

**MAYOR AND COUNCIL OF NEW CASTLE
REGULAR COUNCIL MEETING
TUESDAY, NOVEMBER 8, 2005
7:00 P.M.**

Present:

Council President William Blest
Councilman Donald Reese
Councilwoman Churchill
Councilwoman Teel Petty
Council John DiMondi

Others Present:

Janet Carlin, City Treasurer, John Klingmeyer, Mayor, Marian C. Delaney, Herb Swanson, Gerald Kavanaugh, Esquire, Jeff Bergstrom, Chief Kevin McDerby

Council President Blest brought the Regular Council Meeting to order at 7:05 p.m.

APPROVAL OF MINUTES TO DATE

A Motion was presented by Councilwoman Churchill to accept the Minutes to Date. The Motion was seconded by Councilman Reese. Minutes to Date were accepted as presented.

APPROVAL OF TREASURER'S REPORT

City Treasurer Janet Carlin stated that there was a total of \$290.00 in the Petty Cash on Hand, \$211,083.64 total cash in the Wilmington Trust Accounts, a total of \$333,628.02 in the Wilmington Trust Accounts. \$1,570,982.59 in the Certificates of Deposit and De. Government Investment Pool and \$1,904,610.61 Total Cash on Hand. A Motion to accept the Treasurer's Report as presented was brought by Councilman Reese. The Motion was seconded by Councilwoman Churchill. Treasurer's Report was accepted as presented.

APPROVAL OF DIRECTOR'S REPORT

Marian C. Delaney introduced the Boy Scouts Troop 70 who were present to observe a public meeting. Ms. Delaney presented the Finance Report as of October 31, 2005. The City Calendar should be distributed by December 19, 2005.

Chief McDerby stated that he conducted the meeting regarding the resident of 4th St. Complaints and felt that the meeting was productive. The Chief will be holding community meeting the 1st Wednesday of each month to address residents' complaints. The Police will have a "Danger Stranger" program on November 16, 2005 geared towards elementary age children on safety issues. Cpl. Wyka resigned to take a position with the County Police and the Chief has list of potential employees.

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A motion to accept the Director's Report as presented was brought by Councilman Reese and seconded by Councilwoman Churchill. Director's Report was accepted as presented.

GRANT REVIEW

The Mayor and Council has applied for the following grants:

An application for State Aid to Local Law Enforcement requesting funds in the amount of \$11,331.13 for the purchase of equipment costing \$4,445.00 and to cover 180 hours of overtime for special investigations and drug enforcement.

The Mayor and Council has received the following grants:

DEMA has approved the City's application for the 2005 State homeland Security Grant program for \$23,750.00 to purchase laptops for the Public Safety Department and all related software and docking stations.

Current Activity:

A application was submitted by the New Castle Citizens Corp Council to DEMA and approved for a grant in the amount of \$15,000.00 to include a Nextel phone purchase. Chief McDerby stated that an additional grant would be submitted to cover expenses including the Nextel phone line charges.

Public Safety Department has requested reimbursement for line costs for mobile data terminals in the amount of \$4,800.00.

An application has been submitted to the Special Law Enforcement Assistance Funds (SLEA Funds) to purchase 8 digital cameras and related equipment and has been approved for \$9,439.20. The City received the check on October 21, 2005.

An agreement for DelDot to transfer \$150,000.00 to the City for the 9th St. Paving project is on file. \$79,688.47 has been received and an invoice for \$37,819.50 in being processed for reimbursement.

Tree Survey Grant The City has received \$20,000.00 from DNREC to conduct GPS of street and City park trees. There is approximately \$5,000.00 left from the grant and the left over money will be used to purchase GPS software.

An agreement for DelDot to transfer \$28,000.00 to the City for the Buttonwood Drainage Project is on file. The New Castle Conservation District has also obtained an additional \$11,000.00 from New Castle County Special Services for this project. Construction is anticipated to being in late 2005 or early 2006.

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COMMUNICATIONS

Councilman DiMondi received a letter from Gail DeAscanis of 14th St., Van Dyke Village requesting two (2) day garbage pick up as he husband's medical condition requires twice weekly pick up. Councilwoman Petty stated that she felt Mrs. DeAscanis should have come to Council first before copying State Representatives, etc. on this matter. Council discussed this issue and stated that they felt some exceptions should be granted. These issues should be discussed and voted on a case-by-case basis.

Councilwoman Churchill received an estimate for electrical work for new exterior lights at the Admin. Bldg.

Council President Blest received a letter from Charles Cobb. He felt changes were needed for the Planning Commission. It was not placed on the agenda and Council President Blest suggested that it be placed on next month's agenda.

Councilman Reese received notice from Senator Connor has obtain permission for some prisoners to clean up the beach at Battery Park. Senator Connor will pay the dumping fee up to \$1,200.00.

BUSINESS FROM THE FLOOR

Ciro Moran bought a property in Dobbinsville and has been experiencing problems with vandalism, etc. He was requesting help from Council to resolve these problems.

Joseph Andreavich is unhappy with the new Recycle Pilot Program and is requesting to go back to the 2 days a week garbage pick up. Other residents of Van Dyke Village including Mrs. Carol Siva, Mr. Harvey Fuller and Mr. Bill Snowden expressed the same views. Fred Fitzgerald stated that he is for recycling but not the way this program was handled. Feels the residents were not given enough notice and had no say on whether their development should be chosen to participate.

UNFINISHED BUSINESS

Discussion on the outcome of Public Hearing regarding placement of signs and safety concerns on Delaware St. between 2nd St. and 3rd St. A Motion was presented to allow Council to mark two reserved parking spots for "Official Use Only" from Monday to Friday, 8:30 a.m. to 4:30 p.m. was brought by Councilman DiMondi and seconded by Councilwoman Petty. A vote was taken. Councilwoman Petty, Councilwoman Churchill and Councilman DiMondi voted for the spots. Council President Blest and Councilman Reese voted no. George O'Neal will paint the parking spots lines and crosswalks.

NEW BUSINESS

1. Alan Kersher in conjunction with the U. of DE. T2 Division gave a presentation of the City's surface management system. Mr. Kersher said Mr. Martin had categorized the present report. Several months ago, Mr. Kersher had sent the report to Mr. Weldin and Mr. Bergstrom for comments and updating. No updating had been received. After his presentation a motion was made by Councilwoman Churchill for Mr. Kersher to set an up a workshop with Council regarding these issues. The motion was seconded by Councilman Reese and accepted unanimously.
2. Discussion and vote on whether the City should obtain Station Park from the State of Delaware. Councilwoman Churchill presented the motion and was seconded by Councilman DiMondi. The Motion passed unanimously.
3. Discussion on proposed amendment to 230-18 of the Zoning Code to permit private Clubs and Lodges by special exception in the R-3 Residential District and referral to City Planning Commission. A discussion was held regarding this matter and a motion was made by Councilman Reese to send it to the Planning Commission. The motion was seconded by Councilwoman Churchill and accepted unanimously.
4. Vote on appointment of Mr. Thomas Whitehead to the City Land Use Committee. This matter was tabled because Gerald Kavanaugh, the City Solicitor, had questions about whether the Land Use Committee has officially been established. This question needs to be addressed before members can be voted onto the Committee.
5. Discussion on the Planning Commission meeting of October 24, 2005 and its failure to address Council's letter of intent dated September 26, 2005. Council President Blest sent a memo to Mr. Steele requesting they select a member to be on HAC. Councilman DiMondi felt that Council President Blest was recommending Jane Miller to be re-appointed. Council President Blest stated that he was merely expressing his appreciativeness of the hard work that Mrs. Miller has done over the years and since her terms was now expired, Council was requesting the Planning Commission's "choice" for HAC. Council President Blest stated that if the Planning Commission did not act on Mr. DiMondi's request that Mr. DiMondi should speak with the Planning Commission as to why they did not act on it.
6. Discussion on Councilman DiMondi's suggestion that all City outsourced professionals submit a monthly synopsis to Council on their progress in assigned projects. After a discussion on this matter a motion was brought by Councilwoman Churchill that all outsourced professionals submit a monthly synopsis to Council. The motion was seconded by Councilman Reese and passed unanimously.

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7. Discussion on winterizing the Banks Building. Councilwoman Churchill asked for Council's pleasure as to keeping the Banks Building open during the winter. Councilwoman Churchill had contacted by the Jaycees and they were willing to contribute \$500.00 towards the cost of heating the building. It was suggested that if the Trustee would pay the propane bill, Council would leave the building open. Council President Blest stated that he would contact Mr. Gambacorta of the Trustees to find out their position on paying some of the fees for the Banks Building.
8. Discussion and approval of the Planning Commission's recommendation of Jane Miller to HAC. A motion was made to accept the Planning Commission's recommendation of Mrs. Miller by Councilman Reese and was seconded by Councilwoman Churchill. Roll call vote was taken: Council President Blest yes, Councilman Reese yes, Councilman Churchill yes, Councilwoman Petty yes, Councilman DiMondi no. Motion passed.
9. Discussion on the Planning Commission's recommendation concerning the Historic District Parking Regulations. The matter was sent back to the Planning Commission with no recommendations from Council. Council has not voted on this matter.
10. Discussion of the status on the Comcast Agreement. Per Mr. DiMondi, a finalized proposal should be sent to Mr. Kavanaugh by December 1, 2005.
11. Confirmation of the Mayor's appointment to the Planning Commission. The Mayor has no candidate for the Planning Commission as of yet.
12. Comments from the floor. Dorsey Fiske asked why the 2nd St. construction was going forward when the matter had not been straightened out yet.
13. Motion for Executive Session to discussed proposed contract for new City Administrator. A motion was made by Councilwoman Churchill and seconded by Councilman Reese. The meeting was adjourned and Council retired to Executive Session.

Respectfully submitted,

Jill F. DiAngelo,
City Clerk