

**City of New Castle Delaware
Regular Council Meeting at Town Hall
201 Delaware Street – New Castle
Tuesday, July 8, 2014, 7 p.m.**

Call to order: 7:00 pm

Roll Call:

Councilperson Megginson
Councilperson Cochran
Council President Ratchford
Councilperson Petty
Councilperson Vannucci

Also present:

William Barthel, City Administrator
Janet Carlin, City Treasurer
Daniel Losco, City Solicitor
Jeff Bergstrom, Building Official & Fire Marshall
Lt. Adam Brams, Public Safety

Approval of Minutes by Date: Special Workshop, Public Hearing and Special Meeting on May 27, 2014; Regular Monthly Meeting on June 10, 2014; and Budget Workshop on June 19, 2014.

Councilperson Megginson motioned and Councilperson Cochran seconded approval of the minutes without changes. The motion passed unanimously.

Approval of Treasurer's Report

Treasurer Carlin reported on the balances of the city's accounts as of June 30, 2014. The total cash on hand in all accounts is \$1,614,387.34.

Councilperson Vannucci motioned to accept the report and Councilperson Cochran seconded. The council unanimously accepted the report.

Approval of Staff Reports

Lt. Brams reported that about 90 kids participated in the Penn Wars event on June 21st in Battery Park. There was very positive interaction of kids with police and fireman.

The Community Court kicked off last night with a hearing at the Dobbinsville Substation. The purpose of the court is to give kids a chance to stay out of the system by performing community service.

In last six weeks, more than 600 bags of heroin have been confiscated. The police are getting addicts and dealers off the street and are preparing the cases.

This year's seasonal police help has been invaluable. They help with things the regular officers don't have time to do. They handle complaints and are offering to get involved. They should be seen in all the communities.

Councilperson Cochran motioned to accept the reports and Councilperson Petty seconded. The council unanimously accepted the reports as presented.

Grant Review

Councilperson Cochran reviewed the grant receipts for June 2014.

Council Communications

Councilperson Megginson met with the inspector and contractor at Broad Dike. They will be done by the end of July or the 1st week of August. They have to put a new catch basin at the end of the road by the boat yard.

Councilperson Megginson reported on the progress of road construction. On Route 273, they are filling in the voids and doing mill work tomorrow. Resurfacing will be completed this Thursday or Friday. On South Street, they are working on storm sewers and sidewalks. Washington Street will be milled next week so it won't be as bumpy.

Councilperson Petty reported an increase in tractor trailers on Buttonwood Avenue. She recommended consideration be given to a no parking yellow strip along the right side and a sign "No Outlet". She also reported noise from a 2nd shift at the piping plant. President Ratchford asked Mr. Barthel to check into the traffic issues and recommendations.

Business from the Mayor

None

Report on Separation Day

Jeff Lank from New Castle Jaycees thanked everyone for their contributions to the success of Separation Day. Friday night was a great success – no issues or complaints. The committee learned a lot and will make tweaks for next year's event. Costs were \$7,000 over the funds provided by the State Grant but were paid by local companies. The budget will be very close to balanced. The Committee will seek approval for another 2-day festival next year. Planning for the next year begins in September. Volunteer support was amazing and everyone is welcome and encouraged to participate again.

Business from the Council President

None

Business from the Floor

Marie Wilson from East 2nd Street wants council to look at paving the road behind the houses under construction. When the new houses were built, approval was given for Steve Velitskakis to pave the road behind them. Additional parking will be needed on East 2nd Street because of the additional cars from the six houses that are for sale and the new ones being built.

Old Business

Second Reading and Vote on Ordinance 495 to amend Article 1 Section 230-1 of City Code regarding height restrictions in Downtown Gateway District.

President Ratchford read the resolution.

The Motion to approve Ordinance No. 495 was made by Councilperson Megginson and seconded by Councilperson Cochran. Ordinance 495 passed unanimously.

Second Reading and Vote on Ordinance 497 to impose storage fees on City impounded vehicles.

City Administrator Barthel read the resolution.

The Motion to approve Ordinance No. 497 was made by Councilperson Cochran and seconded by Councilperson Megginson. Ordinance 497 passed unanimously.

First reading of Ordinance 498 to limit truck traffic on Dalby Alley.

President Ratchford referenced the previously held public hearing and the completion of a traffic study.

President Ratchford read the ordinance.

President Ratchford announced that a 2nd reading and public hearing will be scheduled before Council votes.

New Business

Motion, Discussion and Vote on Resolution No. 2014-36, to Approve the Collective Bargaining Agreement Union Contract between the City and the Fraternal Order of Police.

City Administrator Barthel reported that he and Councilperson Vannucci finished negotiations after four to five meetings with the FOP. The proposed contract has been discussed by Council in Executive Session.

The Motion to approve Resolution No. 2014-36 was made by Councilperson Cochran and seconded by Councilperson Petty.

President Ratchford read the resolution.

Resolution No. 2014-36 passed unanimously.

Motion, Discussion and Vote on Resolution No. 2014-37 Approving a Minor Subdivision at 225 East Second Street – Parcel 21 015.00 121 227 East Second Street – Parcel 21 015.00 120

The Motion to approve Resolution No. 2014-37 was made by Councilperson Vannucci and seconded by Councilperson Megginson.

President Ratchford read the resolution.

Resolution No. 2014-37 passed unanimously.

Review a request to rezone #3 & #5 Buttonwood Avenue 21-001.00-011; send to Planning Commission for consideration.

Council will not act on this rezoning, but will consider any comments. There were no comments from the floor.

President Ratchford asked for background from Mr. Bergstrom. He reported that the property is located along Wilmington Road and zoned RC requiring setbacks of 600 feet. There is currently a house on the lot. The space has not been successful for commercial use. The applicant is asking to rebuild the home and build a second home on the lot. The applicant's request will require changes in zoning and the comprehensive plan.

The request will be brought before the Planning Commission.

Discussion and Decision on proper protocol for naming and dedicating City Rooms/ Buildings.

President Ratchford discussed the past practice of naming parks, buildings and rooms. Rooms have been named for past chiefs by the Police Department. The President recommended that there be a process with the ability for public input.

Councilperson Petty reported that there have been many requests over the years and all requests should go before Council. A rule and process needs to be established.

Councilperson Cochran recommends that all naming of public property including those already done should come before council.

Councilperson Vannucci thinks names and titles shouldn't be on the office doors. Everything should come through Council.

City Administrator Barthel commented that naming public property and individual's names on offices are distinctly different topics. One is creating job titles which need to be considered through the Union. Naming of public property is to honor folks and should have a resolution for presentation to acknowledge the person.

Councilperson Megginson doesn't believe in naming anything after an individual. He agrees that all naming should come before Council.

President Ratchford believes that Council agrees that the protocol is for all naming of public property to come before Council as a resolution.

Councilperson Petty recommends that they only consider new naming going forward and not address what has already occurred.

President Ratchford believes it is difficult to change what has been done in the past. Council will vote at the next meeting.

Motion, Discussion and Vote on Resolution 2014-38, to dispose of City owned vehicles.

City Administrator Barthel read the resolution.

City Administrator Barthel commented that the vehicle was seized during a drug bust and the car was granted to the City by the Attorney General.

The Motion to approve Resolution No. 2014-38 was made by Councilperson Megginson and seconded by Councilperson Vannucci.

Resolution No. 2014-38 passed unanimously.

Comments from the floor.

Victor Bryson from Dobbinsville sees police pulling tractor trailers over on Route 9 but believes that the truck traffic ban cannot be enforced because it is a State Highway built with Federal Funds. He recommends putting a weight limit on the bridge south of Dobbinsville to limit the truck traffic.

Mr. Bryson asks Council to enforce the code and stop allowing certain Trustees to do as they wish. The county would not permit the development south of Dobbinsville to be built, so Council brought the land into the City. The City allowed them to build anything. There are only a few houses and a club house in the development.

Mr. Bryson believes the Banks Building foundation is sound. Instead of spending time on the wharf, Council should work on repairing and restoring the Banks Building.

Councilperson Vannucci reported that he has been working on the Banks Building and options are being considered. President Ratchford commented that the Banks Building work needs to be presented and discussed.

Mr. Bryson complained about the grass not being cut on properties owned by the Trustees in Dobbinsville and behind 2nd Street.

Councilperson Vannucci reported that Council is trying to get the grass cut.

Dianne Simperts from Clymer Street commented that in 1976, the trustees paid \$15,000 to have 52 truckloads of junk and debris removed from the same fields. She asks that the Trustees be reminded of the past and cut the grass in the fields.

Tom Simperts of Clymer Street reported that the grass caught on fire in the past. Letting the grass grow is a tragedy waiting to happen.

Shaneka Turner of Eisenberg Elementary is looking for adults to mentor children for 30 to 60 minutes per week. President Ratchford recommended that she contact the New Castle Weekly and Cobblestones to get the word out.

Bob Thomas from West 7th asked about the City cutting the grass on private property. City Administrator Barthel was contacted by the property owner, Eric Mayer and asked to stop and the City has. Mr. Thomas wants to know why City money was used to put a ditch on private property and now cut the grass. Mr. Thomas believes he would be fined if he doesn't cut his grass, so he questions why the City doesn't enforce grass cutting on Mr. Mayer's property and the Trustee properties. Mr. Barthel advised that the rules vary depending on the size of the lot. The Conservation District required the changes to the ditch and the move was not done to help an individual. It was initially built incorrectly and was changed. City Administrator Barthel offered to meet with Mr. Thomas and Mr. Bryson to discuss their concerns.

The motion to adjourn was made by Councilperson Cochran, seconded by Councilperson Petty and passed unanimously. Council adjourned at 8:22 pm.

Respectfully submitted,

Janet Wurtzel
Clerk of the City of New Castle