

**City of New Castle Delaware  
Regular City Council Meeting at Town Hall  
201 Delaware Street - New Castle  
Tuesday, May 9, 2017 - 7:00 p.m.**

**Call to order: 7:00 p.m.**

**Roll Call:**

Councilperson Valarie Leary  
Councilperson Michael J. Quaranta  
Council President Linda Ratchford  
Councilperson Michael M. Platt  
Councilperson John A. Di Mondì

**Also present:**

William Barthel, City Administrator  
Janet Carlin, City Treasurer  
Jamie Rogers, Police Chief  
Daniel Losco, City Solicitor  
Jeff Bergstrom, Building Official  
David J. Athey, P.E., City Engineer  
Chris Rogers, AICP, City Planner

**Presenters**

Danielle Swallow, DNREC  
Kelly Valencik - DNREC Coastal Training Program Coordinator

**Minutes:**

April 10, 2017 - Canvas of the Vote & April 11, 2017 - Regular Meeting (Accepted); (minutes not approved); April 20, 2017 - Special Meeting; April 27, 2017 - Special Meeting - approval of the meeting minutes was postponed until the next Regular Meeting, to be reviewed on June 13, 2017.

**Staff reports:**

**The Motion to approve the minutes and staff reports was made by Councilperson Quaranta, seconded by Councilperson Leary.**

**Approval of Treasurer's Report**

City Treasurer Janet Carlin reported on the balances of the City's accounts as of April 30, 2017. The total cash on hand in all accounts is \$ 3,428,287.76.

Councilperson Leary motioned and Councilperson Platt seconded approval of the Treasurer's Report as presented. **The motion passed unanimously.**

## **Update on street projects**

Building Official Jeff Bergstrom stated that there were four locations being paved which were Young and 10<sup>th</sup> St., East 9<sup>th</sup> and Clayton, Foundry at 4<sup>th</sup> and 5<sup>th</sup>. He reported that several projects that involve ADA accessibility had to be postponed due to water line repair work. He informed the Council that projects at these locations will be completed by the contractor this paving season.

## **Report from the City Administrator & Staff**

Police Chief Jamie Rogers reported that there were 37 criminal arrests, 126 traffic tickets, 79 traffic warnings and 24 crime prevention checks in April 2017. He also reported that the police identified the three people that had recently robbed Walgreen's, that a recent home invasion is still in the process of being investigated, and that there had been a drug-related arrest of a Pokémon player.

## **Council Communications**

It was reported that Mr. Bill Emory was concerned about the street lights, or lack thereof, in Van Dyke Village.

It was also brought to light that Ms. Susan Souter wanted to know why the pier is still closed. Mr. Barthel explained that the City is still working on the pier, and the cameras must be in working condition; hopefully, the pier will be open by the weekend.

Councilperson Leary announced that National Night Out, a community campaign that helps the police and the community, will be held on August 1st from 6-8 pm, and she would like anyone interested in helping with this event to contact her.

Councilperson Michael J. Quaranta cited Section 140 of the code regarding rental housing inspections. He stated that Chief Rogers has made comments about transients coming through the city, and "problem properties." Councilperson Quaranta emphasized that, if there are properties being used as rentals, but this is not known to city authorities, and the properties have not been inspected, then that is a problem - he said that he is going to be working on this issue in a fair and thoughtful way. Councilperson Quaranta also discussed issues surrounding the Pokémon game, stating that he had explored solutions implemented by the City of Milwaukee, and had spoken with Mr. Losco about communicating with the game manufacturer to restrict the times when people can play the game within City limits.

**Comments on the floor** - None

**Business from the Mayor** - None

**Business from the Council President** - None

**Business from the floor** - None

**Resilient Community Partnership Presentation** - Preliminary plan - To be presented by representatives from AECOM and DNREC.

Kelly Valencik from the Delaware Coastal Office discussed a planning project that is underway to help build infrastructure against coastal hazards and improve preparedness. She stated that they have just planned the project with the City of New Castle, and the lead person for the Resilient Community Partnership Project is Danielle Swallow. They have gotten together with City Council President Ratchford, Mr. Barthel, and Dave Athey, the City Engineer, discussed New Castle's vulnerabilities to coastal hazards and explore shorter- and longer-term scenarios. They will be doing public outreach and forming a small flood-preparedness committee around August; afterwards, they will hold a large public workshop (at least one, planned for September) to assess whether these efforts are going in the right direction. The aim is to eventually bring their recommendations to the council.

David J. Athey, P.E., City Engineer, stated that the City of New Castle had already done work over the last several years on this (computerized mapping, etc.), and they will be working off the data they have gathered; they will be working on mapping and critical roadways, including the possibility of raising Route 9 and flood-proofing individual properties.

Councilperson Michael J. Quaranta asked Kelly Valencik when a report will be delivered on the coastal plan. She stated that the report will be delivered by December 18<sup>th</sup> and will contain recommendations on adaptation options.

Councilperson Quaranta asked whether this type of measure will hold the line on flood insurance costs, or lower them? Kelly Valencik responded that the measures would hopefully allow the City to collect further CRS points. Mr. Jeff Bergstrom stated that the cost of flood insurance could ultimately be lowered; the measures could entail raising of the dykes themselves, and consequently allow parts of the City to be removed from the floodplain. Council President Ratchford responded that this is a building block for the future. Councilperson Mike Platt asked about the flood zone; Mr. Jeff Bergstrom described that this is a battle that has to be tackled as time goes on? Councilperson John Di Mondì expressed a concern to Kelly Valencik that the City is at risk like everyone else, and that extensive building continues to occur despite the risks. Ms. Valencik stated that the project will save taxpayer money.

City Council President Ratchford asked the audience if there were any further questions.

## **Old Business**

### **Motion, Discussion and Vote on Resolution 2017-15: Resolution Approving Mayor's Reappointment to the Planning Commission of **Joseph DiAngelo**.**

The Motion to consider Resolution No. 2017-15 was made by Councilperson Quaranta and seconded by Councilperson Leary.

President Ratchford read the resolution.

### **Resolution No. 2017-15 passed 4 to 1.**

#### **The Motion passed, with the Council votes recorded as follows:**

Councilperson Valarie Leary - Yes

Councilperson Michael J. Quaranta - Yes  
Council President Linda Ratchford - Yes  
Councilperson Michael M. Platt - Yes  
Councilperson John A. Di Mondì - No

**Joseph DiAngelo: Term from May 9, 2017 to May 9, 2020 confirmed**

**Discussion regarding the appointment of Joseph DiAngelo -**

Councilperson Ratchford stated she appreciates the service that he has given to the planning commission; Mr. DiAngelo says that he was appointed in March 2006, and thinks that there are a lot of good people in the City.

Councilperson Di Mondì pointed out that it would be better to go through approval processes such as this in the Mayor's presence - there are no rules penalizing the Mayor for absences, and the Mayor's absence times have been irregular. Regarding City planning, he opined that the formulation, passage and implementation of the Western Gateway project could hurt property owners.

Councilperson Michael J. Quaranta stated that the role of the Planning Commission should not be misunderstood: they do not have a say in approving plans, as long as these plans are in compliance with zoning and building codes; thus, the City need only appoint people to the commission that understand the rules.

**New Business**

**Motion, Discussion and Vote on Resolution 2017-16:** Resolution Approving the Placement

Request of Wheely's New Castle to be a vendor operating within the City limits for the 2017 season.

The Motion to consider the resolution was made by Councilperson Quaranta and seconded by Councilperson Platt.

President Ratchford read the resolution.

**Discussion regarding Resolution 2017-16**

A representative of Wheely's explained that they were renewing their permit from 2016, and shared that they were shifting their menu to being oriented around lunches, rather than snacks and coffee; she stated that they operate out of a food bicycle, with 6-month variation, alternating between at most 2 locations. Council President Ratchford commented that the locations were restricted to a maximum of two per day in last years permit.

Councilperson Di Mondì stated that he did not want to overburden brick-and-mortar vendors with mobile vendors who have lower overhead costs, and would like to deter a "circus atmosphere" from developing downtown. He stated that sidewalk traffic disruption is a

concern, that the new direction of Wheely's cuisine offerings (beyond "snacks") increases potential competition with brick-and-mortar vendors (their new menu is not one that the council had previously approved), and that their supply van takes up multiple parking spots (the vendor responded contesting this). He stated that the City cannot give carte blanche to mobile vendors to station themselves wherever they wish. The Wheely's vendor asked for specification of the cost that Councilperson Di Mondì is concerned about - is it the cost of going beyond food and snacks?

Councilperson Leary stated that there is a great variety of food offerings in town, and that this is a good thing, creating healthy competition. Councilperson Platt stated that he had seen the Wheely's cart while on a walk, and had not found that the food cart was blocking the sidewalk. Council President Ratchford asked for further specification of where the cart would be stationed. The Wheely's vendor stated that they have requested permission to operate in the park; other than that, the only locations are the State property and the wharf.

**Resolution No. 2017-16 passed 4 to 1.**

**The Motion passed, with the Council votes recorded as follows:**

Councilperson Valarie Leary - Yes  
Councilperson Michael J. Quaranta - Yes  
Council President Linda Ratchford - Yes  
Councilperson Michael M. Platt - Yes  
Councilperson John A. Di Mondì - No

**Motion, Discussion and Vote on Resolution 2017-17:** Resolution Approving the Placement Request of Pizza Capo to be a vendor operating within City limits.

Councilperson Leary motioned for the resolution, and Councilperson Platt seconded, approval of the Placement. Request of Pizza Capo to be a vendor operating within the City limits.

President Ratchford read the resolution.

**Discussion regarding the Resolution 2017-17** on approving the Placement Request of Pizza Capo to be a vendor operating within City limits. A representative from Pizza Capo explained that they are applying for renewal of their vendor permit, and are planning to be stationed at the sailing club. They plan to serve Italian ice and beverages. Council President asked whether more than one vendor has been approved for the sailing club - is there a concern about having two vendors in the same location? Following up on discussion of the previous motion, Councilperson Quaranta said that he has not heard from brick- and-mortar vendors that mobile vendors are impeding them; however, he would like to hear the views of different restaurateurs. Councilperson Di Mondì stated there are constant territorial battles in cities between brick-and-mortar vendors and mobile vendors. Pizza Capo vendor representatives stated that, they are looking at the possibility of being stationed at the wharf as well.

**The motion passed unanimously.**

**Comments from the floor:**

Irvan Thatcher stated that, from his porch, he can see cars making illegal left-hand turns; in the past, the "no left turn" sign fell down and it took three months before they put it back up; there is a tree that is not visible to all motorists, and causes traffic disturbances; he opined that it was not advisable to replace the stoplight with stop signs.

Frank Lagola highlighted what he perceived as growing drug issues around the City, and suggested that the City connect with drug treatment programs that come by in vans, pick up addicts and offer them treatment.

Paula B. Stockton brought up the hole on New Castle Avenue that needs to be fixed; DelDOT had been contacted about this; school will be in session soon, increasing the risk from the hole.

Rod Miller brought up the issue of parking scarcity; more cars than parking spots; suggested looking into the issue of people using too much space when parking, possibly remediable by e.g. drawing lines.

Chief Rogers commented in response to this that the Planning Commission received assistance from the University of Delaware to study parking issues, and there are complexities of scarcity and availability. The Chief was asked about cars parked in the same location for long periods of time, to which he responded that such vehicles are not ticketed as long as their-tires are not flat; he is unsure whether painted lines help or hurt this issue.

**The Motion to adjourn was made by Councilperson Di Mondri, seconded by Councilperson Platt and passed unanimously. Council adjourned at 9:11 pm.**

Respectfully submitted,

Brian G. Whitaker  
City Clerk of New Castle, Delaware