

**City Council of the City of New Castle
Special Council Meeting at Town Hall
201 Delaware Street – New Castle
Thursday – September 26, 2013 – 6:30 p.m.**

Call to order: 6:34 pm

Roll Call:

Councilperson Megginson
Councilperson Cochran
Council President Barthel
Councilperson Petty
Councilperson Vannucci

Also present:

Jeff Bergstrom, Building Official & Fire Marshall
Janet Carlin, City Treasurer
Daniel Losco, City Solicitor

1. **Motion, Discussion and Vote on Resolution No. 2013-32**, A Resolution establishing filing fees for Board of Adjustment applications relating to properties in the Downtown Gateway (DG) Zoning District.

The Motion to approve Resolution No. 2013-32 was made by Councilperson Megginson and seconded by Councilperson Petty.

President Barthel read the resolution.

The City Solicitor described the purpose of this resolution as ‘housekeeping’ to establish the filing fees for the newly established zoning district by Ordinances 477, 478 and 480. The scale of the fees is the same as the others on the Board of Adjustment the schedule.

Resolution No. 2013-32 passed unanimously.

2. **Motion, Discussion and Vote on Resolution No. 2013-33**, a Resolution approving execution of Surface Access Agreements.

The Motion to approve Resolution No. 2013-32 was made by Councilperson Vannucci and seconded by Councilperson Megginson.

President Barthel read the resolution.

The City Solicitor explained that the surface access agreements are temporary licenses to permit access by DNREC and contractors for the purpose of repairing the city’s dikes. Mr.

Bergstrom gave an update on the bidding and selection process for contractors to complete the work.

Resolution No. 2013-33 passed unanimously.

3. Discussion of ARRA Funding.

ARRA is a federal program being used to fund the flood mitigation project on Washington Street. The City Solicitor explained that changes were made to the project when the Seeds of Greatness Church withdrew. The Army Corps of Engineers revoked the permit due to the change in the project that now requires restoration of the wetlands that were disturbed. The ARRA Funding requires all permits to be in place by September 30, 2013. Once the restoration work is completed, a new permit application will be submitted to the Army Corps of Engineers. DNREC has offered to refinance the ARRA loan to allow time for the additional work to be completed and the revised permit to be issued. The new financing will have the same terms with 50% forgiveness, the payments already made will be credited to the new loan, and the time to get the NP27 permit will be extended to June 30th. In previous discussions, Mr. Losco had stated that there would be no additional expense to the city, but has since been advised that there will be some minimal legal fees associated with the refinance documents. The restoration work is being funded by the Conservation District.

4. Motion, Discussion and Vote on Resolution No. 2013-34, an appointment to the Tree Commission.

The Motion to approve Resolution No. 2013-34 was made by Councilperson Petty and seconded by Councilperson Vannucci.

President Barthel read the resolution.

The resolution appoints Gretchen Niedermayer to a two-year term on the Tree Commission ending on September 26, 2015.

Resolution No. 2013-34 passed unanimously.

The meeting was adjourned at 6:49 pm.

Council met in Executive Session to discuss a Personnel Matter.

Respectfully submitted,

Janet E. Wurtzel
Clerk of the City of New Castle