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**Mayor and City Council of New Castle
Council Meeting
New Castle Town Hall–Delaware Street–New Castle
Tuesday, January 13, 2004–7:00PM**

Roll Call

Present: President Castagno Councilman DiAngelo
Councilwoman Miller Councilman Padmalingam
Councilman Reese

Others present: Treasurer Janet Carlin, City Attorney Cliff Hearn, City Administrator Bob Martin, Police Chief McDerby, Public Services Manager Jim Weldin,

President Castagno convened the meeting at 7:00 PM and led those assembled in the pledge of allegiance.

Approval of Committee Reports

President Castagno called for approval of committee reports. Councilman Reese moved to accept the committee reports as written. Councilman Padmalingam seconded the motion. Councilwoman Miller and Councilmen DiAngelo, Padmalingam, and Reese all voted to accept the committee reports. The motion carried.

Approval of Treasurer's Report

Treasurer Carlin reported that as of December 31, 2003, petty cash totaled \$270.00; monthly deposits totaled \$301,506.58. Cash in Wilmington Trust accounts totaled \$631,509.80. CDs and the Government Investment Pool totaled \$229,784.62. Total cash on hand equaled \$861,294.42. Councilman Reese moved to accept the treasurer's report as presented. Councilman DiAngelo seconded the motion. Councilwoman Miller, Councilmen DiAngelo, Padmalingam, and Reese all voted to accept the Treasurer's report. The motion carried unanimously.

Approval of Minutes by Date

Councilwoman Miller noted that she did not have the minutes in time to review them. She asked that the minutes be made available earlier. Councilman Reese suggested waiting to review the minutes until the next Council meeting. Councilwoman Miller agreed.

Communications

Councilwoman Miller read a letter from Mayor Klingmeyer concerning the proposed changes to the City Charter, as listed in Resolution 2003-19. He conceded that the changes do not violate State law, but that "any changes, however minor, should be enacted through the more public or-

dinance procedure.” The letter states that this would give City residents the opportunity to express their opinions. Councilwoman Miller reported that she, President Castagno, Councilman Reese, and City Administrator Martin had met earlier to discuss the proposed changes. She also noted that the Mayor can veto an ordinance, but not a resolution.

President Castagno reported that the Arasapha Garden Club had submitted their annual request for a grant of \$1000.00 for 2004 to help the Club pay for the expenses incurred in beautifying the City. The request will be considered at the next meeting.

Councilman Reese noted that a stop sign has been proposed for the corner of Chestnut Street and Second Streets. Councilwoman Miller reported that an earlier plan for a stop sign at that location had been abandoned because the Flannigans protested. The Flannigans live on that corner of Second and Chestnut Streets. Councilman Reese advised that the next step should be a public hearing.

President Castagno recommended providing the public with plastic litterbags for people who walk dogs in City parks. The City can purchase the bag dispenser and the bags from the Dogipot Company at a cost of \$89.00 for 200 or 400 bags. He said that Delaware City has used the bags with notable success. President Castagno asked Jim Weldin his opinion of the plan. Mr. Weldin revealed that Erv Thatcher has been successful in tracking down violators, but he agreed that placing a bag dispenser in Battery Park could help mitigate the problem. President Castagno suggested working with the Battery Park Commission to accomplish this.

Councilman Reese wants something done to identify more clearly which motorist has the right-of-way at Seventh and South Streets.

Councilman Padmalingam pointed out the dangers of unprotected railroad crossings. Conditions at 11th and 12th Streets are especially dangerous. President Castagno revealed that City Administrator Martin had met with DeIDOT and learned that plans for alleviating the situation are two or three years in the future because of the rebuilding of the bridge. He asked Mr. Martin to contact DeIDOT because the current situation is dangerous.

Business from the Floor

President Castagno asked that business be limited to agenda items and other concerns be saved until Comments from the Floor were called for.

Business from the Mayor

There was no business from the Mayor.

Business from the Council President

President Castagno honored those involved in the reception for the opening of the new police building. He noted that in spite of the cold, the reception was well planned and attended. He congratulated those involved for their achievement.

Business from the City Administrator

City Administrator Martin reported on the following.

Comcast has advised the City that new prices for cable services will go into effect with the February billing statement. The letter lists the charge for each service offered.

The Delaware Emergency Management Agency (DEMA) sent the City a check for \$14,059.13 as reimbursement for costs incurred as the result of Hurricane Isabel-1494. DEMA also requested that the City provide each project's completion date.

Tetra Tech, Inc. reported that they were unable to penetrate the brush between the railroad and Route 9. Mr. Martin met with them to discuss plans for clearing the area, which is part of the Washington Park Drainage Study.

Tim Plemmons, Route 9 Steering Committee Coordinator of the Delaware Scenic Highway project asked Council member to write letters expressing their support of the project. The letters must be received before January 31, 2004. President Castagno observed that the Council did this in *Resolution 2003-20: Support of Scenic Route 9*. He asked Mr. Martin to send a letter to that effect along with a copy of the resolution.

The Community Progressive Club Inc. notified the Council that the Club will not have their annual "Meet the Guest" breakfast, and expressed gratitude for the Council's support in the past. The letter also noted that there is a continuing need for tutors for kindergarten through high school students.

Bids will be posted in spring 2004 for the Transportation Enhancement Project for the New Castle to Christiana Riverfront Heritage Trail, Phase I. A potential snag is the presence of crossings at the New Castle Middle and the Carey Downey schools. Because Route 9 is the only entrance into the City, a traffic-calming measure there is necessary to slow traffic. One or two crosswalks may have to be eliminated, and the one remaining will have to be closely monitored and well lighted. The Department of Transportation will have to approve any plans. President Castagno and Mr. Martin met with DeIDOT and representatives from the New Castle Flower Beautification Committee to discuss landscaping for Route 273. More meetings are planned.

Unfinished Business

There was no unfinished business.

New Business

Budget Transfers: Mr. Martin pointed out that costs for the Municipal Building Complex (Police Department) had skewed the figures. The adjusted percentage of income expended for one-half of the fiscal year should be 51%. As a result, Councilwoman Miller noted that income was

projected at \$250,000 as of 12/31/04. She wants to move \$57,000 into an account for street repairs. Mr. Martin pointed out that \$57,000 could come from rental fees. He also noted that the some expenses were less than anticipated. These include:

- Code updates
- Police uniforms
- Employee training
- Police Department legal fees

A copy of the proposed budget transfers is affixed to these minutes.

President Castagno said that the money saved will be transferred to fund the following:

- Supplies for the Street Department
- Truck repairs
- Professional fees for the Board of Adjustment

In response to questions about the Board of Adjustment fee, Mr. Martin revealed that a recent bill covered a service provided two or three years ago. Documentation exists for the bill.

Councilwoman Miller moved to accept the budget transfer. Councilman Reese seconded the motion. Councilman Padmalingam asked about the Board of Adjustment's billing delay and learned that it was a bill from a lawyer. Councilman DiAngelo noted that bills should be submitted in 90 days and that it doesn't make sense to spend money for expenses not in the budget. He wants a copy made for each member of the Council.

Councilwoman Miller and Councilmen DiAngelo, Padmalingam, and Reese all voted to accept the budget transfer. The motion passed unanimously.

Vending at the Wharf and the Tennis Courts: Sandra Pitts, owner of Hot Dawg Carts, has applied for a vendor's license to sell hot dogs. She has sold hot dogs at Battery Park's wharf for the past four years, and wishes to expand her business to the area near the tennis courts. The expansion is allowable under City Chapter 177.

Councilman DiAngelo and Councilwoman Miller observed that Ms. Pitts has been a cooperative vendor, and that both her business practices and her equipment are excellent. Councilwoman Miller cautioned that Ms. Pitts must refrain from going into Battery Park since the Trustees own the parcels in back of the tennis courts. Councilman DiAngelo also warned that the cart's customers will have to park somewhere other than Battery Park and that the City will have to post a sign about the parking restriction. Mr. Martin warned against putting the cart in the street. President Castagno observed that the second cart will require additional trashcans. Councilman Padmalingam asked about the dates for the carts' tenancy and the business fee to be paid. Mr. Martin replied that the carts would pay of \$35.00 each month from May to October.

Councilman DiAngelo moved to grant Ms. Pitts request. Councilwoman Miller seconded the motion. Councilwoman Miller and Councilmen DiAngelo, Padmalingam, and Reese all voted to grant the request. The motion passed unanimously.

Approval of Trustees Appropriations Request: City department heads and City Administrator Martin have assembled a list of suggested Trustees for the coming year. They include:

Item	\$Cost
Police car	25,000
Information technology enhancements	50,000
Uniform trash collection carts for ½ of the City	44,000
Vehicle for Public Services Department	24,000
Hydraulic lift for Public Works Garage	20,000
Five pieces of playground equipment	25,000
Third year lease payment on backhoe	16,000
Fuel and repair for Banks Building	1,000
Tree Commission	20,000
Fire Company appropriation	70,000
Automated trash truck--4 year lease: \$170,000÷4 (1 employee)	42,500

Mr. Martin asked for suggestions for additional items for Trustee funding. Councilwoman Miller suggested accepting the list as stated. Councilman DiAngelo suggested asking the Trustees to fund the new wharf railing.

President Castagno reported that he had met with the Finance Committee and that Anita asked that the list be submitted by Friday. Mr. Martin agreed to draft such a document.

Councilman Padmalingam asked about lease purchase agreements. Mr. Martin answered that the lease agreement is really a lease/purchase agreement, and that at the end of the lease, the trash truck can be purchased for a nominal fee. Councilman Reese said if the Trustees don't approve the truck, the City will need trash cans.

Mr. Martin cautioned that the Trustees would probably approve from \$160,000 to \$200,000, not the entire amount requested. Councilman DiAngelo suggested eliminating the Fire Department request. Councilman Reese suggested that instead of paying \$50,000/year for technology enhancements, we pay as we do business.

Councilwoman Miller moved to accept the list as presented. Councilman Reese seconded the motion. Councilwoman Miller and Councilmen DiAngelo, Padmalingam, and Reese seconded the motion. The motion passed unanimously.

Payment to Collins Business Systems, Inc.: Councilwoman Miller read the resolution to approve payment of \$40,276.00 to Collins Business Systems, Inc., for the new phone system. President Castagno noted that the designated amount has been included in the budget. Councilwoman Miller moved to pay the designated amount. Councilman Reese seconded the motion.

Councilwoman Miller and Councilmen DiAngelo, Padmalingam, and Reese all voted to accept the motion. The motion carried unanimously.

Comments from the Floor

Ross Abson of South Street reported on a workshop concerning transportation issues that he attended on Friday, December 29, 2003. The workshop, sponsored by the Wilmington Area Planning Commission (Wilmapco) presented their **Transportation Improvement Plan** for fiscal years 2005 through 2007. Problems discussed include:

- Route 9: Although Route 9 bypasses the City, its “physical design encourages traffic ‘to cut through’ the historic district.”
- Traffic Calming: Speeding traffic on Route 9 adjacent to residential areas is a problem, particularly on Washington, Seventh, and Sixth Streets.
- Parking: Residents and visitors to the town’s center and Battery Park create parking problems, especially in summer months and on the weekends.

Mr. Abson then listed the group’s recommendations for alleviating these problems:

- “Reconstruct Ferry Cutoff as four lanes.
- Rebuild Delaware [Street]/Route 9 intersection.
- Rebuild 6th Street/Chestnut/Route 9 intersection w/signal
- Traffic calm/rebuild 7th Street
- Introduce new intersection on Route 9 at new entrance to the Chicago Bridge and Iron site w/signal if warranted.
- Rebuild 3rd Street/Route 9 intersection
- Rebuild Moores Lane/Route 9 intersection with signal
- Rebuild 7th/Washington intersection
- Reconstruct Ferry Cutoff with Pedestrian improvements and Bicycle improvements
- Construct East Coast Greenway Route
- Implement traffic calming devices”

He said that reconstructing Ferry Cutoff is of primary importance. Mr. Martin replied that the reconstruction is not in the City’s current plans, but that it could possibly be included in the State’s capital improvement projects. Mr. Abson also urged rebuilding 6th and Chestnut Streets. Mr. Martin replied that the final design would determine what is to be included. He also said that South Street is a separate issue, but that Washington Street reconstruction will be funded in 2006. It will include curbs, sidewalks, and new street lighting. The reconstruction is now in the design and engineering stages. Mr. Abson reported that the intersection at 6th and South Streets is dangerous, that cars often run the stop sign there and that some have even gone 15 or 20 feet up on the sidewalk. Mr. Martin disclosed that the police are issuing more tickets in that area.

President Castagno thanked Mr. Abson and asked him to attend the next Wilmapco meeting and to report back to the Council.

Kerstin Almquist asked about the status of the **bond issue**. Councilwoman Miller replied that the fate of the bond issue is undecided at this point and that the Mayor is opposed. President Castagno said that 4/5 of the Council voted to hold a referendum on March 6, 2004. Ms. Almquist pointed out that little problems grow into large ones and that the City needs the funding to address problems before they become serious. Councilman DiAngelo informed her that the Council is still gathering information on the overall cost of the projects to be addressed and on the City's ability to afford the bond issue.

Charlotte Houben of Washington Park doesn't understand why the bond issue is based on estimates. President Castagno reminded her that cost estimates are necessary for determining the amount of the bond and that the City must have money before it can ask for bids. Sometimes this can work in the City's favor. As an example, Mr. Martin cited that the cost estimate for the City's new mower was \$20,000, but the actual cost was \$15,000. He said that the estimated cost was determined at the beginning of the growing season, but that the mower was purchased at the end of the season. Councilman Reese said the cost also depends on "how hungry the contractor is."

John Houben of Washington Park protested that Mr. Martin estimated the cost of drainage for Washington Park at approximately \$3000,000, whereas President Castagno estimated the same cost to be \$7000,000, more than two times Mr. Martin's estimate. President Castagno pointed out that Washington Park is only one of multiple areas that need major drainage improvement. Mr. Houben answered that people won't object to bond issue if they know its cost. President Castagno promised better information about the costs of the projects within eight weeks.

Councilman DiAngelo said the other concern is the source of the money for repaying the bond. If the revenues are there, he is in favor of the bond, but the revenues for repayment are not yet obvious. President Castagno reported that in two years annexations are expected to generate \$750,000 in revenues.

Mr. Houben agreed that if the funds for repayment are available, it would be wise to get the projects done. President Castagno promised to have the figures available in eight weeks.

Sally Monigle expressed concern that the actual example of the fence presented by Gredell and Associates deviates significantly from the design approved at the last Council meeting. She then showed a section of the fence proposed by Mr. Gredell. Councilman Reese agreed that the section shown is nothing like the selected design. Ms. Monigle has contacted another firm in Newark, which will construct a fence in keeping with the design approved by the Council. She then spoke with Mr. Martin and Mr. Gredell about selecting a fence more like the agreed upon design. Councilman DiAngelo asked Ms. Monigle to get prices for the Newark fence. She revealed that the cost for the sample fence presented by Mr. Gredell and that of the fence proposed by the Newark vendor are both within the \$50,000 to \$60,000 range. The cost of the Newark fence is \$21.00/linear foot, plus \$4.25 linear foot plus \$5.00. She does not have the breakdown for installation costs. Councilwoman Miller observed that the City could pay \$30,000 this year and \$30,000 next year. She also reminded the Council that because the rented fence costs the City money, the new fence should be installed as soon as possible. Mr. Martin emphasized that a code compliant fence must be in place by May 1, 2004.

Meeting Adjourned

President Castagno called for a motion to adjourn the Council meeting and to go into an Executive Session. Councilman Reese moved to adjourn the meeting and to go into an executive session; Councilman DiAngelo seconded the motion. Councilwoman Miller and Councilmen DiAngelo, Padmalingam, and Reese all voted to accept the motion. The motion passed unanimously. The meeting adjourned at 8:40 PM.

Next Meeting

The next regular meeting will be held at 7:00 PM on February 10, 2004, in the Town Hall.

Respectfully submitted,

Darcy Mozer, City Clerk