

**City Council of the Mayor and Council of New Castle  
Special Meeting  
Town Hall – 201 Delaware Street – New Castle  
Tuesday – December 16, 2008 – 5 p.m.**

**Present:**

Council President William Blest  
Councilperson Donald Reese  
Councilperson Janet Churchill  
Councilperson John Gaworski, Jr.  
Councilperson Teel Petty

**Also Present:**

City Administrator Cathryn Thomas

**New Business:**

Motion, Discussion and Vote on Bank Resolution to pay \$34,114.50 to the Springhaus Landscape Co., for initial work done on the Western Gateway Project, as approved by Matt Spong, Landscape Architect, who is managing and inspecting the project, with a notation that the project is completely funded by a grant from DeIDOT. A motion was made by Councilperson Churchill to approve the Bank Resolution. The motion was seconded by Councilperson Petty and approved 4 (ayes) – 0 (nays) – 1 (abstention): (Council President Blest: Aye; Councilpersons Gaworski, Churchill, Petty: Aye; Councilperson Reese: Abstain).

As a follow-up item, the City Administrator was asked to check on the amount of work which has been completed, compared with the bill the City just paid, and relative to the overall contract amount.

A motion was made by Councilperson Churchill to enter into Executive Session to discuss a matter pertaining to collective bargaining. The motion was seconded by Councilperson Reese and approved unanimously.

Respectfully submitted,  
Cathryn C. Thomas  
City Administrator

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**City Council of the Mayor and Council of New Castle  
Regular Council Meeting  
Town Hall – 201 Delaware Street – New Castle  
Tuesday – December 9, 2008 – 7 p.m.**

**Present:**

Council President William Blest  
Councilperson Janet Churchill  
Councilperson John Gaworski, Jr.  
Councilperson Donald Reese

**Absent:**

Councilperson Teel Petty

**Also Present:**

Mayor John F. Klingmeyer, City Treasurer Janet Carlin, City Solicitor Roger Akin, City Administrator Cathryn Thomas, Police Chief Kevin McDerby, Lt. Adam Brams, Building Official Jeffrey Bergstrom

**Approval of Minutes by Date**

A motion was made by Councilperson Churchill to accept the Minutes dated November 11, 2008, as presented. It was seconded by Councilperson Gaworski and passed unanimously.

**Approval of Treasurer's Report**

City Treasurer Carlin reported that there was \$400 in petty cash, \$90,700.52 total deposits for the month, \$324,871.73 in the Wilmington Trust Accounts, \$2,210,657.99 in the Certificates of Deposit and Delaware Government Investment Pool and \$2,535,529.72 total cash on hand. A motion was made by Councilperson Reese to accept the report as presented. It was seconded by Councilperson Churchill and passed unanimously.

### **Approval of City Administrator's Report**

City Administrator Thomas stated that her report to Council was in their packets. Ms. Thomas also told the audience of the upcoming Holiday events within the City. She also stated that Verizon is working within the City installing the fiber cables. Verizon can offer internet services as well as telephone service but they are still negotiating with the City regarding cable services.

### **Approval of Staff Reports**

Chief McDerby stated that the Police report was in Council's packet. Jeff Bergstrom also stated that his report was in Council's packet.

### **Grant Review**

Councilperson Churchill gave the grant information for the month of November. Monies received were \$1,225 from DEMA for security cameras for the Administrative Bldg. Expenditures for the month were \$1,868.50 to Kercher Engineering for engineering services related to the City's annual road and street repair program.

### **Communications**

Councilperson Reese spoke about the Delaware National Park selection and Councilperson Churchill stated that the City received a check from Valero for support of the City's parks.

Business from the Floor (concerning agenda items only)

Victoria Garrett of Buttonwood spoke regarding her concerns of the minor subdivision in Buttonwood. Mrs. Garrett was concerned about how "minor" is the subdivision. Jeff Bergstrom addressed Mrs. Garrett's concerns and stated that 14 townhouses/duplexes are being proposed. The drainage problems which the residents of Buttonwood are already experiencing was a concern of Mrs. Garrett. Mr. Bergstrom also addressed these concerns.

### **Business from the Mayor**

None

### **Business from the Council President**

None

Resolution Nos. 2008-38, 2008-39 and 2008-40, recognizing New Castle City Employees Master Cpl. Robert Haug, Master Sgt. Bernard Torre and Lt. Adam Brams. Councilperson Reese read the Resolutions and presented the officers with Resolutions and plaques. Council President Blest also presented Master Cpl. Haug with a certificate as he is retiring from the New Castle City Police.

### **Unfinished Business**

Motion to appoint persons to serve on the New Castle City Board of Elections. Faythe Waterloo was appointed by Councilperson Churchill. Councilperson Gaworski appointed Marianne Caven. Grace Hayford was appointed by Councilperson Reese. Councilperson Petty appointed Barbara Winkler. Council President Blest appointed Patricia Salter-Flynn and Mayor Klingmeyer appointed Richard Pennell.

Motion, Discussion and Vote on Resolution No. 2008-37, approving a minor subdivision for property located at 2-10 and 16-18 Buttonwood Avenue, Parcel Nos. 21-001.00-012, 013, 014, 015 and 21-002.00-020. Council President Blest read the Resolution. A Motion was made by Councilperson Reese to accept the Resolution and it was seconded by Councilperson Gaworski. Councilperson Churchill had questions regarding the drainage problems. Mr. Rocky DeAscanis attended on behalf of the builder and answered the concerns of Councilperson Churchill. The Resolution was accepted unanimously.

First and Second Reading of Ordinance No. 459, that the Comprehensive Plan be amended relative to a proposed development on a parcel located at 300 W. 7th Street. Council President Blest read the Ordinance. Council President Blest stated that the Planning Commission recommended adopting the Ordinance.

First and Second Reading of Ordinance No. 460, approving a request to rezone a parcel located at 300 W. 7th Street from I Industrial to R-3 Residential. Council President Blest read the Ordinance.

Continued discussion of an Ad-Hoc Committee to study traffic issues City-wide and provide an overall plan to address traffic concerns. Councilpersons Reese and Gaworski offered to be on a committee to study the traffic concerns. This item was tabled until the next meeting.

Discussion of the Tree Commission's work to combine previously drafted Tree Ordinances and to schedule a public hearing to consider a consolidated Tree Ordinance for the City. A public hearing will be held at 6:30 p.m. on January 13 prior to Council's next meeting.

## **New Business**

Report and discussion of the current status of the New Castle City Budget. Councilperson Churchill read a prepared statement discussing the revenue shortfalls that the City, in all likelihood, will suffer in the upcoming months.

Motion, Discussion and Vote on Resolution No. 2008-42, providing a one time lump sum pension benefit to three retirees of the City of New Castle. Councilperson Churchill read the Resolution. A Motion was made by Councilperson Gaworski to accept the Resolution. It was seconded by Councilperson Reese and passed unanimously.

Comments from the floor. Earl Carpenter asked about the City picking up leaves. Leaves and yard waste will be picked up on Wednesdays year round.

Executive Session to discuss a personnel matter. A motion was made by Councilperson Churchill and seconded by Councilperson Reese. It passed unanimously.

The meeting adjourned at 8:35 p.m.

Respectfully submitted,  
Jill DiAngelo,  
City Clerk

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## **City Council of the Mayor and Council of New Castle Regular Meeting Town Hall – 201 Delaware Street – New Castle Tuesday – November 11, 2008 – 7 p.m.**

### **Present:**

Council President William Blest  
Councilperson Donald Reese  
Councilperson Janet Churchill  
Councilperson John Gaworski, Jr.

### **Absent:**

Councilperson Teel Petty

### **Also Present:**

City Administrator Cathryn Thomas, City Solicitor Roger Akin, Director of Public Services Joseph Freebery, Building Official Jeff Bergstrom

President of the City Council Mr. Blest opened the meeting with a tribute to veterans:

“Today is Veterans’ Day and it’s important to remember our veterans and the price they paid both physically and emotionally to keep this country safe. It’s also fitting to remember the men and women in uniform from Delaware who are serving today on active duty in the war on terror.”

### **Approval of Minutes by Date**

A motion was made by Councilperson Churchill to accept the Minutes of October 14 and 28, as presented. It was seconded by Councilperson Reese and passed unanimously.

### **Approval of Treasurer’s Report**

City Treasurer Janet Carlin reported that there was \$400 in petty cash, \$526,188.59 total deposits for the month, \$340,340.95 in the Wilmington Trust Accounts, \$2,420,353.98 in the Certificates of Deposit and Delaware Government Investment Pool and \$2,760,694.93 total cash on hand. A motion was made by Councilperson Reese to accept the report as presented. It was seconded by Councilperson Churchill and passed unanimously.

### **Approval of City Administrator’s Report**

Ms. Thomas stated that her report to Council was in their packets.

### **Approval of Staff Reports**

Staff personnel who had submitted reports had nothing to add, and Council President Blest reminded residents that these reports are available for anyone to view during the City Administration building office hours.

### **Grant Review**

Councilperson Churchill gave the grant information for the month of October. Monies received were \$12,804.80 for Suburban Street Aid. Expenditures for the month were \$2,605 from the Municipal Street Aid Fund, paid to Kercher Engineering for plans, specifications and bid documents for the annual road and street repair project and \$1,225 to B-Safe, Inc. for work relative to the new security system installed in the Administration Building.

### **Communications**

None

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

None

### **Business from the Mayor**

None

### **Business from the Council President**

None

Resolution No. 2008-36 was approved, recognizing New Castle City Employee Francis "Bud" Waraksa for 15 Years of Service.

### **Unfinished Business**

Motion to appoint persons to serve on the New Castle City Board of Elections. Council President Blest noted he had selected a new person as his appointee, Mrs. Patricia Salter. Previously, Council President Blest had appointed Dr. Thomas Maddux, who had also served as Board of Elections Chair, however Dr. Maddux has said he was not interested in being reappointed to a new term. Other Council members had not made their selections yet, and therefore they will be performing that task over the next month so the full Board of Elections appointments may be announced at the December City Council meeting.

Report and Discussion on meeting with Councilpersons Reese and Gaworski and DeIDOT officials.

Councilperson Reese reported on a meeting held with three DeIDOT officials, in which he also participated along with Councilperson Gaworski and City Administrator Thomas. In preparation for the meeting, Councilperson Reese made an extensive list of items he would like DeIDOT to address for the City. The meeting included a comprehensive ride around the City of the participants, physically inspecting the areas of concern.

Councilperson Reese remains frustrated that of all the items the City has raised as issues and asked for assistance from DeIDOT, little to nothing ever seems to get done, and this latest meeting and DeIDOT follow-up has been typical, with no real positive results for the City to point to.

Councilperson Reese noted one prime example is a major reconstruction project DeIDOT has had on its books for sometime, to take place on Washington Street between 7th Street and Frenchtown Road. At one point DeIDOT said they might start that project in 2008 or 2009, and now the earliest they are predicting commencement could occur is 2012. Past history has shown that the new timeline currently predicted by DeIDOT is likely not to be reliable or realistic – that is, this project within the City of New Castle seems to be continuously postponed.

Councilperson Reese reported that another source of frustration is the inconsistency of information coming from various DeIDOT officials, which can result in unequal treatment of various municipalities.

Councilperson Gaworski noted he has continuing concerns about truck traffic on Washington Street. At one point, the State Police Truck Enforcement Unit came out and wrote some tickets, which had the temporary impact of diminished truck traffic. After a short period of time, however, that impact wore off and the more intensive truck traffic on this route returned.

### **New Business**

Discussion of formation of an Ad-Hoc Committee to study traffic issues City-wide and provide an overall plan to address traffic concerns, which may include the following persons:

Joseph Freebery, Dir. of Public Services  
Kevin McDerby, Police Chief  
Marian Hull, City Planning Consultant  
David Athey, City Engineer  
WILMAPCO Representative

Council President Blest has the idea that with all the concerns about traffic within the City, it should be considered to put together an Ad-Hoc Committee to identify and discuss issues and potential solutions. Councilperson Reese said it may be wise to hold off on the consultants attending at first (i.e., the City Engineer and Planning Consultant), due to cost concerns. Councilperson Churchill suggested that Councilpersons Reese and Gaworski serve on the committee. Another suggestion was for a citizen volunteer, Mr. Michael Alfree, to serve on the committee.

Discussion of Policy for Shared and Donated Sick Leave among New Castle Employees.

The Council members reiterated their support for such a program, and acknowledged that City employee, Finance/HR Director Marian Delaney, has generously made the first donation to an employee in need, in the amount of 100 sick hours. A small committee of City staff members continues to work on a policy for the City Council to review and ultimately approve.

Motion, Discussion and Vote on Resolution No. 2008-37, approving a Minor Subdivision for property located at 2-10 and 16-18 Buttonwood Avenue, Parcel Nos. 21-001.00-012, 013, 014, 015 and 21-002.00-020.

This item was tabled at the request of the applicant, in deference to Councilperson Petty who was unable to attend the meeting this evening.

**Comments from the floor.**

Ms. Esther Lovlie asked about recognition for City employees for years of service, noting the earlier award and Resolution for Mr. Waraksa. Council President Blest explained that the City has a graduated program of plaques and monetary awards for employees, with greater recognition for longer terms of service.

Ms. Lovlie also mentioned the potential for a new National Park for Delaware with the base of operations to be located in the City of New Castle, and wondered if this might spur some action from DelDOT concerning some of the traffic issues.

Finally, Ms. Lovlie suggested Mr. David Bird might be a good candidate for the Ad-Hoc Traffic Issue Committee. Council President Blest said he would want Mr. Bird to inform him personally if he was interested in serving, rather than "drafting" Mr. Bird as a committee member without his input.

Executive Session to discuss matters of pending litigation and personnel.  
It was unanimously approved to enter into executive session.  
The meeting was adjourned at 7:36 p.m.

Respectfully submitted,  
Cathryn C. Thomas  
City Administrator

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City Council of the Mayor and Council of New Castle  
Special Meeting  
Town Hall – 201 Delaware Street  
New Castle  
Tuesday – October 28, 2008 – 6 p.m.

Present:

Council President William Blest  
Councilperson Donald Reese  
Councilperson Janet Churchill  
Councilperson John Gaworski, Jr.

Councilperson Teel Petty

Also Present:

City Administrator Cathryn Thomas, City Solicitor Roger Akin, Director of Public Services Joseph Freebery, Building Official Jeffrey Bergstrom

New Business:

Motion, Discussion and Vote on Resolution No. 2008-34, awarding the contract for City Road and Street Repairs. A motion was made by Councilperson Churchill to approve the Resolution regarding the bid for the 2008/09 City road and street repair program, and that the contract be awarded to the low bidder, Cirillo Bros., in the amount of \$267,080.28, with an option of additional work being done to install granite curbs on Third Street, that portion of the contract to be paid by the Trustees of the New Castle Common, if approved by the same. The motion was seconded by Councilperson Reese and approved unanimously, however Councilperson Reese stipulated that he had not requested the proposed work for 7th Street.

Motion, Discussion and Vote on Resolution No. 2008-35, concerning repairs to be made to the residential structure located at 917 Gray Street, in the amount of \$5,500, using the Cirillo Bros. firm, which provided the lowest quote for the work to be done. A motion was made by Councilperson Churchill and seconded by Councilperson Reese and approved unanimously.

The meeting was adjourned at 6:25 p.m.

Respectfully submitted,

Cathryn C. Thomas  
City Administrator

City Council of the Mayor and Council of New Castle  
Public Hearing  
Town Hall – 201 Delaware Street  
New Castle  
Tuesday – October 14, 2008 – 6 p.m.

Present:

Council President William Blest  
Councilperson Donald Reese  
Councilperson Janet Churchill  
Councilperson John Gaworski, Jr.  
Councilperson Teel Petty

Also Present:

Mayor John Klingmeyer, City Administrator Cathryn Thomas

Consideration of the following two requests:

A) For placement of a STOP Sign at the intersection of 3rd and South Street;

The few residents that attended the public hearing were in favor of placing another Stop Sign on 3rd Street.

B) To make 7th Street One-Way, in an effort to curtail traffic generated by non-City residents cutting through the City to avoid traffic on major highways located just outside the City limits.

Councilperson Reese read a flyer that someone distributed to the residents on 6th St. stating that the meeting would begin at 6:30 p.m. which was incorrect. Councilperson Reese also presented pictures taken by Mr. DiAlessandro showing 7th Street between Delaware and Tremont Streets.

Councilperson Reese's plan would allow traffic to go from South Street to Delaware Street on 7th Street. Traffic going from Delaware Street to South Street on 7th Street would not be able to do so. That traffic would have to go down 6th Street, make a right onto Tremont Street, then make a left off of Tremont Street onto 7th Street

Mr. Earl Carpenter spoke regarding this matter. Mr. Carpenter feels that this attempt may help the residents on 7th Street, but that will only make the traffic and/or parking problem on 6th Street worse.

Mr. Erv Thatcher also spoke on this matter. Mr. Thatcher feels that 7th St. is not wide enough for parking and two-way traffic.

Mr. James Kirk, who resides on 7th Street, stated that he was in favor of the proposal but would prefer that 7th Street was one way the length of the street. Mr. Dan Plumley stated that he is appreciative of the new Stop Signs on 7th Street and is in favor of Councilperson Reese's plan.

Mr. Mike Alfree said he felt that this solution will only make the problem worse on 6th Street. Mr. Alfree suggested possibly restricting drivers' turning ability at certain times of the day.

Mayor Klingmeyer suggested turning this matter over to the Planning Commission so they could review this matter with City Planners to see what suggestions they had. Ms. Beverly Ross would like for Council to form a committee of residents who are affected by this to see how they would like to proceed. David Bird of the Planning Commission stated that the Planning Commission is working on this.

The hearing was adjourned at 6:35 p.m.

City Council of the Mayor and Council of New Castle  
Public Hearing  
Town Hall – 201 Delaware Street  
New Castle  
Tuesday – October 14, 2008 – 6:30 p.m.

**Present:**

Council President William Blest  
Councilperson Donald Reese  
Councilperson Janet Churchill  
Councilperson John Gaworski, Jr.  
Councilperson Teel Petty

**Also Present:**

Mayor John Klingmeyer, City Administrator Cathryn Thomas

Consideration of a request for Rezoning a portion of 300 W. 7th Street, Parcel No. 21-014.00-396, from IN Industrial to R-3 Residential; and to Amend the Comprehensive Plan concerning the area of the parcel requested for rezoning.

Council President Blest reiterated to the audience the substance of this rezoning request. The request was forwarded to the Planning Commission. Apparently, this request is not in conformance with the current Comprehensive Plan and so in order to allow this request, the Comprehensive Plan would have to be amended. Ms. Thomas stated that another step in this process includes involvement of the Office of State Planning Coordination and that the applicant must complete that step prior to City Council approval. Mr. DeAscanis spoke on this matter as he is the representative of the party requesting the rezoning.

The hearing was adjourned at 6:50 p.m.

City Council of the Mayor and Council of New Castle  
Regular Meeting  
Town Hall – 201 Delaware Street  
New Castle  
Tuesday – October 14, 2008 – 7 p.m.

**Present:**

Council President William Blest  
Councilperson Donald Reese  
Councilperson Janet Churchill  
Councilperson John Gaworski, Jr.  
Councilperson Teel Petty

**Also Present:**

Mayor John Klingmeyer, City Administrator Cathryn Thomas, City Solicitor Roger Akin, Police Chief Kevin McDerby, Building Official Jeff Bergstrom

**Approval of Minutes to Date**

A motion was made by Councilperson Churchill to accept the Minutes of August 27, September 9, and September 22 as presented. Councilperson Petty noted a minor correction. Councilperson Churchill made another motion to accept the Minutes as corrected. It was seconded by Councilperson Gaworski and passed unanimously.

**Approval of Treasurer's Report**

Ms. Thomas reported that there was \$400.00 in petty cash, \$638,870.11 total deposits for the month, \$370,922.42 in the Wilmington Trust Accounts, \$2,230,300.42 in the Certificates of Deposit and Delaware Government Investment Pool and \$2,601,222.84 total cash on hand. A motion was made by Councilperson Reese to accept the report as presented. It was seconded by Councilperson Churchill and passed unanimously.

**Approval of City Administrator's Report**

Ms. Thomas stated that her report to Council was in their packets.

**Approval of Staff Reports**

Chief McDerby stated that the Police report was in Council's package. Jeff Bergstrom also stated that his report was in Council's packet.

Councilperson Reese informed the audience that Chief McDerby organized a trip for World War II Veterans to go to Washington, D.C. to see the WWII Monument Memorial. Councilperson Reese noted that since Chief McDerby is not one to speak about his accomplishments, Councilperson Reese wanted the audience to know what type of person Chief McDerby was and thanked him for organizing the trip, which was one among other community activities that the Chief has organized.

**Grant Review**

Councilperson Churchill gave the grant information for the month of September. Monies received were \$2,808 for the Police Accreditation Grant and \$37,760 for the Security System for the Trolley Barn and Administration Building. Expenditures for the month were \$4,358 for the EZ Child ID Mobile System and \$700 to Kercher Engineering for paving.

**Communications**

None.

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

Mr. John Bloxom, an attorney, spoke on behalf of Almars, a boat motor business located within the City, where a request is being made for a waiver from the City Ordinance governing Temporary Storage Units. Mr. Bloxom stated that Almars was given permits from the City in 1999 for the storage units to be located on their property.

Mr. Lew Indellini asked about the agenda item regarding the request of St. Anthony's Club of a quitclaim deed. Mr. Indellini questioned whether issuing a quitclaim deed for that parcel of property, would the result be creating a land-locked parcel of another property? Mr. Indellini also spoke concerning other parcels which St. Anthony's Club has had use of, however are not deeded to the Club.

Mr. David Bird spoke on Item No. 1 under New Business on the agenda, regarding the City participating in the State Commercial District Affiliate program, and that the Historic New Castle Alliance group favors the City Council adopting this resolution.

Mr. Binney Beale spoke on the issue of the trash can that was moved from Harmony Street. He would like the trash can replaced.

Mr. John Cochran also spoke on this issue. Mr. Cochran questioned why the residents cannot take the dog waste home with them and throw it away in their own trash cans. Mr. Cochran also stated that he did not remove the trash can in question, that the City removed it. Ms. Dorsey Fiske spoke in favor of replacing the trash can where it had been on City property adjacent to Mr. Cochran's property.

Several residents spoke in opposition to the barricade on Howell Drive being removed, as the residents do not want traffic entering Buttonwood Avenue from Howell Drive and the Collins Park Subdivision. Those residents included Mr. Eugene Petty, Ms. Victoria Garrett, Ms. Ginger Evans, Ms. Paula Peastock and Mr. Elliott Tatem.

State Representative Mike Mulrooney spoke regarding the Howell Drive barricade. He stated that public safety is the number one concern. Rep. Mulrooney stated that DelDOT did not find that the amount of traffic warranted the closure and that trains running behind the developments carry chemicals, which could be hazard and hamper emergency vehicles needing access to the area.

### **Business from the Mayor**

None.

### **Business from the Council President**

None.

### **Unfinished Business**

Motion, Discussion and Vote on Resolution No. 2008-30, approving placement of a STOP Sign at the intersection 3rd Street and South Street. The Resolution was read by Councilperson Reese. A motion was made by Councilperson Reese to adopt the Resolution. It was seconded by Councilperson Churchill and passed unanimously.

Motion, Discussion and Vote on Resolution No. 2008-31, approving a new configuration for a portion of 7th Street to be One-Way. The Resolution was read by Councilperson Reese. Councilperson Churchill requested an amendment to the Resolution that a 60 day trial period be added to the Resolution, including that traffic counts be conducted on 6th and 7th Streets before the change and during the trial period. A motion was made by Councilperson Churchill to adopt the Resolution. It was seconded by Councilperson Gaworski.(Churchill-yes, Petty-yes, Gaworski-yes, Reese-abstaining, Blest-abstaining).

Discussion of a Petition presented to the City Council concerning the location of a Trash Can at the end of Harmony Street. Council President Blest stated that he felt that the decision regarding placement of the can should be left up to the Public Services Department.

Discussion of scheduling a public hearing for the City Council and public to review DeIDOT proposals for traffic calming on Buttonwood Avenue, where the optimum configuration would be chosen for installation, after which time the barricade on Howell Drive is proposed to be removed. Councilperson Gaworski requested that the matter be tabled for at least a month. Councilperson Reese spoke regarding this subject. He is upset with DeIDOT for not responding to any of Council's requests and as far as he is concerned, he wants the barriers to stay up. Councilperson Gaworski said he felt the same way. Councilperson Petty spoke on her feelings regarding the matter, as she wants the barriers to stay. Councilperson Gaworski made a motion to table this item. It was seconded by Councilperson Churchill and passed unanimously.

### **New Business**

Motion, Discussion and Vote on Resolution No. 2008-32, for the City of New Castle to be designated as a Commercial District Affiliate, in order to participate in certain training and activities through the State Department of Economic Development Office, with the goal of revitalization of the New Castle City downtown commercial district. The Resolution was read by Council President Blest. A Motion was made by Councilperson Gaworski. It was seconded by Councilperson Reese and passed unanimously.

Consideration of two requests to grant waivers to the City Ordinance governing Temporary Storage Units, as follows:

- A) by St. Peter the Apostle Parish, for a unit located at 521 Harmony Street;
- B) by Almars Outboard, Inc., for several units located at 701 Washington Street.

Motion, Discussion and Vote on Resolution No. 2008-33, approving the execution by the City of New Castle of a Quitclaim Deed provided to St. Anthony's Club, involving a Paper Street, known as Young Street. The Resolution was read by Council President Blest. Council agrees to give St. Anthony's Club the quitclaim deed, with the condition that, prior to the deed being given, the items/ structures which are not located on St. Anthony's property be removed, and in cases where they are relocated onto St. Anthony's property, that proper permits are obtained from the City.

Discussion of Appointments for the New Castle City Board of Elections. Council hopes to make their appointments by next Council meeting.

Motion, Discussion and Vote on Bank Resolution to pay \$34,918.19 to the AmeriHealth Company, for workers' compensation premiums through the DeLea Founders Insurance Trust. Councilperson Reese made a motion to adopt the Resolution. It was seconded by Councilperson Churchill and passed unanimously.

Discussion concerning a review and possible revision of processes and procedures relating to the Historic Area Commission as a joint venture with the New Castle Historical Society. Council members concurred with the review and Council President Blest will send a letter to the parties so that they may set a time to meet.

### **Comments from the floor.**

Executive Session to discuss matters of pending litigation and personnel. A motion was made by Councilperson Reese and seconded by Councilperson Churchill. It passed unanimously.

The meeting adjourned at 9:45 p.m.

Respectfully submitted,

Jill DiAngelo,

City Clerk

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**City Council of the Mayor and Council of New Castle  
Special Meeting  
Town Hall – 201 Delaware Street – New Castle  
Monday – September 22, 2008 – 5 p.m.**

**Present:**

Councilperson Donald Reese  
Councilperson Janet Churchill  
Councilperson John Gaworski

**Absent:**

President of Council William Blest  
Councilperson Teel Petty

**Others Present:**

City Administrator Cathryn Thomas, Building Official Jeffrey Bergstrom

The first item was consideration to approve an application of Parkway Gravel Inc. for a Minor Subdivision on Lukens Drive in the Riveredge Industrial Park. Mr. Parley Hess of the engineering firm McBride & Ziegler represented the applicant/owner/developer. It was noted that the Planning Commission had reviewed this application and recommends approval by the City Council.

Motion by Councilperson Churchill, seconded by Councilperson Gaworski, to adopt Resolution No. 2008-29, approving an application of Parkway Gravel Inc. for a Minor Subdivision on Lukens Drive in the Riveredge Industrial Park. The motion was unanimously approved.

The second item was a personnel/hiring issue for the Police Department.

Motion by Councilperson Churchill, seconded by Councilperson Gaworski, to Hire Richard Perillo as a Patrol Officer in the New Castle City Police Department, and authorizing payment required by Delaware Law to cover 50% of training costs, estimated to be about \$7,000. The motion was unanimously approved.

Respectfully submitted,  
Cathryn C. Thomas  
City Administrator

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**City Council of the Mayor and Council of New Castle  
Regular Council Meeting  
Town Hall – 201 Delaware Street – New Castle  
Tuesday – September 9, 2008 – 7 p.m.**

**Present:**

Councilperson Donald Reese  
Councilperson Janet Churchill  
Councilperson John Gaworski, Jr.

**Absent:**

Council President William Blest  
Councilperson Teel Petty

**Also Present:**

City Treasurer Janet Carlin, City Solicitor Roger Akin, City Administrator Cathryn Thomas, Lt. Adam Brams, Building Official Jeffrey Bergstrom

**Approval of Minutes by Date**

A motion was made Councilperson Churchill to accept the July 8 and August 12 Minutes as presented. It was seconded by Councilperson Gaworski and passed unanimously.

**Approval of Treasurer's Report**

Janet Carlin reported that there was \$400.00 in petty cash, \$1,772,434.61 total deposits for the month, \$498,845.33 in the Wilmington Trust Accounts, \$1,816,737.97 in the Certificates of Deposit and Delaware Government Investment Pool and \$2,315,583.30 total cash

on hand. A motion was made by Councilperson Churchill to accept the report as presented and it was seconded by Councilperson Gaworski and passed unanimously.

### **Approval of City Administrator's Report**

Ms. Thomas stated that her report to Council was in their packets and invited Council and the public to a meeting for the Planning Commission for September 16 at 7 p.m. at the New Castle Middle School regarding the proposed updates to the Comprehensive Plan.

### **Approval of Staff Reports**

Lt. Adam Brams stated that the Police report was in Council's package. Lt. Brams also spoke of pending items the Police are working on. Further, Lt. Brams reported that the interviews for officers are finished and the Police have some candidates for consideration. Mr. Bergstrom stated that the Public Works report was also in Council's packet.

### **Grant Review**

Mrs. Churchill gave the grant information for the month of August. Monies received were \$658.30 for the Salle Grant and \$1,205.96 for the Law Enforcement Technology Grant. Expenditures for the month were \$864.00 to Kercher Engineering and \$99,645.06 to Stripe-A-Lot for MSAF, \$78,609.20 to Stripe-A-Lot for Community Transportation, \$3,638.00 to CB Joe TV & Appliances for SALLE S-14-08, \$2,845.00 to Belfint Lyons & Shuman and \$7,316.38 to Wm. Young Co. for Bellanca Hanger.

### **Communications**

A letter was received from URS regarding the meeting on September 16 to discuss the Comprehensive Plan.

A Petition was forwarded to Council regarding a trash can and sign that were removed from the end of Harmony Street. The Petition was read by Councilperson Reese. Ms. Thomas discussed some of the issues raised in the Petition.

Councilperson Reese received a letter from a resident who is requesting a STOP sign at 3rd and South Streets.

Ms. Thomas received a request for a subdivision for Riveredge Park. The letter was from William Rhodunda, an attorney representing Greggo & Ferrara. Mr. Rhodunda is requesting a special meeting since they are under a time constraint and cannot afford to wait until Council's October meeting. The subdivision request has been approved by the Planning Commission. A special meeting will be held on September 22 at 5 p.m.

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

None.

### **Business from the Mayor**

None.

### **Business from the Council President**

None.

### **Unfinished Business**

Discussion to Schedule a Public Hearing to consider a request for Rezoning a portion of 300 W. 7th Street, Parcel No. 21-014.00-396, from IN Industrial to R-3 Residential; and to Amend the Comprehensive Plan concerning the area of the parcel requested for rezoning. A Public Hearing will be held on October 14 at 6:30 p.m., prior to Council's next regular meeting.

### **New Business**

Motion, Discussion and Vote on Resolution No. 2008-28, expressing the support of the City Council, on behalf of the Community of New Castle, to be included as part of a new National Park established by the Federal Government, and in particular urging the National Park Service and the Congress of the United States to establish the base of operations for a new National Park in Delaware in Downtown Historic New Castle. Councilperson Churchill read the Resolution. Councilperson Gaworski made a Motion to accept the Resolution. It was seconded by Councilperson Churchill and passed unanimously.

Comments from the floor. Mr. Herb Swanson asked Council about drainage in the vicinity of 9th and Washington Streets. Mr. Swanson has requested Council look into this matter to decide who actually owns the paper street where the property is located. Ms. Thomas stated that she will follow up with Mr. Bergstrom regarding who put the pipe in across the street relative to the drainage. Ms. Thomas also stated that she would look into Mr. Swanson's request regarding the opening of a street, paper or otherwise.

Mr. Erv Thatcher, who resides on 7th Street, spoke on the amount of traffic on 7th Street and the limited parking spaces on the street. Mr. Thatcher would like to see 7th Street made one way from South Street to Delaware Street and requested that Council look into this matter.

Ms. Paula Stockton spoke about a house on Buttonwood Ave. that has not been given a number (address) as of yet. Mrs. Stockton's home is located next to this property and is getting run off water from this property. Mrs. Stockton also spoke about the possible opening of the street from Collins Park into Buttonwood, and presented a petition in opposition to removing the barricade on Howell Drive, which restricts traffic from the Collins Park Subdivision from entering onto Buttonwood Avenue.

Mr. Bill Gatter spoke about the missing trash can and sign at end of Harmony Street. He would like the trash can and sign replaced.

Ms. Sandy Beale also spoke about the missing trash can. She would like to see it replaced.

Mr. John Cochran spoke about Mr. Swanson and his request regarding the paper road by 9th Street. He also spoke about the trash can and sign and asked why it cannot be located in an alternate spot. The smell from animal waste disposed of in the can is extremely pungent and he cannot use his back yard because of the smell. He asked that it be moved a half block away.

Mr. Joseph DiAngelo suggested that a sign be put up that no animal waste should be permitted in the that particular trash can at the end of Harmony Street.

Mr. Jerome Pinkett spoke about the Howell Dr. situation and reported to Council on some of the issues he has had with the residents of Collins Park.

Mr. Ennio D'Alessandro asked why business licenses were issued to two businesses on 7th Street where there is no parking, especially since residents have to have two parking spaces per residence. Mr. D'Alessandro would like some police enforcement regarding the traffic on 7th Street.

Councilperson Reese proposed a public hearing for a STOP sign at 3rd Street and for making 7th Street one way. The Public Hearings will be held on October 14 at 6 p.m.

Executive Session to discuss a matter of pending litigation.

A Motion was made by Councilperson Churchill to adjourn to Executive Session. The Motion was seconded by Councilperson Gaworski and passed unanimously. The meeting adjourned at 8:30 p.m.

Respectfully submitted,

Jill F. DiAngelo  
City Clerk

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**City Council of the Mayor and Council of New Castle  
Public Hearing  
Town Hall – 201 Delaware Street – New Castle  
Wednesday – August 27, 2008 – 6 p.m.**

**Present:**

President of Council William Blest  
Councilperson Janet Churchill  
Councilperson John Gaworski  
Councilperson Donald Reese

**Absent:**

Councilperson Teel Petty

**Others Present:**

City Administrator Cathryn Thomas

The City Council held a Public Hearing concerning a proposal to rezone two properties from Open Space and Recreation (OS&R) to R-3 Residential:

901 Delaware Street, Parcel No. 21-010.00-016; and  
0 Delaware Street, Parcel No. 21-010.00-017.

A presentation was made by Mr. Jeffrey Williams of Kercher Engineering, representing the property owners requesting the rezoning.

Mr. Williams noted the original layout for the project was to be 51 homes, however that has been scaled back to 46 units, mainly due to that portion of the property which is in the floodplain.

Mr. Williams addressed the concern about commercial development on the property if the rezoning is approved. It was noted that deed restrictions could be placed on the properties prohibiting any kind of commercial development.

Mr. Williams stated there are 2.57 acres of building area and that the coverage is proposed to be 38%, which is under the 50% maximum density allowed in the City Code.

Mayor Klingmeyer said he would like to see the project referred from the City Council back to the Planning Commission to consider additional information to be submitted by the applicants. Mayor Klingmeyer also commented he would like the developers to work along with the City Planning Consultant on an improved design for the development. The Mayor also noted that while the legal opinion has been that a change to R3 zoning is consistent with the current Comprehensive Plan, that the Planning Commission is not bound to base their decision on that legal opinion.

The following persons spoke concerning the proposed rezoning: Mr. John Wik, Ms. Dorsey Fiske, Mr. David Bird, Mr. Tommy Wilson and Mr. JoJo DiAngelo.

The comments generally were that the City does not currently have enough information to make a decision on this matter. Specifically, more details are needed for items related to ingress/egress, traffic, drainage and floodplain/wetlands/coastal area delineation. Mr. DiAngelo commented that the best use for the properties would be a City Park, however at this time City officials are obligated to act on the rezoning requests before them.

Mr. Jeffrey Davis commented that he has recommended the City Council adopt a policy and/or City Code which establishes impact fees.

The position of the representatives of the applicant property owners was that the level of detail which is being requested is normally created after a rezoning request is approved, when the project is moving forward in the approval process relative to site plan review.

City Council members concurred with the comments from Mayor Klingmeyer and the members of the audience, that the City does not currently have sufficient information in order to make a determination on the rezoning request.

A motion was made by Councilperson Churchill to return to the Planning Commission for further consideration and additional information a request for rezoning two properties – 901 Delaware Street, Parcel No. 21-010.00-016 and 0 Delaware Street, Parcel No. 21-010.00-017 – from Open Space and Recreation (OS&R) to R-3 Residential. The motion was seconded by Councilperson Reese and passed unanimously.

A motion was made by Councilperson Churchill to award the bid for the Western Gateway Project to the low bidder, Springhaus Landscape Co., in the amount of \$94,248.25, which includes Alternate Items Nos. 1 and 2 for maintenance services for two consecutive years after the installation and construction of the project. The motion was seconded by Councilperson Reese and passed unanimously.

A motion was made by Councilperson Churchill to enter into Executive Session to discuss a matter pertaining to Collective Bargaining. The motion was seconded by Councilperson Reese and passed unanimously.

Respectfully submitted,  
Cathryn C. Thomas  
City Administrator

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**City Council of the Mayor and Council of New Castle  
Public Hearing  
Tuesday – August 12, 2008 – 6:45 p.m.**

**Present:**

Council President William Blest  
Councilperson Donald Reese  
Councilperson Janet Churchill  
Councilperson Teel Petty  
Councilperson John Gaworski, Jr.

**Also Present:**

City Treasurer Janet Carlin, City Administrator Cathryn Thomas, Director of Public Services Joe Freebery

A Public Hearing was held at 6:45 p.m. to discuss placement of Stop Signs at the intersection of Clayton and 7th Streets. Dan Plumley stated that he was not the resident who requested the Stop Signs but some of his neighbors have spoken to him about the speed of traffic and the need for Stop Signs. Mr. Plumley stated that he was the resident who requested a Dead End sign on Clayton St. and thanked Council for placement of the sign. Councilperson Reese stated that Stop Signs may help slow down traffic. Councilperson Gaworski stated that he has noticed the speed of the traffic and that no one seems to stop at the Stop Sign already in place on 7th Street. Mr. D'Alessandro expressed concerns about the speed of traffic on 7th Street. Councilperson Petty said she was in favor of anything that would protect the safety of the residents.

The meeting was adjourned at 6:58 p.m.

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**City Council of the Mayor and Council of New Castle  
Regular Council Meeting  
Tuesday – August 12, 2008 – 7 p.m.**

**Present:**

Council President William Blest  
Councilperson Donald Reese  
Councilperson Janet Churchill  
Councilperson Teel Petty  
Councilperson John Gaworski, Jr.

**Also Present:**

Mayor John F. Klingmeyer, City Treasurer Janet Carlin, City Solicitor Roger Akin, City Administrator Cathryn Thomas, Police Lt. Adam Brams, Director of Public Services Joe Freebery, State Rep. Michael Mulrooney

**Approval of Minutes to Date**

A motion was made to accept the Minutes of May 29, June 5, June 18, June 24, June 26, 2008, as presented passed unanimously.

**Approval of Treasurer's Report**

Janet Carlin reported that there was \$400.00 in petty cash, \$213,797.16 total deposits for the month, \$650,943.72 in the Wilmington Trust Accounts, \$490,759.85 in the Certificates of Deposit and Delaware Government Investment Pool and \$1,141,703.57 total cash on hand. A motion was made by Councilperson Reese to accept the report as presented and it was seconded by Councilperson Churchill and passed unanimously.

**Approval of City Administrator's Report**

Mrs. Thomas stated that her report to Council was in their packets and spoke about the Western Gateway. Bidding for the Gateway was opened today and the three bids received were very favorable for the City. Mrs. Thomas also spoke about the City's Emergency Management Plan, a final draft of which has been prepared for review, and will need to be adopted by the City Council at a subsequent meeting.

**Approval of Staff Reports**

Lt. Adam Brams stated that the Police report was in Council's package and also that the Police are working on a strong arm theft, fraud incidents at Airport Plaza and the Police have looked at six applicants for one opening on the force. Mr. Freebery stated that his report was also in Council's packet.

**Grant Review**

Mrs. Churchill gave the grant information for the month of July. Monies received were \$53,966.01 for the Police Pension and \$27,600 for Separation Day. Bellanca Hanger expenses for the month were \$16,170 to Joshi Construction and \$25,886.70 to Wilkinson Roofing & Siding.

**Communications**

Councilperson Petty stated that the City's Summer Camp Program was about to end and invited the counselors up to introduce themselves to the audience.

Council President Blest read a letter from Gene Dempsey requesting that the Antique Show be allowed to be held again this year on August 24, 2008. Council agreed that the Antique Show could go forward as planned.

Council President Blest stated that Herb Swanson has requested clarification on a paper street in the City. The matter has been turned over to Roger Akin for review.

Business from the Floor (concerning agenda items only)

Council President Blest received a petition from the residents of 4th Street regarding the problems that the residents are experiencing, specifically the problems with the resident at 48 W. 4th Street. The letter was signed by several 4th Street residents. Mr. Tom Geraghty spoke on the construction problems that are occurring at 48 W. 4th Street. Mr. Geraghty thanked the Police for all that they have done but feels that the City Building Inspector needs to become involved in this matter. Mr. Akin stated that he had gotten back to Jeff Bergstrom noting that the Building Department must insist on permits and if the resident did not obtain permits, a stop work order should be issued. Also, if the Building Official does not feel the work is not being done safely, a stop work order can and should be issued. Also, if Ms. Carpenter was outside causing problems, the neighbors could file a criminal complaint against her. Mr. Geraghty stated one of his biggest concerns is that Mr. Bergstrom told him there was no fire wall between the residences. He wants to know what can be done about this and when will it be done. President Blest stated that Council will meet with Roger Akin at the Executive Session to decide how best to proceed as quickly as possible.

### **Business from the Mayor**

Mayor Klingmeyer thanked the residents of 4th Street for coming out to voice their concerns.

### **Business from the Council President**

None.

### **Unfinished Business**

Motion, Discussion and Vote on Resolution No. 2008-21, approving a request for a handicapped parking space to be located in front of Dr. Padmalingham's office at 25 W. 7th Street. Councilperson Gaworski read the Resolution. Councilperson Churchill made a motion to accept the Resolution. It was seconded by Councilperson Petty. The Resolution was modified that the handicap parking would be effective only on weekdays from 8 a.m. to 6 p.m. The Resolution was passed unanimously.

Motion, Discussion and Vote on Resolution No. 2008-22, approving a Minor Subdivision for 350 Glebe Lane, Parcel No. 21-011.00-011, owned by the Immanuel Episcopal Church. Council President Blest read the Resolution. Councilperson Reese made a motion to accept the Resolution. It was seconded by Councilperson Churchill. (Reese=yes, Petty=yes, Churchill=yes, Gaworski=yes, Blest=yes).

Motion, Discussion and Vote on Resolution No. 2008-23, to rescind Resolution No. 2006-24, concerning closing off access from Howell Drive to Buttonwood Avenue. Councilperson Gaworski read the Resolution. Councilperson Reese made a motion to pass the Resolution. It was seconded by Councilperson Churchill. Councilperson Petty voiced her strong opposition to rescinding the Resolution. Councilperson Gaworski stated that he has spoken to Rep. Mulrooney and Mr. Vanucci, the fire chief, and they felt that the barricades cause a hazard should there be an accident on the railroad track and the emergency vehicles cannot get through. Council President Blest stated that he has received emails from Rep. Mulrooney and Rep. Bell but really has not heard from the residents regarding the barricades. Councilperson Reese stated that his original vote in favor of Resolution 2006-24 was a "knee jerk" reaction but if Rep. Mulrooney had funding to install traffic calming measures, he would agree to remove the barricades under the condition that the traffic calming measures be put in place before the barricades are removed. Council President Blest stated he would like to see what DelDOT was willing to install before deciding. Councilperson Churchill made a motion to table this matter until Council receives some type of plan from DelDOT as to what traffic calming measures they intend to use. It was seconded by Councilperson Petty and accepted unanimously.

Motion, Discussion and Vote on Resolution No. 2008-24, to hire the Kercher Engineering firm to prepare plans and bid specifications for the 2008-09 road and street repair project. Councilperson Gaworski read the Resolution. Councilperson Reese made a motion to adopt the Resolution. It was seconded by Councilperson Churchill. Council President Blest stated he felt \$6,000 was too much and the City should be able to do this in house since we now have a City Administrator and Public Services Director. Council President Blest was opposed but the remainder of Council passed the Resolution.

Motion, Discussion and Vote on Resolution No. 2008-25, to amend the agreement between the City and the URS Corp. for developing the City's Comprehensive Plan Update. Councilperson Churchill read the Resolution. Councilperson Reese made a motion to accept the Resolution. It was seconded by Councilperson Petty. Council voted on the matter. (Reese=yes, Petty=yes, Gaworski=yes, Churchill=abstaining, Blest=abstaining)

Motion, Discussion and Vote on Resolution No. 2008-26, approving placement of STOP Signs at the Intersection of Clayton and 7th Streets. Councilperson Reese read the Resolution. Councilperson Churchill made a motion to accept the Resolution. It was seconded by Councilperson Petty and passed unanimously.

Discussion to schedule a Public Hearing to consider a request for Rezoning two parcels from Open Space and Recreation (OS&R) to R-3 Residential: 901 Delaware Street, Parcel No. 21-010.00-016; and 0 Delaware Street, Parcel No. 21-010.00-017. Mrs. Thomas stated that the Planning Commission is recommending the rezoning with the restriction that the properties be used strictly as residential. Mr. Akin stated that if the properties are rezoned R-3, the properties can be used for any purpose within the R-3 restrictions. The property owners are proposing a plan with 51 new townhomes on the properties in question. Councilperson Gaworski voiced his concern about the amount of traffic and that the proposed new entrance would not line up across from the existing 9th Street. A Public Hearing will be scheduled for August 27 at 6 p.m. to consider this request.

## **New Business**

Motion, Discussion and Vote, confirming the Mayor's recommendations of persons to be appointed to the Planning Commission. The Mayor appointed David Bird, Bernard Pinkett and Jack Norsworthy. Councilperson Reese made a motion to accept the Mayor's appointments. Councilperson Churchill seconded it and it passed unanimously.

Motion, Discussion and Vote on a Bank Resolution to pay Stripe-A-Lot the final payment, in the amount of \$178,254.26, for work on the 2007-08 Road and Street Repair Project. Councilperson Churchill read the Resolution. A motion was made and seconded and it was passed unanimously.

Discussion concerning development of a City Tree Ordinance and \$5,640 in funding from the State Livable Delaware program. Council President Blest suggested that this item be tabled until the Tree Commission gets back to Council with an update. Councilperson Churchill made a motion to table this matter. Councilperson Petty seconded it and it passed unanimously.

Consideration to refer to the Planning Commission a request for rezoning a portion of 300 W. 7th Street, Parcel No. 21-014.00-396, from IN Industrial to R-3 Residential. Francis DeAscanis of CPR Construction spoke to Council regarding the request. The property in question is on 7th Street across from the prior Gambacorta Buick showroom. Councilperson Churchill made a motion to send this item to the Planning Commission. It was seconded by Councilperson Gaworski and passed unanimously.

## **Comments from the floor.**

Executive Session to discuss a matter of pending litigation.

Councilperson Reese made a motion that Council adjourn to Executive Session. It was seconded by Councilperson Churchill and passed unanimously.

The meeting was adjourned at 9:53 p.m.

Respectfully submitted,  
Jill F. DiAngelo,  
City Clerk

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## **City Council of the Mayor and Council of New Castle Regular Council Meeting Tuesday – July 8, 2008 – 7 p.m.**

### **Present:**

Council President William Blest  
Councilperson Donald Reese  
Councilperson Janet Churchill  
Councilperson Teel Petty  
Councilperson John Gaworski, Jr.

### **Also Present:**

City Treasurer Janet Carlin, City Solicitor Roger Akin, City Administrator Cathryn Thomas, Police Sgt. Bernard Torres, Director of Public Services Joe Freebery, Building Official Jeff Bergstrom

### **Approval of Minutes by Date**

A motion was made by Councilperson Churchill to accept the June 10 and June 12, 2008, minutes as presented and was seconded by Councilperson Reese and passed unanimously.

### **Approval of Treasurer's Report**

Janet Carlin reported that there was \$400.00 in petty cash, \$230,610.17 total deposits for the month, \$415,415.57 in the Wilmington Trust Accounts, \$775,328.10 in the Certificates of Deposit and Delaware Government Investment Pool and \$1,190,743.67 total cash on hand. A motion was made by Councilperson Reese to accept the report as presented and it was seconded by Councilperson Churchill and passed unanimously.

### **Approval of City Administrator's Report**

Mrs. Thomas stated that her report to Council was in their packets. Mrs. Thomas also stated that the sidewalk project at Deemer's Landing Apartments on Washington Street at its intersection with 9th Street has been completed. Mrs. Thomas also reported that Fratern Tarimo, the new Recreation Department Coordinator, turned in a report to Council. Summer Camp commenced yesterday and 37 children are signed up.

### **Approval of Staff Reports**

Sgt. Torres stated that the Chief's report was in Council's package. Sgt. Torres also mentioned that the department seized \$25,000 worth of illegal drugs in the form of 21 pounds of marijuana. Jeff Bergstrom reported on the tidal gates at Buttonwood. They are going to be replaced by the New Pump Co. This project should be completed before the end of summer. Mr. Freebery stated that his report was also in Council's packet.

### **Grant Review**

Mrs. Churchill gave the grant information for the month of May. Expenses for the month were MSAF \$6,502 and \$7,736 to Kercher Engineering for street paving to Kercher Engineering, Various Invoices for Separation Day totaling \$22,279 and \$2,859.96.

### **Communications**

Mayor Klingmeyer forwarded a letter to Council selecting the following residents for appointments to the Planning Commission: Bernard Pinkett, David Bird and Jack Norsworthy.

Councilperson Gaworski stated that Dr. Padmalingam is requesting a handicap parking spot in front of his office for his patients and that he has received requests from residents for a STOP sign at Clayton and 7th Streets.

Business from the Floor (concerning agenda items only)

Earl Carpenter had questions for Council regarding the budget.

### **Business from the Mayor**

None.

### **Business from the Council President**

None.

### **Unfinished Business**

None

### **New Business**

Motion, Discussion and Vote on Resolution No. 2008-19, considering approval of the 2008-09 City Budget and Setting the Tax Rate. Councilperson Churchill read the Resolution. A motion was made by Councilperson Reese to adopt the Resolution. It was seconded by Councilperson Petty and passed unanimously. Councilperson Churchill read a statement reflecting her own personal review which was that she had hoped to pass the budget without increasing the tax rate. The tax rate will remain the same as last year at \$1.15 per \$100 of assessed value.

Motion, Discussion and Vote on Resolution No. 2008-20, considering acceptance of the proposal from Belflint, Lyons & Shuman, P.A., accounting firm, to conduct annual audits for the City of New Castle through the year 2010, for a fee in the range of \$11,000 to \$13,000 per year. Councilperson Churchill read the Resolution. A motion was made by Councilperson Reese to adopt the Resolution. It was seconded by Councilperson Petty and passed unanimously.

Discussion concerning a new building for the City Administration offices. Councilperson Petty discussed the need for a new City Administrative building and would like to have a workshop to discuss different locations and buildings that would be available to Council. Council was generally in favor of looking into this issue around September, 2008.

Motion, Discussion and Vote on a Bank Resolution to pay Wilkinson Roofing for work on the Bellanca Air Hangar Project. Councilperson Churchill read the Resolution. A motion was made by Councilperson Reese to adopt the Resolution. It was seconded by Councilperson Petty and passed unanimously.

Discussion of a request for a handicapped parking space to be located in front of Dr. Padmalingam's office at 25 W. 7th Street. Council discussed the need for a handicap parking spot and Council President Blest requested that the item be tabled until more information is obtained. It was questioned whether the spot would be for handicap parking always or just during business hours and shouldn't Dr. Padmalingam be living at that property. Councilperson Churchill made a motion to table this item until next month's meeting. It was seconded by Councilperson Reese and accepted unanimously. City Solicitor Akin will look into this matter.

Discussion of the 2008 road and street repair projects. Joseph Freebery gave a presentation to Council regarding the streets he is recommending being repaired. Mr. Freebery also stated that some of the projects will be determined depending on the amount of grants received from the State.

### **Comments from the floor.**

Earl Carpenter had questions regarding the budget. Councilperson Reese stated that Marian Delaney found quite a few properties that the County had recently assessed but the City was not notified so now these properties will be taxed by the City and additional funds will

be forthcoming from this. Therefore, Council was able to balance the budget without raising taxes.

A resident from Booker Circle complained about the conditions of Booker Circle. Drugs, garbage, parking, go karts and dirt bikes were the main concerns. Sgt. Torres addressed some of the residents' complaints and will pass on the information to Chief McDerby.

Esther Lovely spoke regarding the Oxygen Group. They will be meeting on July 21.

Executive Session to discuss a matter of pending litigation. A motion was made to adjourn to Executive Session by Councilperson Reese. It was seconded by Councilperson Churchill and passed unanimously.

Respectfully submitted,  
Jill DiAngelo  
City Clerk

**CITY COUNCIL OF THE CITY OF NEW CASTLE**  
**BUDGET WORKSHOP**  
**JUNE 26, 2008**  
**5 P.M.**

**Present:**

Council President William Blest  
Councilperson Janet Churchill  
Councilperson John Gaworski  
Councilperson Teel Petty  
Councilperson Donald Reese

**Others Present:**

Cathryn Thomas, City Administrator  
Marian Delaney, Finance/HR Supervisor  
Gregory Sarnecki, City Accountant

The workshop began at 6 p.m. Roll call was taken.

Council President Blest was concerned with the lack of proper posting for this evening's meeting on the bulletin board at the City office. Ms. Thomas checked the bulletin board and confirmed that a notice was posted that also contained the change in meeting date to 6/26/08.

Councilperson Churchill informed that line items had been reviewed once again and \$7,300 in additional savings were suggested. They are as follows:

Public Safety – Professional Development – reduced to \$3,500  
Seasonal Officers – Overtime – reduced to \$300  
Seasonal Officers – Physicals – reduced to \$1,300  
Public Services – Legal Notices – reduced to \$700  
Building Maintenance – Janitorial Services – reduced to \$32,000  
Building Maintenance – Termite/Pest Control – reduced to \$1,600

During discussion Council decided to reduce the budget for City Council Professional Development and Travel by \$500. Additional discussion concerning other line item monies followed. Some of the suggestions were agreed upon, however some line items remained that same without implementing the suggestions.

A motion was made to increase the tax rate .04 cents per \$100. The motion was seconded and approved by unanimous vote.

A motion was made to adjourn the budget workshop. The motion was seconded and approved unanimously. The meeting was adjourned at 6:55 p.m.

Respectfully submitted,  
Debbie Turner,  
Stenographer  
(Stenographer was not in attendance; minutes transcribed from tape.)

**CITY COUNCIL OF THE CITY OF NEW CASTLE**  
**BUDGET WORKSHOP**  
**JUNE 24, 2008**  
**5 P.M.**

**Present:**

Council President William Blest  
Councilperson Janet Churchill  
Councilperson John Gaworski  
Councilperson Teel Petty  
Councilperson Donald Reese

**Others Present:**

Cathryn Thomas, City Administrator  
Marian Delaney, Finance/HR Supervisor  
Gregory Sarnecki, City Accountant

A motion to begin the Budget Workshop was made and seconded. The workshop was convened at 6 p.m. Roll call was taken.

The workshop began with lengthy discussion surrounding the Contingency Fund and a shortfall or surplus of same. Council proceeded to review the budget for monies that could be removed or adjusted. During the review a number of issues were addressed and adjustments made.

A motion was made to adjourn the budget workshop. The motion was seconded and approved unanimously. The meeting was adjourned at 8:30 p.m.

Respectfully submitted,  
Debbie Turner,  
Stenographer  
(Stenographer was not in attendance; minutes transcribed from tape.)

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**CITY COUNCIL OF THE CITY OF NEW CASTLE**  
**BUDGET WORKSHOP**  
**JUNE 18, 2008**  
**5 P.M.**

**Present:**

Council President William Blest  
Councilperson Janet Churchill  
Councilperson John Gaworski  
Councilperson Teel Petty  
Councilperson Donald Reese

**Others Present:**

John F. Klingmeyer, Mayor  
Cathryn Thomas, City Administrator  
Marian Delaney, Finance/HR Supervisor  
Gregory Sarnecki, City Accountant  
Janet Carlin, Treasurer

A motion to begin the Budget Workshop was made by Councilperson Churchill and seconded by Councilperson Reese. The meeting began at 5:10 p.m. Roll call was taken.

Wharf Dance – Lula Etherton presented plans for a Wharf Dance on 9/6/08 with a rain date of the following Saturday (9/13/08). Hours will be 7 p.m. to 11 p.m. Proceeds from the Wharf Dance will benefit expansion of the library. She requested that the City sponsor the event to enable it to be covered with insurance coverage. A limit of 250 tickets will be sold. The theme for the event will be "Rhythm on the River." Food and alcoholic beverages (beer, wine, mixed drinks) will be provided and they plan to use a ticket system and keep mixed drinks to a minimum. They will have people carding at the entrances and are open to not allowing anyone under 21 years of age at the event. Police and emergency personnel are being arranged as well as port-a-potties. Concern was expressed about people without tickets entering the dance. They are going to use either a stamp or wristband to help identify paid participants. The issue of parking was raised but they feel that most participants will be locals and will walk to the event. They have a Clean-Up Committee to handle clean-up

matters. They will use monies from the last Wharf Dance that was being saved for park benches that will be used as seed money and reimburse when tickets are sold. They also plan on speaking to the Trustees about a donation. They will have pre-sale of tickets and no advertising will be necessary unless there are tickets left over.

A motion was made by Councilperson Churchill for the City to sponsor the "Rhythm on the River" Wharf Dance. Councilperson Reese seconded the motion which was approved by unanimous vote.

Workshop – Ms. Delaney reviewed budget materials distributed to the group. The Mayor's Office budget requests are being reviewed this evening.

Mayor Klingmeyer noted two items that are not in his budget, but he did want to present to Council for consideration.

He is requesting funding from Trustees of Commons for an overhead projector to allow for presentations of various documents. He is not including this item in his budget because it is a multi-use item. This equipment would be beneficial to the Planning Commission, Board of Adjustment and City Council when making presentations. (Discussion followed.) Ms. Thomas added that permission from the Trustees is necessary if any wiring, etc. is needed for the equipment.

Board of Health – Postage expenses are increasing because of the case load and the notification process associated with citations; therefore, he requested the budget be increased to \$1,200. John Lloyd, Code Enforcement Officer, is requesting a more efficient vehicle, possibly a bicycle in the summer months. He would also like to have software for computerization for notification similar to the police department. This software would make it more efficient to track code violations and citations and would help when he needs to go to court. He also requests a good digital camera with a zoom lens to take pictures of violations. He is not permitted to enter a property unless he is invited or sees an act of violation. Estimated cost is \$1,000. He would also like a uniform (shirt, slacks, jacket) that has the proper emblems on it. Estimated cost is \$500. (None of these items are included in the Board of Health budget.)

The Mayor enlisted Mr. Sarnecki's assistance in projecting office expenses (phone, office supplies, etc.) for the coming year. An estimated increase of 3% was quoted.

Professional Development – The Mayor feels the Planning Commission should be included in getting professional documents and publications. (They have submitted their budget request.) He would like to budget for this. Budgeted amount is \$1,700; no increase is necessary.

Books and Reference Materials – The Mayor would like to secure more publications that will be available to all City employees.

Following the Mayor's presentation other budget items were reviewed as follows:

Separation Day – This event is a State/City function but mostly financed by the State; the Committee is looking for more outside funding. (Discussion about City services provided during Separation Day and the City's contribution followed.) Ms. Delaney noted for the record that Mayor Klingmeyer and Mikki Diemidio do a wonderful job with Separation Day.

Community Development – We are a part of this program with the County and the paperwork was late in coming to our office. The Mayor has signed the document

subject to ratification from this Council. We have received approximately \$1.4 million over the last four years. The Senior Center, Buttonwood School and individual homeowners have benefited from this program.

Civil Defense -- \$500 is budgeted and no increase is necessary. Some of Mr. Lloyd's items are being handled through the Anti-Terrorist Program.

Revenue – Assessments and delinquent taxes were estimated. More accurate figures will be available next Tuesday (6/24/08). Discussion about property tax transfers and delinquent taxes followed. Building permits are still subject to Jeff Bergstrom. With the new Building Code Tech being added the compliance and collection of permits and business licenses should increase. (Discussion about the the viability of the new building code officer took place.)

Municipal Service Commission (MSC)– Appropriated \$400,000 for FY 2207-08. Councilperson Reese noted that he is aware MSC has approved an increase in the City's appropriation of \$50,000, for a total revenue coming to the City in FY 08/09 of \$450,000.

Ground Lease – Appropriation of \$100,000 is standard.

Trustees Appropriations – They have approved \$6,000 for a surveillance camera, \$27,000-police vehicle; \$45,000-garbage truck lease; employees' salary benefits & salaries; \$20,000-Tree Commission; Trustee Park and Fuel is a pass-through (represents Erv Thatcher & Robert Ford's salary/benefits/expenses); \$85,000-Goodwill for their expansion project. They provided a memo for a three-year

appropriation to Goodwill for \$100,000 per year. Ms. Delaney has questioned whether the Trustees want the City to issue the check then be reimbursed.

Western Gateway – Ms. Thomas reported that we do have \$134,000 for the project. We have the revenue in this budget year, but will not have expenses until the next budget year. She explained how the monies were recorded on the information projected to Council. Mr. Reese inquired about the feasibility of encumbering funds. Mr. Sarnecki expressed concern that the present City accounting package cannot accommodate encumbering, but perhaps Council could vote on a more sophisticated accounting system and have it in place for next year.

Seasonal Patrol – Appropriated \$10,000.

Franchise – Ms. Thomas reported that the figure shown is level for what is expected from Comcast and at some point we will start collecting from Verizon, but she does not expect to see a surge in franchise fees because we will be seeing people switching from Comcast.

On another revenue matter, the City will realize an additional \$950/month from MetroPCS and Cricket for new ground leases on City property near the MSC Plant adjacent to the AT&T tower. When these two new entities add on to the AT&T tower, the City will also receive a portion of the lease payment to AT&T. That figure is unknown at this time.

Insurance Reimbursement – No figure is needed.

Miscellaneous Income/General Fund – Ms. Delaney detailed these monies with Council.

Special Trash Collection -- \$500 will be appropriated at this time. (Discussion followed.)

Zoning – The three-year average is \$7,900. It was decided to budget \$7,000.

Building Appeals Lien Reimbursement – Appropriated \$5,000; we may have the expense one year and realize the revenue another year. There is no net increase in the budget but it covers us either way if we do have activity.

Summer Recreation -- \$3,500 has been budgeted. Ms. Delaney detailed the costs of various trips involved with this program. This program is for City children and is subsidized by City taxes. Transportation costs have increased significantly over last year. Councilperson Petty feels the amount should be increased to help offset expenses. Discussion took place about lowering fees or subsidizing in order to help children who do not have the financial means to participate. It was decided to revisit Recreation once the Revenue portion of the budget is reviewed.

Accident Reports – Unchanged.

Municipal Street Aid – Ms. Thomas informed we are hoping to get \$120,000 depending on what they do with the State budget.

Community Transportation Funds – Ms. Thomas requested \$75,000 through Representative Mulrooney. We received current contributions through Senator Connor and will need to request again next year. The amount each State Representative receives will depend on the State budget.

State Separation Day Grant -- \$30,000 has already been approved.

Tree Commission Other Fund -- \$100 is fine.

Delaware Solid Waste Reimbursement – We pay \$62/ton for tipping fees at the landfill. In August we receive a rebate check from DSWA.

Local Law Enforcement Technology – The same numbers are used on the Revenue side as on the Expense side so if something happens to salary grants we are covered.

Homeland Security Grant/SALLE/DRUG/Police and Highway Safety Grants are all the same. Accreditation is a new grant we are expecting, but details have not been finalized yet.

Job Reimbursement – Will likely be the same amount.

Greenway & Trail Maintenance – It was unclear what this represents; therefore, no funds will be budgeted.

DEMA Security Grant – Ms. Delaney informed we had applied and been approved for \$42,000 for security in the Administration and Public Works Buildings. These monies must be used by 8/31/08. They are currently meeting with vendors. Discussion about what the

various vendors offer followed.

Planning Grant -- \$10,000 represents monies awarded from Livable Delaware and will be used to offset URS planning expenses.

Sponsored Park Donations -- \$15,000 was appropriated. The same amount is noted under the Expense side. We received \$5,000 from Day Star, \$5,000 is pending from Premcor, and they both show \$5,000 each for a 2008 appropriation.

Bellanca Airdome Project – No monies have been appropriated. We have \$40,000 left from their grant.

Unreserved Fund Balance -- \$250,000 has been appropriated. We already have the \$134,000 revenue this year to be used for the Western Gateway, but it will not be spent this year. It was suggested that two lines appear; one showing \$134,000 as revenue collected in 2008 to be expended in 2009 (Western Gateway) and the other reflecting the true unreserved fund balance.

Review of the Revenue portion of the budget concluded.

Summer Recreation was revisited. Expenses involved were reviewed. Transportation costs were increased to \$3,355. Last year's transportation costs totaled \$2,800.

Building Maintenance – Included preventative maintenance contracts for three buildings in this budget. Ms. Delaney has inquired where the dandelion/weed contract is being posted or is already included. Ms. Thomas said the Public Services Building Repairs budget was \$14,000 and she has received a note from Mr. Freebery requesting an increase to \$35,000. No breakdown was provided; Ms. Thomas will request a breakdown, per Council's request.

Audit – Ms. Delaney reported they are finishing the final draft of last year's audit and would like to start this year's audit in June. Discussion about the fee for the audit followed. Mr. Sarnecki provided an estimated range of \$11,000 to \$13,000. Council decided to speak to the City Solicitor about guidelines for distribution of the audit. This subject will be added to the agenda for the next budget workshop.

In closing, Ms. Delaney reminded Council that this budget (24 pgs.) is a rough draft only. AFSCME raises of 3.5 percent are included as are promotions and step increases. She used the police department's base salary and if their contract is not signed by June 30th we will need to use the contingency that is determined. She cautioned about projecting figures for raises. This topic will be revisited during the next budget workshop session.

The tax rate will be known at the next session which will enable Council to determine what changes or cuts might be necessary. Council was asked to review the draft budget and be prepared to discuss it further at the next workshop session.

Councilperson Churchill made a motion to adjourn the budget workshop; Councilperson Petty seconded the motion. The motion was unanimously passed. The meeting was adjourned at 7:05 p.m.

A motion was made, seconded and approved to go into Executive Session.

Respectfully submitted,  
Debbie Turner,  
Stenographer

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**CITY COUNCIL OF THE MAYOR AND COUNCIL OF NEW CASTLE  
BUDGET WORKSHOP—6 p.m., THURSDAY, JUNE 12, 2008**

**Present:**

Council President William Blest  
Councilperson Donald Reese  
Councilperson Janet Churchill  
Councilperson Teel Petty  
Councilperson John Gaworski, Jr.

Others Present: City Treasurer Janet Carlin, City Administrator Cathryn Thomas,  
Finance/HR Director Marian Delaney, City Accountant Greg Sarnecki

Council President Blest brought the meeting to order at 6:02 p.m.

1. Council members reviewed the budget requests for the "Recreation" segment of the City budget. Council members requested additional information concerning transportation costs, taking into account the current high cost of gasoline and the rate at which that cost has increased over the past year.

Council members and City staff at the meeting created the line-by-line items for the "Building Maintenance" segment of the City budget. More information will be requested from Public Services concerning maintenance specific to the Trolley Barn facility. A request was also made to have as a separate line item the expenses related to the cleaning and maintenance of the Battery Park public bathroom facilities.

Insurance for the City was discussed. The City Administrator reported she had not yet received a report from the City's Insurance Agent, Mr. Robert Briggs, concerning the amounts projected for most of the lines of insurance coverage for 2008/09. Contact will be made with Mr. Briggs to obtain this information. The premium amount for workers' compensation coverage has been received from the new DFIT/AmeriHealth provider and is about \$109,000 for the period from July 1, 2008 through June 30, 2009. Mr. Sarnecki asked about the wages and classification of positions being audited, which could result in a slightly higher premium, to be paid separately to the carrier once the audit is complete. Ms. Thomas said that an audit is scheduled to occur in the next few months and it would be wise to budget some additional funds in this line item to cover payment of the audited payrolls. Therefore, it was decided \$115,000 would be appropriate for the budgeted amount for this line item. It was noted, however, that this amount reflects a decrease from the current budget year of \$30,000.

Dr. Jack Norsworthy, Chair of the Planning Commission, addressed the Council with the budget request for the Planning Commission. The total budgeted in the current year for the Planning Commission is \$43,500 and the request from the Planning Commission for their budget for 2008/09 is \$68,500. A \$10,000 increase is requested for "General Expenses" to be expended toward general items which would come up during the year but are not known at this time. An additional \$10,000 is being requested for the City Planning Consultant to develop a Capital Improvement Plan for the City. Further, another \$10,000 is being requested for the City Planning Consultant to perform a review of the City zoning and subdivision laws, rules and regulations.

The meeting was adjourned.

Respectfully submitted,

Cathryn C. Thomas, City Administrator

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**City Council of the Mayor and Council of New Castle**  
**Regular Council Meeting**  
**Tuesday – June 10, 2008 – 7 p.m.**

**Present:**

Council President William Blest  
Councilperson Donald Reese  
Councilperson Janet Churchill  
Councilperson Teel Petty  
Councilperson John Gaworski, Jr.

**Also Present:**

City Treasurer Janet Carlin, City Solicitor Roger Aiken, City Administrator Cathryn Thomas, Police Chief Kevin McDerby, Director of Public Services Joe Freebery, Building Official Jeff Bergstrom

Approval of Minutes by Date

A motion was made by Councilperson Reese to accept the following Minutes as presented:

April 10, 2008 May 13, 2008

The motion was seconded by Councilperson Churchill and passed unanimously.

**Approval of Treasurer's Report**

City Treasurer Janet Carlin reported that there was \$400 in petty cash, \$213,797.16 total deposits for the month, \$456,150.17 in the Wilmington Trust Accounts, \$869,028.46 in the Certificates of Deposit and Delaware Government Investment Pool and \$1,325,178.63 total cash on hand. A motion was made by Councilperson Reese to accept the report as presented and it was seconded by Councilperson Petty and passed unanimously.

**Approval of City Administrator's Report**

Mrs. Thomas stated that her report to Council was in their packets and spoke about the City's Summer Camp. Mrs. Thomas also stated that the franchise negotiations have begun with Verizon for the cable television portion of the franchise.

**Approval of Staff Reports**

Chief McDerby stated that his report was in Council's package. Mr. Freebery stated that his report was also in Council's packet.

## **Grant Review**

Mrs. Churchill gave the grant information for the month of May. Monies received were \$134,000.00 for State project #25-200-18 and \$3,723.46 from Dell Computers. Bellanca Hanger Expenses for the month were \$19,549.56 to Joshi Construction and \$22,401.00 to Guardian Construction.

## **Communications**

Mrs. Thomas received correspondence regarding the Wharf Dance. A group of residents would like to bring the dance back. One of the major issues would be insurance for the event. Councilperson Reese stated that some other dances/functions were covered under the City's insurance policy in the past. This event is being held as a fundraiser for the Library. A meeting will be held on June 18, at 5 p.m. to discuss and vote on this matter.

Councilperson Reese stated that he received a call from Daniel Knox, Council's new liaison for MSC regarding a vote that MSC would be taking regarding Delmarva Power and the purchase of "green" power.

Council President Blest stated that the residents are entitled to buy a portion of "green" power for a nominal fee now and if the City's residents were interested they should contact MSC.

Business from the Floor (concerning agenda items only)

Chris Dunn of the PODS (Portable On Demand Storage) Co. spoke of Ordinance 458 regarding temporary storage units.

Business from the Mayor

Business from the Council President

Unfinished Business

Third Reading, Motion, Discussion and Vote on Ordinance No. 458, a proposal to amend Chapter 140: Housing and Property Maintenance, to include language governing portable temporary storage units.

Council President Blest read the Motion for the record. Councilperson Churchill made a motion to approve the Ordinance. It was seconded by Councilperson Reese. Councilperson Reese said he thought section three was unfair in that since you could feasibly park a U-Haul brand truck in front of your house when moving in, why not a POD? Council chose to eliminate the current wording in section three and replaced it with language regarding the placement of temporary storage units on the public streets for a maximum of 72 hours, in which case persons must still obtain a City permit. The Ordinance passed unanimously.

Discussion of progress on the Comprehensive Plan.

Marian Hull from URS summarized her work to date. The Planning Commission is comfortable with moving forward but they would like to have a public workshop and possibly a workshop with Council before moving forward.

## **New Business:**

1. Consideration to refer to the Planning Commission a request for rezoning 0 Delaware Street, Parcel No. 21-010.00-017, from R1 Residential and Open Space & Recreation to R3 Residential.

Jeffrey Williams of Kercher Engineering gave a presentation to Council regarding rezoning the abovementioned property for residential use. Councilperson Reese inquired as to the type of development that is planned for this parcel and Mr. Williams said those details had not yet been finalized. Councilperson Reese made a motion to refer this matter to the Planning Commission. It was seconded by Councilperson Churchill and passed unanimously.

2. Comments from the floor.

Mr. Herb Swanson questioned the proposed development of new apartments across 9th Street from the existing Deemer's Landing, noting he has records showing a paper street owned by the City, however the developer of the new building is proposing to build on that portion of the property where the City-owned street is; and also that when the existing apartments were constructed, contaminated concrete was taken off the development site and used to fill in a creek and drainage area, which now causes problems with water flooding the floor of a garage on an adjacent property.

Mr. Lloyd of School Street expressed concerns about St. Anthony's fireworks going on from 8 a.m. to 6 p.m. on a Saturday and questioned the qualifications of the person(s) shooting off the fireworks and also the location from which they were being launched. Mr. Lloyd inquired as to who would have issued a permit for these activities and Mr. Bergstrom said he was the official who issued the permit. Mr. Bergstrom provided Mr. Lloyd with his business card and asked him to follow-up so that his questions may be satisfactorily answered.

Ms. Paula Stockton, a Buttonwood resident, questioned how the City could have issued a permit for a new house to be built on a lot in the Buttonwood subdivision when the lot is in the floodplain, and also that the impact of a house being developed on this lot is negative for surrounding properties which may now experience drainage issues which were not occurring prior to the new house being

built. Councilperson Petty said she shares the concerns of Ms. Stockton, as she lives in the vicinity as well. Councilperson Petty, Mr. Freebery and Mr. Bergstrom are scheduled to do a site inspection on Thursday, June 12.

3.Executive Session to discuss collective bargaining.

A motion was made to adjourn to Executive Session by Councilperson Churchill. It was seconded by Councilperson Petty and passed unanimously. The meeting adjourned at 8:33 p.m.

Respectfully submitted,  
Jill DiAngelo  
City Clerk

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**CITY COUNCIL OF THE CITY OF NEW CASTLE  
BUDGET WORKSHOP  
JUNE 5, 2008 - 6 P.M.**

**Present:**

Council President William Blest  
Councilperson Janet Churchill  
Councilperson John Gaworski  
Councilperson Teel Petty  
Councilperson Donald Reese

**Others Present:**

Cathryn Thomas, City Administrator  
Marian Delaney, Finance/HR Supervisor  
Gregory Sarnecki, City Accountant  
Joseph Freebery, Director of Public Services  
George O'Neal, Public Works Supervisor  
Debby Pullan, Public Services Specialist

A motion to begin the Budget Workshop was made and seconded. The meeting began at 6:05 p.m. Roll call was taken.

A pre-budget meeting with Public Services personnel was conducted with Ms. Delaney, Mr. Freebery, Mr. O'Neal, and Ms. Debby Pullan in preparation for this meeting. Ms. Delaney reviewed overtime and salary matters.

**Personal Service**

- Building Code Tech I – This is a full-time position.
- Housing Code Enforcement – One half of this figure represents John Lloyd's salary; the other half is shown under Board of Health.
- Overtime – Appropriated \$15,000.
- Health/Life/Dental – Increasing.
- Pension Plan – Figure is low because of the number of temporary personnel last year. (Discussion followed.)
- Vacation & Sick Sellback – Increase to \$7,500.
- Professional Development/Training – (Discussion about different trainings took place.) Appropriated \$7,500.
- Software Updates – Debby Pullan is requesting a new permit program; cost is unknown. Currently she is working in DOS which is an outdated program. It is not known what Jeff Bergstrom's computer needs are. The appropriation of \$1,500 is subject to change based on Jeff Bergstrom's needs. (There was discussion about various software programs being considered.)
- Computer/Hardware – We pay a retainer (\$5,000) to Technology Matrix. Computers for Jeff Bergstrom (\$1,330 for computer and monitor) and George O'Neal (should be less than Jeff's). (Discussion followed about City employees who should receive new computers and training for same.) \$8,500 was appropriated.
- Office Supplies/Equipment/Printing – Appropriated \$3,000.
- Operating Supplies – Appropriated \$14,000.
- Postage – Appropriated \$2,500. It was noted that John Lloyd sends out certified notification letters that comes from the administrative postage budget.
- Bldg. Appeals & Revolving Fund – Appropriated \$5,000. (Discussion followed.)
- Film & Development – Appropriated \$500.
- Administrative Expense – Appropriated \$500.
- Contractual Service
- Fuels & Lubricants – Appropriated \$45,000. Council President Blest stated we need to be more fuel efficient going forward.
- Landfill Fees – We receive a refund in August creating a drop in fees. Dropping collection days from two to one day, yard waste

and recycling was discussed. It was decided that accounting will be separate for landfill costs versus City costs concerning recycling. This process will show us true landfill costs versus Delaware Solid Waste costs. (Lengthy discussion followed.) Appropriated \$200,000 (Landfill Fees, \$174,000; Recycling Contract DSWA, \$26,000)

- Safety Equipment & Signs, Markings – Appropriated \$12,000.
- Small Tools, Equipment Repairs & Maintenance – Appropriated \$11,000.
- Radio Repairs – Appropriated \$2,000. (Radios are installed in the trucks.)
- Traffic Light Maintenance & Equipment Rental – Appropriated \$250.
- Truck/Vehicle Repair & Maintenance – Appropriated \$40,000.
- Uniforms – Appropriated \$7,000.
- Special Event Overtime -- \$2,500 was appropriated. (Summer concerts is included in this line item.)
- Street Materials -- \$3,500 was appropriated.
- Public Services Capital
- Director Vehicle – No monies are being budgeted. Mr. Freebery stated he does not need a new vehicle. He would like to consider replacing the lesser-efficient vehicles in his fleet. Discussion about four-wheel drive vehicles took place.
- MSC Scanner/Generator – No monies are being budgeted; Ms. Delaney reported that the City received a \$6,500 grant from DEMA to offset this expense.
- Del. Coastal Mapping Software – No monies are being budgeted.
- Community Transportation
- Buttonwood Drainage – Councilperson Petty informed that a pipe is still needed to drain water. There is a new home being built in the area that is adding to the problems.
- A motion to adjourn the Budget Workshop was made by Councilperson Churchill and seconded by Councilperson Petty. The motion was unanimously passed. The Budget Workshop was adjourned at 7:55 p.m.

Respectfully submitted,

Debbie Turner,

Stenographer

(Stenographer was not in attendance; minutes transcribed from tape.)

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**CITY COUNCIL OF THE CITY OF NEW CASTLE  
BUDGET WORKSHOP  
MAY 29, 2008 - 6 P.M.**

**Present:**

Council President William Blest

Councilperson Janet Churchill

Councilperson John Gaworski

Councilperson Donald Reese

**Absent:**

Councilperson Teel Petty

**Others Present:**

Cathryn Thomas, City Administrator

Marian Delaney, Finance/HR Supervisor

Gregory Sarnecki, City Accountant

The meeting began at 6 p.m. Roll call was taken.

Ms. Delaney explained that the materials being referred to this evening are a three-year comparison by line item for fiscal year 2005, 2006 and 2007 and a three-year average. The other document is a draft for the new budget that includes the fiscal year 2008 budget that was approved, actual spent as of ten months (4/30/08), amount requested for the next budget year, approved amount and comments.

**Personal Service**

Association Dues – Appropriated \$4,000. Ms. Delaney informed there is no increase in dues.

Economic Development – Discussion surrounded the 'zero' amount allotted. The "oxygen group" that is pushing for economic development in the City is very active and other activities were discussed. \$2,000 was appropriated.

### **Contractual Services**

Election Expenses – Councilperson Reese stated that we need to define what we are doing about people who serve on the Election Committee versus people who work on Election Day. People who are on the Election Committee and work the day of the election can get paid; if they are on the Election Committee and do not work Election Day they don't get paid. (Discussion followed about practices being followed and conflicts of interest involved.) \$3,500 is being appropriated.

Departmental Contingency – Ms. Delaney informed we would consider an amount after we determine our revenues and expenditures.

Annual Calendar/Newsletter – Councilperson Reese asked Ms. Thomas if \$5,000 is enough for the expanded newsletter. She is unsure at this time. If we combine the revenue for the newsletter and calendar it should be enough. Municipal Services will be sharing costs. (Discussion followed about distribution, coordination of information, and timeline.)

### **Clerk & City Treasurer**

Recording Equipment – Ms. Thomas has received a quote from Collins Business and discussed same.

### **Finance Department**

No changes.

### **Contractual Service**

Main Street Support – Represents financial software for payroll/accounts payable/general ledger. The City pays a monthly maintenance fee.

FY Audit -- Questions about the audit were addressed by Ms. Delaney. The 2007 audit is in draft form at this time. It is a one-year audit. Mr. Sarnecki informed that auditing standards are changing creating additional work. (Lengthy discussion about the Bellanca audit followed.)

### **Administration**

Ms. Thomas addressed questions from Council concerning this category.

### **Human Resources**

Ms. Delaney answered questions concerning this section. Lengthy discussion about additional personnel and respective salaries followed.

### **Capital Outlay**

City Administrator Vehicle Lease – Will remain the same.

Consulting – Will be removed.

Copier Lease – Represents one (1) machine. Lease details were provided by Ms. Thomas.

### **Recreation**

Topics of discussion included interns and counselors, drug testing, and background checks. Field trip and transportation expenses will take up a large portion of this section's budget.

A motion was made and seconded to adjourn the Budget Workshop. The motion was approved unanimously. The Budget Workshop was adjourned at 7:10 p.m.

Respectfully submitted,  
Debbie Turner,  
Stenographer

(Stenographer was not in attendance; minutes transcribed from tape.)

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### **City Council of the Mayor and Council of New Castle**

#### **Regular Council Meeting**

**Town Hall – 201 Delaware Street – New Castle**

**Tuesday – May 13, 2008 – 7 p.m.**

### **Roll Call**

Council President William Blest

Councilperson Donald Reese

Councilperson Janet Churchill  
Councilperson Teel Petty (arrived late)  
Councilperson John Gaworski

**Also Present:**

City Treasurer Janet Carlin, City Administrator Cathryn Thomas, Director of Public Services Joseph Freebery, Police Sergeant Jamie Rogers, Building Official Jeffrey Bergstrom

**Approval of Minutes by Date: April 8 and April 10, 2008**

A motion was made to accept the Minutes as presented. The motion was passed unanimously.

**Approval of Treasurer's Report**

A motion was made to accept the Treasurer's Report as presented. The motion was passed unanimously.

Report from the City Administrator

Approval of Staff Reports

Grant Review

Communications

Business from the Floor (concerning agenda items only)

Business from the Mayor

Business from the Council President

Motion, Discussion and Vote on Resolution No. 2008-14,  
in Memory of Robert James "Jim" Quillen, Jr.

The Resolution was read into the record and a motion was made to pass the Resolution. The motion was passed unanimously.

**Unfinished Business**

Third Reading, Motion, Discussion and Vote on Ordinance No. 457, a proposal to Amend the New Castle City Code, adding a section for the protection of wellheads and source water supplies.

After a reading of the Ordinance and a brief discussion, a motion was made to accept the Ordinance. The Ordinance passed unanimously.

First and Second Reading of proposed Ordinance No. 458, a proposal to amend Chapter 140: Housing and Property Maintenance, to include language governing portable temporary storage units.

The Ordinance was read for the first and second time. The third reading, discussion and vote will take place at the next scheduled Council Meeting, June 10.

Motion, Discussion and Vote on Resolution No. 2008-13, approving an amended contract with Landscape Architectural Services for completion of work related to the New Castle Western Gateway project.

The Resolution was read and a brief discussion followed. A motion was made to pass the Resolution. The motion was passed (Reese=no, Churchill=yes, Gaworski=yes, Blest=yes).

**New Business**

Discussion of the 2007/08 City Road and Street Paving Project concerning added costs for the primary contractor, Stripe-A-Lot, and for increased costs for inspection services provided by Kercher Engineering.

It was discussed that this project has grown in size, scope and cost. This has increased the amounts payable for both the contract for the construction with the Stripe-A-Lot company, for the road and street repair work, and the contract with Kercher Engineering, who is charged with inspection of the work done by the contractor. Mike Baiocco of Kercher Engineering commented about the additional work that was identified after work had begun on the original contract. A significant portion of that work involved the replacement of catch basins in the VanDyke Village subdivision, which was not at all part of the original contract and as an add-on came to a little more than \$100,000 for all the work which was done. It was suggested that possibly the catch basins should have been a separate bid. It was

also brought to the attention of the Council members that a State program for funding engineering services may not be available next budget year.

Motion, Discussion and Vote on Resolution No. 2008-15, considering approval of a Minor Subdivision Plan for a property located at West 7th and Larkin Streets.

The Resolution was read and a brief discussion followed. A motion was made to pass the Resolution. The motion was passed unanimously.

Motion, Discussion and Vote on Resolution No. 2008-16, considering a Budget Amendment creating a new expense line item Trustee Appropriation Seasonal Bicycles 10-1003-7060 and increasing the revenue line item Trustee Appropriation 10-0000-5010, each in the amount of \$1,800.

The Resolution was read and a brief discussion followed. A motion was made to pass the Resolution. The motion was passed unanimously.

Motion, Discussion and Vote on Resolution No. 2008-17, imploring the Delaware General Assembly to leave in tact the current distribution formula for the Real Estate Transfer Tax, particularly so that the City of New Castle shall continue to receive this revenue as it has in the past, which is 1.5 percent of the real estate transaction, or one-half of the total transfer tax collected, which is 3 percent of the transaction.

The Resolution was read and a brief discussion followed. A motion was made to pass the Resolution. The motion was passed unanimously.

Motion, Discussion and Vote on Resolution No. 2008-18, approving entering into an agreement with attorney Daniel Cohen to provide services for the upcoming cable franchise negotiations with Verizon.

The Resolution was read and a brief discussion followed. A motion was made to pass the Resolution with certain provisions. The motion was passed unanimously.

Discussion of Issues with the Building Official:

Pencader Charter School;  
Riverbend Subdivision.

Building Official Jeffrey Bergstrom provided some detail to the City Council on the two discussion items.

**Comments from the floor.**

Ms. Esther Lovlie voiced concerns regarding the graffiti problems in the City.  
Executive Session to discuss a personnel matter and matters of pending litigation and collective bargaining.

Jill F. DiAngelo, City Clerk

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**City Council of the Mayor and Council of New Castle  
Public Hearing  
Town Hall – 201 Delaware Street – New Castle  
Thursday – April 10, 2008 – 6 p.m.**

**Present:**

President of Council William Blest  
Councilperson Janet Churchill  
Councilperson John Gaworski  
Councilperson Teel Petty  
Councilperson Donald Reese

**Others Present:**

City Administrator Cathryn Thomas

The City Council held a Public Hearing concerning a proposal to enact a City Ordinance regulating portable temporary storage units. No citizens spoke at the Public Hearing.

City Council members discussed the proposal and agreed one change was in order, which is to make the ordinance applicable to all zoning districts.

A motion was made by Councilperson Churchill to adjourn the Public Hearing. The motion was seconded by Councilperson Reese and passed unanimously.

Respectfully submitted,  
Cathryn C. Thomas  
City Administrator

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**City Council of the Mayor and Council of New Castle  
Special Meeting and Workshop Meeting – Executive Session  
Town Hall – 201 Delaware Street – New Castle  
Thursday – April 10, 2008 – 6:30 p.m.**

First and Second Reading of proposed Ordinance No. 458, to amend Chapter 140: Housing and Property Maintenance, to include language governing portable temporary storage units. Due to the change in the proposed ordinance, as agreed upon by a consensus of the Council members, it was decided to reschedule the first and second reading of the ordinance to occur at the next regular City Council meeting, to be held on May 13.

A motion was made by Councilperson Reese to adjourn the open session of the meeting and enter into executive session in order to discuss a legal matter with an attorney. The motion was seconded by Councilperson Churchill and passed unanimously.

The City Council met with attorney Daniel Cohen regarding upcoming cable franchise negotiations with Verizon. The Council is considering hiring Mr. Cohen to represent the City in these negotiations. Mr. Cohen will provide a proposed letter of engagement, which the Council shall consider for adoption at the next regular City Council meeting, to be held on May 13.

A motion was made by Councilperson Churchill to adjourn the executive session of the meeting and enter into open session. The motion was seconded by Councilperson Reese and passed unanimously.

The City Council met with the Executive Director of the Delaware League of Local Governments Mr. George Wright and Ms. Theresa DeSanto of HRH, concerning the future of the DeLea Founders Insurance Trust (DFIT), a statewide workers' compensation pool. After the presentation, the City Council reconfirmed their commitment for the City to continue membership in the pool and move to the pool the City's workers' compensation insurance coverage.

A motion was made by Councilperson Reese to adjourn the meeting. The motion was seconded by Councilperson Churchill and passed unanimously.

Respectfully submitted,  
  
Cathryn C. Thomas  
City Administrator

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**City Council of the Mayor and Council of New Castle  
Public Hearing  
Tuesday – April 8, 2008 – 6:30 p.m.**

Present:  
Council President William Blest  
Councilperson Donald Reese  
Councilperson Janet Churchill  
Councilperson Teel Petty  
Councilperson John Gaworski, Jr.

Also Present:  
City Treasurer Janet Carlin, City Administrator Cathryn Thomas, City Solicitor Roger Akin, MSC Secretary Chip Patterson, MSC Water Supervisor Jay Guyer and DNREC representative Doug Rambo

The City Council held a public hearing concerning proposed Ordinance No. 457 for the protection of wellheads and source water supplies.

Administrator Thomas gave a brief overview of the ordinance. Ms. Thomas stated that this type of ordinance had a deadline for passage of December 31, 2007, however the City remains in compliance as DNREC has been aware that the City has been working towards passing the ordinance. The overseeing governmental agencies, the Federal EPA and State DNREC, are requiring municipalities to have this type of ordinance in place to protect the wellheads, which in turn has the overall impact of protecting public and drinking water supplies. Ms. Thomas reported she had spoken with Mr. Andy Taylor, attorney for the Trustees of the New Castle Common, and they are aware of the proposed ordinance and do not oppose it. It was noted that the new areas which are impacted by the overlay zoning and have additional development restrictions in the ordinance are mainly owned by the Trustees.

Mr. Patterson spoke on behalf of MSC and stated that the City works from three wells which are located on Basin Road, Frenchtown Road and School Lane. Mr. Guyer also spoke on behalf of MSC and gave a much more detailed account of the aquifers and the wells. Mr. Rambo from DNREC was present at the meeting and informed Council that he is in favor of the ordinance as it is proposed.

Mr. Guyer also informed Council that MSC will start flushing the City's water system next week so there may be some disruption in service or cloudy water. This process will take approximately 10 days.

Councilperson Reese informed that audience that the City of Symrna has been in the newspaper lately for electric service disconnection and stated that MSC will work with the residents of the City who are in arrears, hoping to avoid the more stringent measure of having to cutoff service altogether.

The public hearing and meeting was adjourned at 6:59 p.m.

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**City Council of the Mayor and Council of New Castle  
Regular Council Meeting  
Tuesday – April 8, 2008 – 7 p.m.**

Present:

Council President William Blest  
Councilperson Donald Reese  
Councilperson Janet Churchill  
Councilperson Teel Petty  
Councilperson John Gaworski, Jr.

Also Present:

City Treasurer Janet Carlin, City Administrator Cathryn Thomas, City Solicitor Roger Akin, Police Lt. Adam Brams, MSC Secretary Chip Patterson, MSC Water Supervisor Jay Guyer and DNREC representative Doug Rambo

Approval of Minutes by Date

A motion was made by Councilperson Churchill to accept the Minutes dated March 11, as presented; seconded by Councilperson Petty and passed unanimously.

Approval of Treasurer's Report

Treasurer Carlin reported that there was \$400.00 in petty cash, \$263,929.26 total deposits for the month, \$484,925.90 in the Wilmington Trust Accounts, \$1,201,740.46 in the Certificates of Deposit and Delaware Government Investment Pool and \$1,686,666.36 total cash on hand. A motion was made by Councilperson Reese to accept the report as presented and it was seconded by Councilperson Churchill and passed unanimously.

Approval of City Administrator's Report

Ms. Thomas stated that her detailed report was in Council's packet, however did not include a few recent items of interest. Ms. Thomas spoke with Mr. Richard Keller of Deemer's Landing apartments regarding the sidewalk required to be constructed adjacent to the apartments on Washington Street. The sidewalk project is to be started next week and should be concluded by the end of April. Ms. Thomas also stated that the Buttonwood tide gates are slated to have construction start on a repair, which should provide improvement in the structures estimated to last a period of about five years, at which time a major replacement and/or reconstruction should occur. At this time, however, Senator Henry is providing funding from the State for the repair project, which is being coordinated by the New Castle County Conservation District.

Approval of Staff Reports

Lt. Brams stated that the bike patrol will be starting soon and the police department is trying to obtain additional funds for the VIPS. The police are also considering participating in the "Click It or Ticket" seat belt safety campaign again this year.

### **Grant Review**

The City received a check in the amount of \$950 for maintenance on the Heritage Trail. Checks were paid to A&A Lumber and Joshi Construction on behalf of Bellanca Hanger, Diamond State Ambulance on behalf of SALLE S-14-08 (additional equipment for police vehicles) and Kercher Engineering on behalf of Municipal Street Aid Funds for street and road repair work, paving and inspections.

### **Communications**

Council President Blest had received some e-mail messages from some residents. Mr. Michael Heyman wrote to urge individuals to send letters to Senator Dori Connor in support of the General Assembly passing SB4, which would make the State FOIA law equally applicable to the State and General Assembly, the same as it now applies to other municipal governments in Delaware.

Mr. Mike Alfree expressed concerns about some early issues the Trustees were having with the developers and activities occurring relative to the Riverbend residential subdivision.

Finally, Council President Blest reported on a letter received from URS, the firm providing planning consulting and comprehensive plan update services to the City. The report in the letter from URS noted that the comprehensive plan update kick-off meeting was held before the last meeting of the Planning Commission. The report summarized the meeting and initial discussions on priority items to be worked on for the update.

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

None.

### **Business from the Mayor**

None.

Business from the Council President

Council President Blest reported on agenda items for a special meeting of the City Council to be held on Thursday, April 10, beginning at 6 p.m., as follows:

6:00 – Public Hearing on an ordinance to govern Temporary Storage Units

6:30 – Executive Session with attorney Daniel Cohen to discuss upcoming franchise negotiations with Verizon

7:00 – Workshop to discuss the DeLea Founders Insurance Trust (DFIT) – a pool formed in the State of Delaware to provide workers' compensation coverage to municipalities

Motion, Discussion and Vote on Resolution No. 2008-11, in gratitude and recognition of the achievements of Mr. George Freebery. President Blest read Resolution 2008-11. A Motion was made by Councilperson Reese and it was seconded by Councilperson Churchill and passed unanimously. Mr. Blest presented a framed copy of the resolution and an engraved clock to Mr. Freebery as tokens of appreciation from the City. Mr. Freebery received a standing ovation from the City Council members and those present at the meeting.

### **Unfinished Business**

1. First and Second Reading of proposed Ordinance No. 457 for the protection of wellheads and source water supplies. Due to the length of the Ordinance, Councilperson Reese gave an overview of the Ordinance. It was noted the full text of the ordinance is available to any interested person. Copies may be obtained at the City offices and also the entire ordinance is posted on the City's Web site. A third reading and consideration of adoption will occur at Council's May 13 regular meeting.

### **New Business**

Motion, Discussion and Vote on Resolution No. 2008-10, approving a Minor Subdivision and Site Improvement Construction Plan for 150 and 170 Lukens Drive in the Riveredge Industrial Park. Councilperson Gaworski read the Resolution. A Motion was made by Councilperson Reese and seconded by Councilperson Petty, to adopt the Resolution.

Considerable discussion was held concerning the development plan and the proposed location of the new building relative to the 100-year floodplain. The engineer from the McBride and Ziegler firm representing the developer acknowledged that work had already begun filling in the property within the boundary of the 100-year floodplain. The developer had applied for and been issued a City fill permit from the City Building Official.

The City Solicitor asked if the proper FEMA permit had been issued prior to the fill work commencing, as this is the primary regulating agency for any work done within a floodplain. The engineer indicated that he believed the process may have begun to obtain a FEMA permit, however had not been concluded. The engineer stated that historically the reliance has been on the City-issued fill permit to start fill work within the 100-year floodplain, without regard to when a FEMA permit would be issued. The engineer explained that once

the fill is completed, FEMA will inspect the work and if satisfactory, the line for the 100-year floodplain would be moved on the FEMA maps, in this case to a location beyond where the new building would be built. The City Council directed that prior to the issuance from the City of any further permits for the project, that the engineer and/or developer provide to the City Solicitor satisfactory proof that the requirements of other governments for development of the project had been met.

Councilperson Churchill made a Motion to amend the Resolution and it was seconded by Councilperson Petty. The amendment proposed to remove all language in the original resolution which would grant approval for the "site improvement and construction plan". The result would be that at this time the City Council approval would only be granted for the subdivision plan. The motion to amend the original resolution passed unanimously. The vote on the amended resolution, to approve only the subdivision plan, passed unanimously.

Motion, Discussion and Vote on Resolution No. 2008-8, approving two new leases on City property for items related to equipment to be co-located on an existing cellular telephone tower. The Resolution was read by Councilperson Reese. Councilperson Churchill made a Motion to adopt the Resolution with a minor change and it was seconded by Councilperson Reese and passed unanimously.

Motion, Discussion and Vote on Resolution No. 2008-13, approving an amended contract with Landscape Architectural Services for completion of work related to the New Castle Western Gateway project. Council President Blest read the Resolution. Councilperson Churchill made a Motion to table this item until Mr. Akin could meet with Mr. Spong since this project is long overdue. It was seconded by Councilperson Reese and passed unanimously.

Motion, Discussion and Vote on Resolution No. 2008-12, amending Chapter A239 – Fees, a portion of the New Castle City Code, changing the fee charged to persons licensed under Section 177 of the City Code. Council President Blest suggested that this item be tabled. Councilperson Churchill made a Motion to table this item. It was seconded by Councilperson Reese and accepted unanimously.

Motion, Discussion and Vote on a Bank Resolution to pay Stripe-A-Lot \$71,180.24, for work done under the Y2007 Street Paving, Contract No. 2007-01, Estimate No. 2, as recommended for payment and approval by Michael Baiocco, Project Manager from the Kercher Engineering, Inc. firm. Councilperson Reese made a Motion to adopt the Resolution. It was seconded by Councilperson Churchill and passed unanimously.

Motion, Discussion and Vote on a Bank Resolution to pay Brosius-Eliason Co. \$25,668.72, for 7,138 linear feet of shiplap cedar siding, as recommended for payment by members of the Friends of Bellanca Airfield, Inc. Councilperson Reese made a Motion to adopt the Resolution. It was seconded by Councilperson Churchill and passed unanimously.

Discussion to refer to the Planning Commission a request for rezoning the parcel at 901 Delaware Street, where a building also known as the Hermitage is located, with the present zoning classification of Open Space and Recreation (OS&R) and a request to change that zoning classification to R-3 Residential. Councilperson Gaworski read a letter from Lena Deemer requesting to rezone the property located at 901 Delaware St. Roger Akin stated that if it was Council's pleasure to look in to this matter, it should be forwarded to the Planning Commission and, if approved by the Planning Commission, a public hearing will need to be scheduled. Councilperson Churchill made a Motion that this item be forwarded to the Planning Commission for their approval. It was seconded by Councilperson Reese and passed unanimously.

Comments from the floor.

Executive Session to discuss a matter of pending litigation and collective bargaining.

The meeting adjourned at 9:00 p.m.

Jill F. DiAngelo,

City Clerk

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**City Council of the Mayor and Council of New Castle  
Workshop Meeting  
Town Hall – 201 Delaware Street – New Castle  
Tuesday – March 11, 2008 – 6:30 p.m.**

**Present:**

Council President William Blest  
Councilperson Donald Reese  
Councilperson Janet Churchill  
Councilperson Teel Petty  
Councilperson John Gaworski, Jr.

**Also Present:**

City Treasurer Janet Carlin, City Administrator Cathryn Thomas, MSC Secretary Chip Patterson

Also:

Bonnie Metz, Denise Reedy and Jennifer Hubler attended as representatives of Verizon

A workshop meeting was held to discuss a new franchise agreement being requested by Verizon to provide television, internet and telephone services within the City of New Castle. Verizon will be upgrading the copper lines with fiber optic lines. The fiber optic lines will be latched onto the existing poles and lines.

Mr. Patterson stated that additional lines added to the poles will also add additional weight to the poles. Verizon owns a majority of the poles in the City, but Mr. Patterson voiced a concern about the weight being added to the poles owned and maintained by MSC. Ms. Metz stated that they are also aware of the additional weight and reminded Council that if the existing lines are above ground, the new lines will also be. If the lines are underground, the added lines will be underground as well.

Ms. Metz stated that there will be some disruption of ground on properties where underground wires are replaced, but Verizon will fix the ground once installation is complete.

The reason for the workshop tonight is for Verizon to explain to the Council members what they want to do and to request a franchise agreement with the City for providing cable television service to City residents and business owners. FIOS TV is what Verizon will be providing under the franchise agreement. They will offer 24/7 service and competitive pricing. Channels can be purchased "a la carte" or packages will be available. It was also stated that free service will be offered to entities like MSC, City government buildings, schools, etc. Council members proceeded to ask questions about Verizon's intentions and voiced their concerns.

The meeting was adjourned at 7:03 p.m.

City Council of the Mayor and Council of New Castle  
Regular Council Meeting  
Town Hall – 201 Delaware Street – New Castle

Tuesday – March 11, 2008 – 7 p.m.

**Present:**

Council President William Blest  
Councilperson Donald Reese  
Councilperson Janet Churchill  
Councilperson Teel Petty  
Councilperson John Gaworski, Jr.

**Also Present:**

Mayor John Klingmeyer, City Treasurer Janet Carlin, City Administrator Cathryn Thomas, City Solicitor Roger Akin, MSC Secretary Chip Patterson

**Approval of Minutes by Date**

A motion was made by Councilperson Reese to accept the Minutes as presented and was seconded by Councilperson Churchill and passed unanimously. [INSERT ACTUAL DATES]

**Approval of Treasurer's Report**

Treasurer Carlin reported that there was \$400.00 in petty cash, \$127,683.39 total deposits for the month, \$453,864.84 in the Wilmington Trust Accounts, \$1,354,173.65 in the Certificates of Deposit and Delaware Government Investment Pool and \$1,808,038.49 total cash on hand. A motion was made by Councilperson Reese to accept the report as presented and it was seconded by Councilperson Churchill.

**Report from City Administrator**

Ms. Thomas stated that her report was in Council's packets, and provided a short overview of her report.

**Approval of Staff Reports**

Chief McDerby stated that his report was in Council's packet.

**Grant Review**

Councilperson Churchill stated that money from grants was received from DEMA, Community Transportation and Local Police Technology Fund. Grant money was paid to Joshi Construction and J&L Building regarding the Bellanca Hanger Project and to Kercher Engineering for Street Funding.

**Communications**

A letter containing a request from Mr. Simon Watts was reviewed. Mr. Watts resides at 60 W. 3rd St. and is requesting that the City transfer a small triangle of land to him. Mr. Watts purported that the land is currently owned by the City but is inside his hedge line. Mr. Watts was

not in attendance at the meeting so Ms. Thomas explained to Council her understanding of the request. Councilperson Reese noted that according to a survey submitted with the letter from Mr. Watts, the property is owned by the Trustees of the New Castle Common and therefore Mr. Watts needs to contact the Trustees.

Mr. Ken Boulden requested a vendor license from Council for a hot dog cart. Council President Blest said Council would discuss this item later at the meeting, when two other vendor requests would also be considered.

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

None.

**Business from the Mayor**

None.

**Business from the Council President**

Council President Blest spoke on a meeting he attended with our representatives and senators regarding the City's Charter changes. The representatives and senators stated that they cannot back the Charter changes at this time.

The new City Planner Ms. Marian Hull was introduced. Ms. Hull is a planner with URS and is taking over responsibilities for the City as a result of the retirement of Mr. Doug Lloyd. Ms. Hull spoke about the Comprehensive Plan and the timeline for the update.  
Unfinished Business

Discussion to schedule a Public Hearing to consider Ordinance No. 457 for the protection of wellheads and source water supplies. A Public Hearing will be held on April 8, 2008, at 6:30 p.m.

**New Business**

Motion to appoint Mr. Daniel Knox as the City Council's appointment to the Municipal Services Commission. Councilperson Reese made a motion that Daniel Knox be appointed to MSC. It was seconded by Councilperson Churchill and passed unanimously. Mr. Knox worked for 20 years for Delaware Power & Light (a.k.a. DP&L) and is now with Valero. Mr. Knox's term will begin in April, 2008.

Motion, Discussion and Vote on Resolution No. 2008-8, approving two new leases on City property for items related to equipment to be co-located on an existing cell phone tower. Two companies want to expand the property that is leased. The Resolution was not in Council's packet so Ms. Thomas explained the situation, however noted that a few final details concerning the leases remain to be finalized. The item was tabled.

Discussion concerning negotiations for a new franchise agreement being requested by Verizon to provide television, internet and telephone services within the City of New Castle. Councilperson Churchill spoke on this subject. Councilperson Churchill stated that after reviewing the contract with Comcast, this would not be a conflict since the contract is non-exclusive. Councilperson Churchill suggested that a meeting be held with Mr. Daniel Cohen, an attorney who specializes in representing municipalities in franchise negotiations, to discuss this matter and try to nail down some type of contract for Council members to consider.

Motion to consider approval of three Vendor Applications, as follows:

from David Ross, requesting a location on the Wharf at the end of Delaware Street with a table, umbrella and coolers set up for the sale of snacks and beverages. Mr. Ross addressed Council requesting the vendor license to sell healthy foods and drinks as opposed to hot dogs. It was noted that Mr. Ross did not have a certificate from the Department of Health.

from Cliff's Refreshments, requesting a location on the Wharf at the end of Delaware Street for the sale of food and drink items from a truck. No one from Cliff's was present at the meeting but Ms. Thomas stated that Cliff Dunning requested to be located at the Wharf but would be agreeable to being located at the end of 3rd Street near the Sailing Club.

(C) from Ken Boulden from Dogs Gone Wild for a hot dog cart at the Wharf on Delaware Street. Mr. Boulden addressed Council regarding his company.

Mr. Akin suggested this matter be tabled until he can research the State guidelines concerning the sale/vending of food. Council discussed the issues and decided to move forward, under certain circumstances. Councilperson Churchill made a motion to approve that all three vendors be granted permits, with the provision that all paperwork be secured to meet the State guidelines. It was seconded by Councilperson Reese and passed unanimously.

Discussion to schedule a Public Hearing to consider an ordinance governing the placement of temporary storage units, also known as Portable On Demand Storage (PODS). A Public Hearing is scheduled for April 10, 2008, at 6:00 p.m.

Motion, Discussion and Vote on Resolution No. 2008-9, approving the City becoming a member of the DeLea Founders Insurance Trust, with a revised membership date of April 1, 2008 through April 1, 2011. Councilperson Churchill read the Resolution. Councilperson Reese made a motion that the Resolution be passed as amended. It was seconded by Councilperson Petty and passed unanimously.

Motion, Discussion and Vote on a Resolution confirming the Mayor's appointments to the Planning Commission, one of which shall fulfill the unexpired term of Thomas Wilson, term ending April, 2010. The Mayor appointed Dorsey Fiske and Christine Masiello. Councilperson Churchill made a motion that the Resolution be passed. It was seconded by Councilperson Petty and passed unanimously.

Motion, Discussion and Vote on a Bank Resolution approving payment to 1st Source Bank in the amount of \$47,441.05; payment No. 2 of 3 on 2007 Sterling Garbage Truck w/Leach Refuse Body. Councilperson Churchill made a motion to accept the Resolution. It was seconded by Councilperson Gaworski and passed unanimously.

**Comments from the floor.**

None.

Executive Session to discuss collective bargaining and a personnel matter.

A motion was made for the Council to adjourn to Executive Session. It was seconded and passed unanimously.

Respectfully submitted,  
Jill D'Angelo  
City Clerk

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**City Council of the City of New Castle**

**February 12, 2008**

**Regular Council Meeting**

**7:00 p.m.**

**Present:**

Council President William Blest  
Councilperson Donald Reese  
Councilperson Teel Petty  
Councilperson John Gaworski, Jr.

**Also Present:**

Mayor John Klingmeyer, City Treasurer Janet Carlin, City Solicitor Roger Akin, City Administrator Cathryn Thomas, Police Chief Kevin McDerby, Building Official Jeff Bergstrom

**Approval of Minutes to Date**

A motion was made by Councilperson Gaworski to accept the Minutes of the January 8 Regular Meeting; January 22 Special Meeting and Workshop; and the January 22 Executive Session, as presented. The motion was seconded by Councilperson Reese and passed unanimously.

**Approval of Treasurer's Report**

Janet Carlin reported that there was \$400.00 in petty cash, \$293,692.09 total deposits for the month, \$489,963.07 in the Wilmington Trust Accounts, \$1,585,114.84 in the Certificates of Deposit and Delaware Government Investment Pool and \$2,075,077.91 total cash on hand. A motion was made by Councilperson Reese to accept the report as presented and it was seconded by Councilperson Gaworski.

**Report from City Administrator**

Mrs. Thomas stated that her reports were in Council's packets.

**Approval of Staff Reports**

Chief McDerby stated that his report was in Council's packet as did Mr. Bergstrom. Chief McDerby also stated that the graffiti artists who defaced the Sailing Club building have been identified and the police are pursuing prosecution.

**Grant Review**

Councilperson Churchill was unavailable for the meeting but the Grant Review was in Council's packets and available at the City Administration Building.

**Communications**—Item from WILMAPCO

Council President Blest stated that WILMAPCO has scheduled a workshop for February 25, 2008.

**Comments from the Floor**

Mike Alfree commented on Item 5, placing STOP signs at 2nd and Harmony Streets. Mr. Alfree is opposed to it because he doesn't feel that drivers will stop at them anyway.

**Business from Mayor**

Council President Blest read a letter from Mayor Klingmeyer regarding his appointment of Beverly Ross to the Planning Commission. Ms. Ross has declined the appointment, stating that she felt someone more experienced should have the appointment. Therefore, Mayor Klingmeyer has appointed Mrs. Dorsey Fiske.

Council President Blest read a letter from Mayor Klingmeyer regarding the Charter Change requested by the Municipal Services Commission (MSC). The Mayor is requesting that a committee be formed to review MSC's charter change since the City of New Castle is one, if not the only, municipality in Delaware that does not control the rates charged by the City utility companies.

### **Unfinished Business**

1. Motion, Discussion and Vote on Resolution No. 2008-04, approving a contract with URS Corp. for services to update the City's Comprehensive Plan. Councilperson Gaworski read the Resolution. Councilperson Reese made a Motion to approve the Resolution. It was seconded by Councilperson Gaworski and it was passed unanimously.

### **New Business**

1. Motion, Discussion and Vote on Resolution 2008-06, commemorating the 125th anniversary of Bridgewater Jewelers. Councilperson Reese read the Resolution and it was accepted by Ms. Mary Frances Lenhoff on behalf of the Bridgewater Family. Councilperson Reese made a motion that the Resolution be accepted and it was seconded by Councilperson Gaworski and passed unanimously.

2. Motion, Discussion and Vote on Resolution 2008-05, commemorating the 350th anniversary of the New Castle Presbyterian Church. Councilperson Reese read the Resolution and presented it to the Rev. Nancy Rowland on behalf of the Congregation of the New Castle Presbyterian Church. Councilperson Reese made a motion that the Resolution be accepted and it was seconded by Councilperson Petty and passed unanimously.

3. Discussion to schedule a Public Hearing to consider an Ordinance for the protection of wellheads and source water supplies. A Public Hearing will be scheduled after the proposal goes to the Planning Commission. Council President Blest made a motion that the Ordinance be sent to the Planning Commission. It was seconded by Councilperson Reese and passed unanimously.

4. Discussion to schedule a Public Hearing to consider placing two STOP signs on 2nd Street where it intersects with Harmony Street. Chief McDerby stated that he was not opposed to the signs as a traffic calming remedy, but that additional STOP signs are not necessary. Council President Blest felt that it should not be pursued until the resident requesting the signs comes before Council and explain his feelings for the need for more STOP signs. Council agreed with Council President Blest and the matter was not considered further by the Council members.

5. Comments from the Floor. There were no comments from the floor.

6. Executive Session to discuss two personnel matters, an item of pending litigation and an item related to collective bargaining. Councilperson Reese made a motion to adjourn to Executive Session and it was passed unanimously.

The meeting adjourned at 7:49 p.m.

Respectfully submitted,

Jill DiAngelo,

City Clerk

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**City Council of the City of New Castle**  
**January 30, 2008**  
**Special Council Meeting and Joint Workshop Meeting**  
**with the Municipal Services Commission**  
**6:30 p.m.**

#### **Present:**

President of Council William Blest  
Councilperson Donald Reese  
Councilperson Janet Churchill  
Councilperson Teel Petty  
Councilperson John Gaworski, Jr.

#### **Also Present:**

City Administrator Cathryn Thomas, Finance/HR Director Marian Delaney

Mr. Robert Appleby, MSC Commissioner, provided an introduction concerning changes proposed for the MSC Charter. Mr. Chip Patterson spoke next, providing some details on the proposed changes. A summary of the changes includes:

#### **Section 2. Board Elections and Appointments; Secretary and Treasurer**

The Board, in April of each year, shall elect one of their number as President, and shall appoint a Secretary and a Treasurer, neither of whom need be a Commissioner.

The Treasurer of the Commission shall hold the funds of the Commission in one or more separate accounts at such banks and trust companies and upon such terms and conditions as the Board may by resolution from time to time prescribe, and shall pay the same out on orders signed by the President and Secretary. The Treasurer shall give such additional bond as the Board may require.

We need to make charter consistent as to Board and Commission throughout charter (section 2. says Board, section 3. says Commission). We need to decide if we should keep the Treasurer section.

### **Section 3. Commission Authority; Water, Light and Additional Systems; Board Authority**

iv. Whenever the Commission shall deem it necessary or expedient to obtain private property either within the limits of the City of New Castle or without such limits to a distance not exceeding three miles for the purpose of constructing facilities for the supplying and distributing of water and shall advise the Council of the Mayor and council of New Castle, in writing, of the location, description and estimated fair value for which such property is deemed necessary or expedient, the said Council shall be empowered to acquire such property by agreement with the owner thereof or if such agreement cannot be reached, the said property or land may be acquired by condemnation proceedings as prescribed and fully set forth in Section 25 of an Act entitled "An Act Amending, Revising and Consolidating the Charter of the City of New Castle" being Chapter 216 of Volume 27, Laws of Delaware, and all Acts amendatory thereof and supplemental thereto for condemning and taking land for the purpose of laying out opening, extending or widening of any street, road, lane or alley in the City of New Castle.

Should this section be amended to say the City can condemn property within the City for electric purposes.

The Board shall appoint a superintendent and regulate his duties, and shall provide for such other employee as may from time to time be necessary, and shall fix the salary or pay of all employees.

Need to remove wording regarding superintendent.

The Commission shall have the power to borrow temporarily from time to time on the faith and credit of the City in order to provide for the expenses of maintenance, replacement and operation of the water and light system, as well as any Additional System that the Commission, in its discretion, chooses to manage and operate; but the Commission shall have no power to enlarge or extend the water and light system, plant mains, lines, or apparatus, or Additional System, except out of surplus earnings, without the authority and approval of the Council of the city first had and obtained.

This needs to be redefined.

### **Section 5. Quarterly Statement; Annual Statement and Report**

The Commission, in July of each year, shall publish an annual statement and report for the benefit of the Citizens of the City of New Castle.

This should be amended to say the Commission shall publish an annual report.

### **Section 6. Superintendent**

a The Board shall appoint a superintendent. The superintendent shall perform such services and duties upon such terms and conditions as the Board shall deem appropriate.

This section should be deleted.

That concludes the summary of proposed changes.

Councilperson Petty expressed concern over the provision which would allow the City to take action on behalf of the MSC and take property by condemnation proceedings for electric purposes. Mr. Patterson addressed Councilperson Petty's concerns, noting that this would always be used as a process of last resort, and always would be a taking for public purposes.

The discussion was concluded and follow-up is proposed to be a Resolution at the next City Council meeting, that the City Council supports the charter changes being sought by the MSC.

Council members discussed appointments to an ad hoc committee to search for a new Public Services Director. The following persons were approved to serve on the committee:

Lewis Orchard Genevive Miller

Theodore Meggison Pasquale Marinelli

The meeting adjourned at 7:45 p.m.

Respectfully submitted,

Cathryn C. Thomas

City Administrator

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**MAYOR AND COUNCIL OF THE CITY OF NEW CASTLE**  
**SPECIAL COUNCIL MEETING AND WORKSHOP**  
**JANUARY 22, 2008**  
**6:30 P.M.**

**Present:**

Council President Blest  
Councilwoman Churchill  
Councilman Gaworski

Also present: Cathryn Thomas, Marian Delaney, Mayor Klingmeyer arrived at 6:45 p.m.

1. Motion Discussion and vote on Bank Resolutions:

a. To pay Wilkinson Roofing and Siding \$35,928.70 for work on the roof relative to the Bellanca Renovation Project. Councilwoman Churchill read the Resolution in full. Councilman Gaworski made a motion that the Resolution be accepted. It was seconded by Councilwoman Churchill and passed unanimously.

b. To pay Hetrich Fleet Services \$43,218.00 for the purchase of 2 new vehicles for the Police Department. Councilwoman Churchill read the Resolution in full. Councilman Gaworski made a motion that the Resolution be accepted. It was seconded by Councilwoman Churchill and passed unanimously.

2. Motion Discussion and Vote on a Resolution confirming Mayor Klingmeyer's appointment of Beverly Ross as a new Planning Commission member, to fulfill the unexpired term of Thomas Wilson, term ending April, 2010. Councilwoman Churchill made a motion that the appointment be accepted. It was seconded by Councilman Gaworski and passed unanimously

3. Review draft of letter concerning the City's request to the Trustees. City Administrator Thomas gave a brief overview of the Trustee's requirements for making requests and stated that she has filled out the Trustee's request form for the coming year with requests that some of the departments had asked for and asked that Council review and comment on the requests and what would be Council's pleasure as far as the actual requests that will be made to the Trustees. Council President Blest stated that since the requests listed on Mrs. Thomas' list totaled over \$200,000.00, Council has to prioritize their requests to make sure that the items needed the most are listed as the top 3 or 4 requests. Council President Blest suggested that the most important requests should be the garbage truck, police car, and software for the finance/administrative department, security cameras and bike patrol.

4. Discussion of a new City Ordinance proposed to regulate temporary storage structures such as "PODS". Mrs. Thomas provided 5 different ordinances from various cities for Council to review to possibly come up with an ordinance for the City of New Castle to regulate the storage structures. Some of Council's comments were that they felt the containers need reflectors on them, they should probably be banned on some streets due to the narrow width of some of the streets, a time limit should be set to how long the structures can sit in front of a property if Council sees fit to approve them, possibly allowing them in residential districts if they can be put in a driveway but not down town, will structures like dumpsters be regulated under the Ordinance, will a permit be needed, will the guidelines be different for commercial properties as opposed to residential properties, the structures cannot block fire lanes or block emergency vehicles to get through, if approved the structures need to be insured. Mrs. Thomas will draft an Ordinance for Council's review.

5. Executive Session to discuss a personnel matter.

Councilwoman Churchill made a motion to adjourn to Executive Session and Councilman Gaworski seconded the motion. It passed unanimously.

The meeting ended at 7:13 p.m.

Respectfully submitted,  
Jill DiAngelo,  
City Clerk  
REVISED

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**City Council of the City of New Castle**

**January 8, 2008**

**Regular Council Meeting**

**7:00 p.m.**

**Present:**

President of Council William Blest

Councilperson Donald Reese

Councilperson Janet Churchill

Councilperson Teel Petty

Councilperson John Gaworski, Jr.

**Also Present:**

City Treasurer Janet Carlin, City Solicitor Roger Aiken, Finance/HR Director Marian Delaney, Police Chief Kevin McDerby

Approval of Minutes by Date

A motion was made by Councilperson Churchill to accept the Minutes of December 11, for a Public Hearing (as corrected) and a Regular Meeting (as presented), and was seconded by Councilperson Petty. The motion passed unanimously.

**Approval of Treasurers Report**

City Treasurer Janet Carlin reported that there was \$400 in petty cash, \$486,464.06 in the Wilmington Trust Accounts, \$1,831,190.30 in the Certificates of Deposit and Delaware Government Investment Pool and \$2,317,654.36 total cash on hand. A motion was made by to accept the report by Councilperson Reese and seconded by Councilperson Churchill. The motion passed unanimously.

**Report from City Administrator**

Mrs. Thomas was unable to attend the meeting due to a death in the family.

**Approval of Staff Reports**

Chief McDerby stated that his report was in Council's packet. Matthew Christopher was unable to attend the meeting.

**Grant Review**

Councilperson Churchill reported that the following bills were paid for the Bellanca Air Hanger:

- a. \$63.50 to Akin & Herron
- b. \$65,565.00 to Wilkinson Roofing.

**Other payments included:**

Municipal Street Aid Funds for the 2007 Road and Street Repair Projects:

- a. \$15,550.00 and \$11,319.62 to Kercher Engineering
- b. \$47,817.15 to Stripe-A-Lot

For the Police Department:

Salle S-09-07

- a. \$301.36 for payroll

**Communications**

Council President Blest summarized a letter from the New Castle Public Library Capital Campaign thanking Council for their commitment to the Library fund.

Council President Blest also informed the audience about a new complaint form that Matt Christopher has developed and that John Lloyd has written up a list of properties which have graffiti.

**Comments from the Floor**

Richard Stack spoke of his disagreement with Resolution 2008-03. Mr. Stack felt it was unfair, for example, to withhold police services for some properties and not other properties unless the property owner is willing to pay more money for the services that are already supplied to the rest of the City.

Mrs. Clark spoke about her concerns about levying a tax against people who rent properties. Council President Blest explained to Mrs. Clark that the Ordinance was already passed and what the City's intention was in passing it.

Chief McDerby stated that his department was given a \$17,000 grant to buy a video surveillance system which should help with the City's graffiti problem.

### **Business from Council President**

Council President Blest introduced two young men in the audience who were in attendance to observe Council. The young men are members of the Boy Scouts and are working towards their badges.

### **Unfinished Business**

1. Third Reading, Motion, Discussion and Vote on Ordinance No. 456, approving a major subdivision in the vicinity of 9th and School Sts. Councilperson Gaworski read the Ordinance. Councilperson Churchill made a Motion to approve the Ordinance. It was seconded by Councilperson Reese and passed unanimously. Council also stated their individual reasons for approving the Ordinance.
2. Motion, Discussion and Vote on Resolution 2008-03, requesting the Delaware General Assembly to approve a Charter change to allow the City to levy special assessments on properties which utilize an inordinate level of City services or which maybe in need of major capital improvements where specific properties would be the main beneficiaries of said improvements. Council President Blest read the Resolution in its entirety. Councilperson Reese made a Motion to accept the Resolution and it was seconded by Councilperson Churchill and it passed unanimously. (Gaworski=yes, Petty=yes, Churchill=yes, Reese=yes, Blest=yes) Council President Blest directed Mr. Akin to forward a copy of the Resolution to the General Assembly.

### **New Business**

1. Motion, Discussion and Vote on Bank Resolution to pay Joshi Construction \$103,075.46 for building restoration on the Bellanca Air Hanger Improvement Project, Contract No. 3, Certificate No. 2. Councilperson Churchill read the Resolution. Councilperson Churchill made a Motion to accept the Resolution. It was seconded by Councilperson Gaworski and passed unanimously.
2. Resolution No. 2008-01, Motion to Award the Bid for a One Ton Pick Up Truck with 4 Door Crew Cab. Councilperson Gaworski read the Resolution. Councilperson Churchill made a Motion that the Resolution be accepted. It was seconded by Councilperson Petty and passed unanimously.
3. Resolution No. 2008-02, Motion to Award the Bid for Stake Body Truck with Dump Bed/Standard Cab. Councilperson Gaworski read the Resolution. Councilperson Churchill made a Motion that the Resolution be accepted. It was seconded by Councilperson Reese and passed unanimously.
4. Comments from the Floor. Dee Duszak from 9th St. commented on problems with a neighbor on 9th St. who allows his dog to defecate on the park property. Mr. Lloyd, the City's Code Officer has been contacted about the problem but presumably it only occurs on nights/weekends when Mr. Lloyd is off duty. Council President Blest suggested that the neighbors continue to work with Mr. Lloyd to resolve the problem.

The meeting adjourned at 8: 10 p.m.

Respectfully submitted,

Jill DiAngelo,

City Clerk