

**City of New Castle Delaware
Regular Council Meeting at Town Hall
201 Delaware Street – New Castle
Tuesday, August 12, 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
Donald Reese, Mayor
Janet Carlin, City Treasurer
Daniel Losco, City Solicitor
Jeff Bergstrom, Building Official & Fire Marshall
Daniel Tjaden, Chief of Police

Approval of Minutes by Date: Special Meeting - June 10; Budget Workshop - June 24; Public Hearing, Public Hearing & Regular Meeting - July 8; Public Hearing, Public Hearing & Special Meeting - July 16

Councilperson Petty 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 July 31, 2014. The total cash on hand in all accounts is \$1,714,403.80.

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

Report of the City Administrator

The City will begin a weekly street cleaning program on Monday, September 8th. The schedule details by street are available on the web site.

Approval of Staff Reports

Chief Tjaden reported that a search warrant was conducted in Buttonwood that resulted in an eviction and the confiscation of heroin and guns. The Police also confiscated heroin in Dobbinsville.

New Castle Police have received a grant for new police radios for the cars.

The police continue to reach out to the city's children through the Night-Out Program to photograph kids at BJ's and a bicycle safety program in Dobbinsville that included free helmets.

Jeff Bergstrom reported on federally financed flood insurance program. February 4th is the deadline to have a new city flood ordinance approved by the federal government.

The council accepted the reports as presented.

Grant Review

Councilperson reviewed the grant receipts for July 2014.

Council Communications

Councilperson Megginson reported that the Washington Street construction project is 98% complete. The intersections with 9th, 10th, and 11th streets are expected to be done by August 18. They are currently concentrating on South Street and all work is expected to be done by September.

Councilperson Megginson reported that the Gambacorta and Army Creek Dikes are complete and all the others are nearing completion.

Councilperson Cochran reported that the committee planning the 2014 River Towns Ride & Festival is holding meetings and are looking for volunteers.

Business from the Mayor

Mayor Reese received information on obtaining free trees for the city.

There is an event almost every month and volunteers are needed for every event. He thanked everyone for volunteering in the past particularly the VIPS.

Business from the Council President

Council President introduced General Manager of the MSC, Pam Patone. Ms. Patone reported that compounds were found in the water that resulted in closure of New Castle's wells and the purchase of replacement water from Artesian. The water in New Castle is safe to drink. DNREC and EPA are working to find out the source of the contaminant. Testing is being done at the airport because the contaminant was once used in firefighting foam.

Beverly Flanagan asked about corporate responsibility for clean-up and remediation because the product is made by DuPont.

David Baldini asked about tracking from the source to identify the potential pockets of the contaminants that may eventually make its way to our water supply.

Alice Riehl asked if the water from Artesian is being purchased. Ms. Patone responded that it is being purchased at a cost of about \$40,000. Currently, MSC is looking for alternatives like a carbon filtration system and weighing the costs and benefits.

Tom Whitehead asked about a SuperFund site behind Langollen that was never cleaned-up and asked that it be reviewed as a potential source.

Business from the Floor

None

Motion, Discussion and Vote on Resolution No. 2014-40, in recognition of V.I.P.S. Dedicated Volunteer Service to the City of New Castle.

The Motion to approve Resolution No. 2014-40 was made by Councilperson Megginson and seconded by Councilperson Petty.

President Ratchford read the resolution.

Resolution No. 2014-40 passed unanimously.

Lt. Brams supervises the program and introduced each of the VIPS. The program started in 2006 and many of the VIPS have been involved since that time. They are a selfless and dedicated group. The city is very fortunate to have them.

Old Business

None

New Business

Motion, Discussion and Vote on Resolution No. 2014-41, declaring a certain City owned property located at 907 Clayton Street as surplus and directing that it be marketed for sale. (Parcel # 2101400282)

The Motion to approve Resolution No. 2014-41 was made by Councilperson Megginson and seconded by Councilperson Cochran.

President Ratchford read the resolution.

Resolution No. 2014-41 passed unanimously.

Motion, Discussion and Vote on Resolution No. 2014-42, designating the City Administrator as FOIA Coordinator, pursuant to HB 321.

The Motion to approve Resolution No. 2014-42 was made by Councilperson Megginson and seconded by Councilperson Vannucci.

President Ratchford read the resolution.

The President added that Mr. Barthel has been fulfilling this function and this resolution makes it official.

Resolution No. 2014-42 passed unanimously.

Motion, Discussion and Vote on Resolution No. 2014-43, for the placement request of Mean Green Smokin' Cuisine as a vendor operating within the City limits.

Mr. Edwards and Ms. Winkler asked to use the parking lot by the Sailing Club to do lunch and/or dinner service. There is no cooking done in the truck. Meats are smoked, all side dishes are vegetarian and all food is home made.

President Ratchford asked about being at Wilmington Fiber on Thursdays.

Councilperson Cochran asked if there will be a generator. The response was yes, a Honda 300 which is very quiet.

Councilperson Cochran asked if truck is certified by Board of Health and they responded that it is.

Councilperson Petty asked if they planned to operate only in the summer months. The response was no, they hope to be year around.

Councilperson Cochran asked about tanks for water use and collection and the truck does have both.

President Ratchford asked for clarification where they would park by Sailing Club.

Councilperson Megginson suggested that they park by Penn Street rather than by the Sailing Club.

The Motion to approve Resolution No. 2014-43 was made by Councilperson Cochran and seconded by Councilperson Vannucci.

President Ratchford read the resolution.

Resolution No. 2014-43 passed unanimously.

Discussion regarding formation of Historic Area Guidelines Review Committee.

President Ratchford stated that esthetics and quality are recognized as being important by the residents and businesses and benefits the town and citizens. Ordinances and guidelines are important, but were developed 25 years ago. The President indicated the need to make improvements to the guidelines to use new alternative materials and improve the process to be more user friendly. President Ratchford proposed a review the Historic Area Guidelines to be funded by the city budget and with matching funds from the Trustees. The new HAC

Architect has been hired to chair the committee and develop the new guidelines. The proposed group will include the Executive Director of the NC Historic Society, Mike Connelly, a representative of citizens and businesses and one from the Trustees. A resolution will be presented at the next meeting to establish the committee.

Councilperson Megginson thinks it is a good idea and that the guidelines need to be brought up to date. Councilperson Cochran believes the update is past due. Councilpersons Petty and Vannucci agree with the proposal.

Discussion regarding request from Board of Election to change poll hours.

Marianne Caven, Chair of the Election Commission stated that the hours for the polling place were previously 8 am to 6 pm. Last year, they were changed to 7 am to 7 pm and fewer voters participated. The additional hours were not beneficial and were tiring to the workers. Elections are on Saturday and absentee ballot process is easy. Commission Chair Caven asked City Council to consider returning to the previous hours.

Councilperson Megginson agrees that it is a good idea.

Ms. Caven stated that the elections follow the guidelines of the county and state. Poll workers are not permitted to leave until election process is complete making it a long day.

President Ratchford thanked Ms. Caven and the committee for their service. The request will be brought before Council as a resolution that will need to go before the State Legislature.

Motion, Discussion and Vote on Resolution No. 2014-44, to deem certain portions of the north side shoulder of 4th Street between South Street and Williams Street, and a portion of the shoulder of West 8th Street abutting 54 West 8th Street as no parking zones.

The Motion to approve Resolution No. 2014-44 was made by Councilperson and seconded by Councilperson.

Councilperson Megginson explained that cars block the pedestrian walkway on 8th Street and make it difficult for the fire company to get the hook & ladder truck out on 4th Street. Councilperson Megginson read the resolution.

Resolution No. 2014-44 passed unanimously.

Comments from the floor.

David Robinson, East 2nd Street: He has served on the Historic Area Commission for number of years including when the current guidelines were put into effect. For the record, Mr. Robinson is in favor of updating and upgrading the guidelines. Reading ordinance, he doesn't believe Council has the ability to form a committee to change the guidelines. Guidelines should only be changed by people educated in historic preservation.

President Ratchford agreed with the need to have expert opinion but also believes citizens should have some say in how the process should work and what citizens are comfortable with as a town.

Mr. Robinson asked why the update would cost \$20,000. President Ratchford explained that the HAC Architect needs to be paid for her time.

Dorsey Fisk, East 3rd Street: Ms. Fisk has served as a member of HAC and thinks it is a great idea to revise the guidelines. She suggested the need for better enforcement and service term limits.

Tom Whitehead: Mr. Whitehead has served on three boards and his experience with HAC was dreadful. His suggestions are term limits and new board members. The members didn't have the guidelines at the meeting and don't use them. In the future, they need to follow the guidelines.

Mr. Whitehead referred to articles regarding the potential move of the Port of Wilmington to the City of New Castle. While working at Vandermark and Lynch, he did surveying at the Port and found that it's a dirty operation. The identified area for the Port is in the coastal zone and is a residential area. Governor Markel and County Executive Gordon are for it. He would like the Mayor and Council to nix the project.

Dorsey Fisk: Ms. Fisk talked to Hick Rowland about the potential move of the Port and he laughed and said it was absurd. Ms. Fisk reported that Mr. Rowland said it would have to be dredged and that a previously identified site has deep water at the mouth of Christina.

The motion to adjourn was made by Councilperson Megginson, seconded by Councilperson Cochran and passed unanimously. Council adjourned at 8:19 pm.

Respectfully submitted,

Janet Wurtzel
Clerk of the City of New Castle