

**City Council of the City of New Castle
Special Council Meeting at Town Hall
201 Delaware Street – New Castle
Tuesday – December 18, 2012 – 6 p.m.**

Present:

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

Also present: Mayor Donald Reese, City Administrator Cathryn Thomas

New Business

- 1) Motion, Discussion and Vote on Resolution No. 2012-33, providing a lump-sum pension benefit to one retiree of the City of New Castle. The motion was made by Councilperson Gaworski and seconded by Councilperson Megginson. The motion carried with all voting aye, except for Councilperson Petty who abstained.

- 2) Motion, Discussion and Vote on Resolution No. 2012-34, to approve a Minor Subdivision, with the result being the relocation of the boundary line between State properties of the Court House and Sheriff's House, with that location commonly referred to as "The Green", involving tax parcel numbers 21-015.30-155 and 21-015.30-156.

Council President Barthel explained that the City Council had planned at this meeting to act on a recommendation from the Planning Commission relative to the minor subdivision. The previous evening at the Planning Commission meeting, however, the requesting applicant, the State of Delaware, asked that this matter be tabled. This was in response to questions raised the previous week at a meeting of the Historic Area Commission (HAC) on the overall proposal. It was noted, however, that the majority of HAC members voted to approve the setbacks requested related to the minor subdivision.

Lynn Riley, representing Tim Slavin, Director of the Delaware Division of Historical and Cultural Affairs, said that the State had originally been working with a deadline of December 31, 2012, before which time the State would be required to transfer ownership of the Sheriff's House to the National Park Service. Just over the previous weekend, however, Mr. Slavin learned that this deadline was not a firm date and that the State could take some added time with the process, which would also provide a chance to address questions of New Castle City residents.

Council President Barthel said that only one person had expressed concerns and that in this process previously, for the few years this has been discussed as a concrete proposal, New Castle citizens have been supportive.

Ms. Riley said there was more than one person who had concerns and that now that the deadline has moved, there is more time for consideration of all factors.

Mr. Josh Magarik, representing Senator Carper, said that all parties involved want to ensure this is a transparent process, and to that end a meeting has been scheduled to take place on Monday, January 7. It is an open forum and is planned to have two segments – one in the afternoon and one in the evening. Representatives from the National Park Service (NPS) will be at that meeting, as they would still like this process to conclude under a relatively short timeline. This forum is planned to allow citizens to meet with officials one on one to get their questions answered and concerns addressed.

Mayor Reese relayed that Ms. Riley had made a comment to him that the State and NPS were looking at Wilmington, and he interpreted this to be a kind of threat that if this does not get approved locally in New Castle, then the headquarters for the park could be sited at another location outside the City. Ms. Riley clarified that the comment to which Mayor Reese was referring was not meant as a threat and only was a factual statement that Wilmington has been under consideration and discussion.

City resident Sally Denton noted that the City has accommodated the State's requests and for the State to ask for their minor subdivision application to be tabled at the last minute is upsetting. Ms. Riley reiterated that State officials opted to prolong the process so outstanding questions could be addressed.

City resident Esther Lovlie inquired, stating that she understands that this is not a situation where some of the sites are still in the plan for the National Park (or at this point what will be the National Monument) or that some of the sites may not be included. Mr. Magarik answered that the commitment is to secure the National Monument designation with all the sites which have been identified, and once that is completed, the further process continues to have the National Monument designation converted so that all the sites in the future would be part of Delaware's National Park, as approved by Congress.

Ms. Cindy Snyder, the Court House Museum Manager, said there appears to have been some level of misunderstandings. This may have occurred because originally the NPS informed the citizens that they wanted no ownership of property within the City, even with the new Park Headquarters being housed at the Sheriff's House – which would be a joint venture of the NPS and State. That thinking on the part of Federal officials, however, has changed and now the NPS wants to own the Sheriff's House building, and this is why citizens may be apprehensive at this point in the process. Ms. Snyder said Mr. Slavin is stepping back and listening to the concerns of the citizens and getting their input.

Council President Barthel noted that the meeting concerning the Woodlawn property being added as part of the park took place back in August, and that the timing for everything to come together now seems to be driven by one or two people. Ms. Riley said that upon performing their due diligence, the State came to the realization of the variances in size of the two parcels of the sites for the Court House and Sheriff's House. Council President Barthel noted that the City made every effort to accommodate the State's request as far as special meetings being scheduled, etc., and this was done so the State could move this proposal forward in a tight timeframe which they had originally wanted to meet.

Ms. Jean Norvell said she was concerned because at meetings she had attended it was discussed at length relatively recently that New Castle would remain as the headquarters, however the Woodlawn property would be added as another park segment. In all the meetings she had attended, however, it was not mentioned that a requirement of the Federal government would be to own the Sheriff's House, and rather the understanding had been that the State would maintain ownership and enter into a cooperative agreement with the NPS to have the park headquarters housed there.

Mr. Magarik said the proposal has gone through some major changes as the culmination of this process nears, including that the Woodlawn property was added. The other change is the ownership matter, with the Federal government requiring that they own the Sheriff's House, and with the reason that they want to have a stake in the community.

Ms. Laurie Moison noted that once the NPS owns the Sheriff's House building, it is in need of interior repairs and renovations, however there appears to be little money in the Federal budget to cover these expenses. She asked what recourse the State and New Castle Community would have if the interior work is not done in a timely manner. Mr. Magarik said that once the property transfer occurs, there is a lengthy process ahead, putting together the management plan, which also includes where the money will come from to cover the expenses associated with plan execution.

Meeting attendees were reminded that the public forum on the proposal to have a National Monument established in Delaware, with the headquarters to be located in the Sheriff's House building in downtown historic New Castle, and that the State contemplates transferring ownership of the Sheriff's House building to the National Parks Service, shall be held at the Court House on Monday, January 7. It was also noted that at any time, any person may contact Mr. Josh Magarik of Senator Carper's office with any comments and/or questions.

There being no further business to come before the City Council, the meeting was adjourned.

Respectfully submitted,

Cathryn C. Thomas
New Castle Administrator