

MAYOR AND COUNCIL OF NEW CASTLE
PUBLIC HEARING
TOWN HALL – 201 DELAWARE STREET – NEW CASLTE
TUESDAY – JULY 10, 2001 – 6:30 P.M.

Public consideration of two proposed amendment to zoning code:

1. To allow the construction of building and other structures and to allow for development and uses in accordance with the New Castle Code for properties annexed into the City of New Castle.
2. Establishing a new zoning district known as “Comprehensive Commercial”.

STAN SYKORA, Chairperson of Planning Commission, states that they are in the process of creating a zoning classification which will have regulation applicable for certain annexed properties.

DAVE JUNE – Will this comprehensive commercial be city wide?

STAN SYKORA – No because you cannot make a zoning regulation for one spot. New zoning will be available but property must be in that category.

Councilman Balascio questioned how properties maintain their status quo.

Stan Sykora answered by reading Section 230-66.

Motion to adjourn by Dr. Miller and seconded by Mr. Reese.

Respectfully submitted,

Kate Toner

Kate Toner, City Clerk
July 10, 2001

**MAYOR AND COUNCIL OF NEW CASTLE
REGULAR MONTHLY COUNCIL MEETING
TOWN HALL – 201 DELAWARE STREET – NEW CASTLE
TUESDAY – JULY 10, 2001 – 7:00 P.M.**

ROLL CALL

Present: Council President Castagno
Councilman Balascio
Councilman DiAngelo
Councilwoman Dr. Miller
Councilman Reese

Also Present: Mayor John Klingmeyer; Janet Carlin, Treasurer; Robert Martin, City Administrator.

Before we get started on Agenda, there are changes in protocol:

1. All questions be addressed to council and not to each other.
2. Raise hand and when acknowledged by President go to microphone and state name, three minute limit.
3. One person at a time.
4. No profanity by Council or members in audience.
5. No one approach beyond gated areas. If you have something that must be seen you must raise your hand. You will be acknowledged by the Council President who will come to fence.

Before we work on Agenda, would like to acknowledge Senator Dori Connor.

Senator Connor thanked everyone for their support and assistance in acquiring \$750,000 for repair to Court House. It was an uphill battle but they were very successful. Congratulated Council on news article "Council Corner" for sharing information with public having an active working relationship. Council thanked Senator Connor for her help with appropriation for Separation Day and the 350th Anniversary.

APPROVAL OF COMMITTEE REPORT

Police Department Report	June 2001
Public Works Department Report	June 2001
Building Official's Report	June 2001
Finance Department	June 2001

Mr. Reese moved the reports to be accepted as submitted and Dr. Miller seconded the motion. Motion passed unanimously.

TREASURER REPORT

Not available at this time but will be forthcoming.

APPROVAL OF MINUTES BY DATE

Regular Council meeting, June 12, 2001. Mr. Reese moved the report to be accepted as submitted. Mr. DiAngelo seconded the motion. Motion passed unanimously.

COMMUNICATIONS

Council President Castagno read the following letters:

- A. A petition concerning a new road at Dobbinsville.
 - 1. Dr. Miller is chairing the committee for Parkway Gravel Annex and has input from the community and needs of the community will be resolved.
- B. Bike Safety Presentation on July 15, 2001 at 1:00 p.m. by New Castle Police in Dobbinsville Park.
- C. A letter of received from Joe and Pam Anderson discussing the hazard on West 10th Street and Ordinance concerning cutting of grass of Deemer Steel Property.

BUSINESS FROM THE FLOOR

John Houben: Concerning the 350th Anniversary Celebration on October 7th. British Car Owners of America as asking for restricted parking on Delaware, 3rd Street down to the Stand.

The committee is asking the City of cover the cost of clean up and protection as their contributions to the 350th celebration. Mr. Martin will computes the cost of this for Council.

Corky Viola: Talked on the suggested moratorium. (While trying to reclassify zoning ordinance should allow same time for this to go into effect.) Moratorium does not seem like the appropriate word.

BUSINESS FROM THE MAYOR

Ask City to advertise for a City Engineer. Mr. Martin says the process will take two months. The Engineer would be paid on a time basis. He would do more than just Board of Adjustment. Responsibilities would be anything requiring a Professional Engineer.

BUSINESS FROM COUNCIL PRESIDENT

Deemer Steel from Councilman Balascio, DNREC, has advised us it will be advertised in Sunday's paper, July 15, 2001, few modification have to be made.

Senior Center from Councilwoman Dr. Miller have been talking to the school district about Booker T. Washington. The County is backing out of senior center business and wants centers to run themselves. Meeting on June 27th had a good turn out. Several volunteers to help with the start of center.

Police Facility from Councilman Reese is not sure of direction. Cost projection is 1.3 million. Looking for input from public, contact either Mr. Reese or Mike Alfree. Dr. Miller asked for the floor to explain about the financing of the project. States 60/40 deal requires the City to put this money Van Dyke Army proposal. Could be in building by January or February. Police would be housed downstairs plus City Service on upper level. Also looking at Deemer site.

Drainage improvements from Councilman DiAngelo. He has been in touch with engineers and DNREC complaint about Buttonwood. No drain for the water—private property. Want a list of priority areas. Problem in Dobbinsville resolved.

Main Street from Council President Castagno and Mayor Klingmeyer have spoke to Paul Morell of Delaware City.

Charter changes from Dr. Miller and Mayor Klingmeyer. They identified the charter changes.
Revisit Ordinance 399
Special Planner from Jeff Bergstorm to close bid on September 15, 2001.

Parkway Annexation from Dr. Miller, proposed bill to be ready for August meeting.

Cable Project from Dr. Miller, holdup with the Municipal Service Committee will recontact Commission.

Budget from President Castagno. He thanked everyone for all their efforts.

BUSINESS FROM CITY ADMINISTRATION

Mr. Martin read the following letters:

- A. General Code Publishers Corporation has published 20 more code books at \$50 each.
- B. Herlihy, Harker, & Kavanaugh concerning Freedom of Information Act and notice of Executive Sessions. The agenda must make it clear and a vote may be taken to go into the Executive Session.
- C. Eller Media Company has changed its name to Clear Channel Outdoor.
- D. The Department of Transportation advised of the allotment and State Municipal Street Ordinance Fund, \$153,236.21.
- E. Mr. Simpson from the Lions Club to provide City with a detailed plan for Battery Park. Positioning of vendor for Art on Battery.
- F. Division of Parks and Recreation has received grant application for the Fishing and Crabbing adjacent to Battery Park. You will be notified in September about grant funding.
- G. FOP Representative sent a letter about contract negotiations. Contract expires June 2002.
- H. Eastern Shore Environmental, Inc., sent a letter of immediate savings but they are not in business yet.
- I. Delaware Solid Waste Authority has sent revised differential disposal fee agreement program and proposal fixed price contract for 2001—2004. City has some concern about disposal of tree limbs and building debris. Make sure no restrictions before signing contract due September 1, 2001.

Update of Ferry Cut Off repairs. Working on drainage on bridge. Projected to be finished middle of next week, July 19, 2001. Problem in front of Middle School, concrete is deteriorating. Temporary blacktop sidewalks until WILMAPCO project is developed.

President Castagno extended compliment to all City employees for getting the budget completed.

UNFINISHED BUSINESS

1. Continuance of request for a vendors permit to roam the city limits to sell sandwiches. Mr. Octavio was sent a letter to come before Council on July 5, 2001. Mr. Octavia responded saying he was unable to attend Council meeting. After some discussion a vote was called. Vendor permit restricted to Industrial Park. Permit expires on December 30, 2001. Motion to approve by Mr. DiAngelo and seconded by Mr. Reese. Resolution passed unanimously.
2. Presentation by Bob Sigmund regarding 350th Anniversary celebration to be held on October 6th and 7th, 2001. Peter Styvesant, 350 years--Kalmar Nickle, band, dancing, British Car Club. Decoration has given support the beautification committee. Fireworks, carriage rides. Caricatures – Plaques of recognition. Mike Connelly will be in charge for carriage rides and caricatures. John Houben will take care of police and public works. Portable toilets. EMS Technicians. Total contributions, \$80,000. May have to charge for Kalmar Nickle.

NEW BUSINESS

1. Discussion on Trustees property annexation including Farmer's Market and Airport Shopping Center properties. The City would profit from annexations. This will clear up all trustee properties that can be annexed. Just waiting for Planning Commission to hand down its decision.
2. Review of Parking and Noise Ordinance. Mr. Balascio has reviewed all input. Needs to Contact Chief McDerby to discuss enforceability. Revamping entire parking problem. Parking for August Meeting.
3. Discussion of building moratorium in Historic District. After much discussion on feasibility would like to protect and preserve. Proceed with a resolution. Look at Ad Hoc consumer advocate.
4. Discussion on Section 140-54 of the City Code, Maintenance of Exterior Property. Jeff Bergstrom feels there should be a charge for vacant properties. Revisit the ordinance for vacant property. Deemer owner will maintain 9th Street and park side. Public works will make arrangement to clean up Washington and Gary Streets.

Boarded up properties – make a schedule of abandon properties. To pursue owners with delinquent taxes. Follow up by Mr. DiAngelo and Mr. Balascio. Have a list ready for July 18, 2001.

4. First and second reading of ordinance #400, Amending the Code of the Mayor and Council of New Castle to permit construction of building and other structures and to allow for Development and uses in accordance with the New Castle County Code for property annexed. Into the City of New Castle Ordinance accepted as read by Mr. Balascio and Mr. DiAngelo.

COMMENTS FROM THE FLOOR

Alice Jarvis: Request to revisit no launching or landing of boats on Battery Park. This problem belongs to Battery Park Commission. Mr. Martin and Mr. Balascio will talk to Commission.

Bill Davis: Three to four weeks ago trash truck ran into fence. Will be taken care of immediately. Mr. DiAngelo will handle both issues.

- a. the fence
- b. overgrowth of vegetation.

Vera Worthy: Boothurst question of Maintenance Corporation is legal. Council advised to seek a lawyer's advise.

Charles Cobb: Offers his knowledge of the Boothurst predicament was for storm management pond. Project set up by developers. It should be legal or could not have gotten financing.

Gene Petty: Buttonwood Civic Association wants City to mark gas and water lines so the school can be ready for the 350th Anniversary. States that the drainage is a City, County, and State problem.

Luther Twyman: Owner of Buttonwood property than has a drainage problem. Water comes from Collins Park along railroad tracks. Atlas Point sends raw sewage.

Richard Stat: Represent 326 associates and sub tenants. Wants to know the standing of the annexation. Since they will increase City Renew by 5% would like some answers. President Castagno answer was Council has received a petition from the owners of the property and does not feel at liberty to discuss this issue.

James Butler: Husband of Lena Fleming Deemer Butler has a problem with the turn around on Hermitage Plantation at 1 E. 9th Street. Will be discussed at a later time.

Motion to adjourn meeting by Dr. Miller and seconded by Mr. Reese.

Respectfully submitted,

Kate Toner

Kate Toner, City Clerk
July 10, 2001