

**City Council of the Mayor and Council of New Castle**  
**Regular Council Meeting at Town Hall – 201 Delaware Street – New Castle**  
**Tuesday – October 12, 2010 – 7 p.m.**

**Present:**

Council President William Barthel  
Councilperson John Cochran  
Councilperson John Gaworski  
Councilperson Ted Megginson  
Councilperson Teel Petty

Also present: Mayor Jack Klingmeyer, Treasurer Janet Carlin, City Administrator Cathryn Thomas, Building Official Jeff Bergstrom, Solicitor Roger Akin

**Approval of Minutes by Date**

A motion was made by Councilperson Gaworski to approve the minutes of the September 14, 16 and 23 meetings as presented. The motion was seconded by Councilperson Cochran. It was approved unanimously.

**Approval of Treasurer's Report**

Treasurer Carlin reported that, as of September 30, 2010, total petty cash on hand was \$400; total monthly deposit, \$523,249.37; total cash for accounts, \$372,711.49; total certificates of deposit and Delaware Government Investment Pool, \$2,932,485.32; and total cash on hand, \$3,305,196.81.

Councilperson Cochran made a motion to accept the report as presented. Councilperson Petty seconded the motion. The motion passed unanimously.

**Report from the City Administrator**

Administrator Thomas said she had provided a lengthy written report and did not have anything to add.

Council President Barthel said the report was accepted as presented.

**Approval of Staff Reports**

Council President Barthel said the staff reports were accepted as presented.

**Grant Review**

Councilperson Cochran said under grant income: Strikeforce July, \$1,414.85; Strikeforce August, \$543.84; and DUI patrol, \$860.28.

**Business from the Floor (concerning agenda items only)**

Dorsey Fiske, 26 East Third Street, said she has served before on HAC and is very interested in preservation. She hopes Council sees fit to appoint her.

**Business from the Council President**

President Barthel provided an update on the Police station in Dobbinsville. The City received two bids. The lowest bid was from the House Doctor for \$14,650. The City plans to proceed as quickly as possible. Mr. Barthel also said the City recently held a public hearing on the Downtown Gateway Zoning District and the rewording of the General Commercial zoning. He would like to schedule next month having a first and second reading to change the General

Commercial to what was presented at that meeting. Council is going to postpone action on the Downtown Gateway District, while some additional work is done. He also recommended holding a public hearing for amending Zoning 230-Amendment 1 prior to the next meeting.

President Barthel said the next order of business was to honor the late William “Bill” Steele, a former City Councilperson.

Councilperson Megginson made motion to approve resolution No. 2010-30 honoring Mr. Steele. Councilperson Gaworski seconded the motion. It was passed unanimously.

The next items were resolutions honoring three longtime City of New Castle employees.

Councilperson Megginson made motion to approve resolution No. 2010-24 honoring Deborah “Debby” Pullan for 20 years service. Councilperson Cochran seconded the motion. The motion was passed unanimously.

Councilperson Megginson made motion to approve resolution No. 2010-23 honoring William “Erv” Thatcher for 20 years service. Councilperson Cochran seconded the motion. The motion was passed unanimously.

Councilperson Petty made motion to approve a resolution honoring No. 2010-25 George E. O’Neal for 35 years service. Councilperson Cochran seconded the motion. The motion was passed unanimously.

## **Unfinished Business**

1. Discussion, motion and vote on Resolution No. 2010-26, to accept the recommendation of the Ad Hoc Committee to annex a parcel of land known as 828 Frenchtown Road to the municipal boundary of the City of New Castle, in accordance with the 2009 Comprehensive Plan, adopted on July 14, 2009 by Ordinance No. 463.

President Barthel said the Ad Hoc Committee met back in July. It consisted of Councilperson Petty, Councilperson Cochran and Councilperson Megginson, who chaired the committee.

Councilperson Gaworski said he had a lot of concerns about it and he does not think the City is going to benefit. He foresees a lot of traffic. He is concerned about contaminants in the ground that might get into the water.

President Barthel read a letter from Chip Patterson of MSC. The letter states the property is located across from the Frenchtown Road well. MSC has an interest in any action that protects this source. There is a history of the property being used as a dump. MSC has experienced problems with enforcement. The project will require clean up of the property and capping, which will eliminate future dumping. MSC supports a more transparent use. The project would generate water and electrical revenue, which are not substantial but do spread the cost over a larger base. Expansion of electrical service up Frenchtown Road would follow along with MSC’s plan to loop its service.

A motion was made by Councilperson Megginson and seconded by Councilperson Cochran.

The resolution was passed by a 4 to 1 vote, with Councilperson Gaworski voting against.

## **New Business**

1. Discussion, motion and vote on Resolution No. 2010-31, to amend the 2008 Paving Contract with the Cirillo Bros. Co.

Councilperson Megginson made a motion to approve the resolution. Councilperson Cochran seconded the motion. The resolution was passed unanimously.

2. Motion to make an appointment to the Historic Area Commission, to be the Planning Commission representative appointed by City Council, for a term of three years, taking the place of Mr. David Bird.

Councilperson Petty made a motion to appoint Dorsey Fiske to the Historic Area Commission. Councilperson Gaworski seconded the motion. The motion was approved unanimously.

3. Discussion, motion and vote on Resolution No. 2010-32, to adopt four personnel policies. Councilperson Cochran made a motion to approve the resolution. Councilperson Megginson seconded the motion.

Administrator Thomas explained the resolution reflects four policies that she, Finance Director Marian Delaney and Kelly Dougherty have been working. Councilperson Cochran had initiated the efforts.

Three policies are new and one policy is being replaced. A smoking policy is being expanded to be a tobacco-free workplace policy. The two new policies are one related to computer games on City computers and a portable electronic device policy. The fourth item is a Workers' Compensation Reference Guide. The City is nearing completion of work on the new employee handbook.

The motion passed unanimously.

4. Comments from the floor.

Earl Carpenter asked for a brief explanation of the reason for some changes to the paving contract.

Building Official Bergstrom explained that the initial survey for the bid document was in 2007. There have been bad winters, which has changed the scope of the work that is now required. In addition, contract prices may have included estimates for amounts of materials and have escalation clauses.

Gene Dempsey said he wanted to applaud the work of the Public Works Department and the Municipal Services. He praised their work through all kinds of weather and said the City and its residents are very fortunate to have them.

Grace Traynor, of Delmarva Online Services, said it is her understanding that at the last meeting the City decided to take bids for its website and that the City already has a contract with a firm to work on its website, so what will be the process for bids.

Administrator Thomas said there is no contract currently for the work. There was at one time a proposed contract but it was never finalized. Mrs. Thomas said that when the City moves to request bids it likely will put a notice in the newspaper.

A motion was made by Councilperson Cochran to adjourn the meeting. Councilperson Petty seconded the motion. It was approved unanimously.

The meeting adjourned at 7:57 p.m.

Respectfully submitted,

Michael Dickinson  
New Castle City Clerk