OF COMMISSIONS, COMMITTEES AND ORGANIZATIONS

John Buchheit recognizes that we lost 2 business owners recently, Walt Bartel from the Old Canal Shops and Candice from the Cake Sisters.

He also said that whether we like a business or not, if they follow all the Codes of the Town, they should be welcomed. Council has the power to protect the Town in their Zoning Codes.

OLD BUSINESS

There was no Old Business tonight.

NEW BUSINESS

- 1. Certification of the Third Quarter Supplemental Tax Assessment FY21**
Councilmember Konkus made the motion to certify the Third Quarter Supplemental Tax Assessment. The motion was seconded by Councilmember Barrett. All were in favor, motion passed.
- 2. Discussion of Fort DuPont Master Plan.**
Council Member Buchheit asked if there is a footprint of the properties to be sold. He said he seen a boat storage warehouse proposed to be right along our Water Front an he says we need to protect our water front. City Manager Baylor said he is pushing the Ft.

DuPont Board to reveal any and all changes to the council since the original master plan has changed.

3. Discussion of proposed warehouse for boat storage along the canal.

Council Member Buchheit would like to know how set in stone this is or is this just a thought. City Manager Baylor said no plans have been submitted as of now so it's just a thought.

Council Member Konkus requested doing an Ordinance to forbid High and Dry storage.

4. Introduction and First Reading of ORDINANCE 20-1221-01 TO AMEND CHAPTER 46 OF THE CITY OF DELAWARE CITY CODE BY AMENDING THE HPR DISTRICT USES UNDER SECTIONS 46-28(a)(20) AND 46-28(a)(21)

City Solicitor explained that this ordinance is designed to remove multifamily apartments from the allowed uses.

Council Member Buchheit asked if this covers Governor Bacon, City Manager Baylor said yes, City Solicitor Rhodunda said Governor Bacon being Condos would not be allowed.

Council Member Konkus asked if Condos would be included in this. City Solicitor said this is for stacked housing and apartment like structures.

Council Member Konkus made a motion to accept the first reading; motion was seconded by Council Member Barrett. All were in favor, *motion passed*.

5. Resolution 2-1221-01. Appointment of City Counsel person to temporarily fill the vacancy caused by the resignation of City Councilperson Megan C. Titus, pursuant to the terms and requirements set forth in Section 3-09 of the City of Delaware City Code.

Mayor Johnson explained that Council Member Titus resigned due to personal reasons and the way our Code reads, that Vacancy is vacant immediately and council has 30 days to fill the Position. Mayor Johnson said two people have expressed interest in the position, Dan Saunders and Craig O'Donnell.

Council Member Konkus made a motion to appoint Dan Saunders. The motion was seconded by Council Member Barrett. A roll call vote was taken that results are as follows:

Barrett- Aye

Buchheit- Aye

Konkus -Aye

The motion Passed.

Dan Saunders took his Oath of Office sworn in by Mayor Johnson.

MAYOR & COUNCIL COMMENTS

Council Member Barrett-

Food Distribution will be December 31. Starting in January it will be held every second Thursday of the month.

Council Member Konkus-

Thanked everyone for coming tonight, Merry Christmas.

Council Member Titus-

Not Present

Vice Mayor Malinowski-

Not Present

Council Member Buchheit

- He would like a Master Plan for Washington Street.
- He said that a Charter Committee was created but they've never met.
- He would like to set a Date for Delaware City Day by January.
- He thanked Megan for her years of service and Thanked Dan and Craig.

Mayor Paul Johnson

1. Keeping Staff and Police Safe.
2. Santa will be around town on the firetruck tomorrow.
3. Happy Holidays.

CITIZENS COMMENTS

Tim Dilliplane/ 118 Clinton- He said Dan will be missed on the Planning Commission.

Dan Saunders - He said it will be a pleasure serving the Town.

Craig O'Donnell - He suggested Annual Rental Licenses as a way to keep a track of how many rentals there are in town.

ADJOURNMENT

Mayor Johnson asked for a Motion to adjourn. Council Member Konkus made the motion, Council Member Barrett seconded the motion, and all were in favor. Mayor Johnson adjourned the meeting at 7:40 p.m.

*Respectfully submitted,
Britney Loveland
City Secretary*