

**City Council of the City of New Castle**  
**Regular City Council Meeting**  
**Town Hall, 201 Delaware Street, New Castle**  
**Tuesday, January 10, 2017 at 7:00 p.m.**

**Call to order: 7:03 p.m.**

**Roll Call:**

Councilperson Megginson – present  
Council President Ratchford – present  
Councilperson Petty – present  
Councilperson Di Mondì – present

Also present:

Janet Carlin, City Treasurer  
Jamie Rogers, Police Chief  
Daniel Losco, City Solicitor  
William Barthel, City Administrator  
Kathy Walls, Finance Manager  
Dave Athey, City Engineer

**Approval of Minutes by Date:** Special Council Meeting Minutes 10/28/16, Regular Council Meeting 11/09/16, Public Hearing 12/13/17, and Regular Meeting 12/13/16, and **Approval to Accept Staff Reports** as submitted.

Councilperson Petty motioned and Councilperson Megginson seconded approval of the Staff Reports without changes. **The motion passed unanimously.**

**Approval of Treasurer's Report:**

City Treasurer Janet Carlin reported on the balances of the City's accounts as of December 31, 2016. The total cash on hand in all accounts is \$4,579,463.75.

Councilperson Di Mondì motioned and Councilperson Petty seconded approval of the Treasurer's Report as presented. **The motion passed unanimously.**

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

City Administrator Barthel reported that the pier is completed with exception of some punch list items that are expected to be completed early to mid-February. The official opening will be scheduled in the spring.

Chief Jamie Rogers reported the police department statistics for December.

**Council Communications:**

Councilperson Di Mondì has received correspondence from constituents requesting a discussion regarding the parking lot that the Trustees are planning off of West 3<sup>rd</sup> Street.

Councilperson Di Mondri read a statement (See Attachment A). The City Solicitor responded that the item doesn't have to be added to agenda. The agenda is set by the Council President. Council Members have the right to discuss whatever they want in council communications section of the agenda and the citizen can speak on any topic at the end of meeting. Councilperson Di Mondri replied that no one knows it will be discussed if it's not on the agenda. If it was on the agenda, people may have come to speak. People are being disenfranchised. The President added that the question is whether it is an issue before the Council. Things going before the Historic Area Commission do not appear on the agenda or things pertaining to Trustees of the Common business. There is no action available to Council in regard to this item. Councilperson Di Mondri replied that it is dangerous stuff to try to shut people like me up.

Councilperson Petty reported that the message on the electronic "No Trucks" sign at the entrance to Buttonwood is frozen. The Chief will have the sign fixed and reported that international no truck traffic signs have been ordered. Councilperson Petty asked that a sink hole in the sidewalk on New Castle Avenue near Buttonwood Avenue be addressed.

**Business from the Mayor:**

None

**Business from the Council President:**

City Council President:

- complaints have been received about loose dogs in Bull Hill and the issue is being addressed
- DNREC grant has been awarded to the City for a vulnerability study on a number of items regarding storm water and other causes of potential flooding

**Business from the Floor:**

David Baldini of South Street inquired about the appointments to the Board of Elections. After the appointments at this meeting, the Board will still be two people short. He asked what impact there is on the validity of the election. The City Solicitor replied that State law requires an odd number and the City Charter requires Council to appoint five. If there is a problem with the election, the issue could end up in Court. The election is not at risk, but if there is a controversy resulting in tie vote of board, it could end up in Court. President Ratchford added that the Chair of the Board of Elections has been nominated and appointed and City Council is appointing two others tonight for a total of three.

**Old Business**

**New Business**

**Presentation by Dave Athey: Delaware Street "Green Street" Feasibility Study Report.**

Mr. Athey stated that he met with Council two years ago to get the repaving of Delaware Street on the radar screen. Mr. Athey advised at the time that the condition of things under road surface such as water pipes needs to be checked first. The State provided half of the funds to access and to evaluate the utilities.

The issues are identified as:

- Delaware Street is in serious need of repaving
- Handicap ramps/curb breaks and crosswalks need to be addressed due deterioration and compliance
- Underground utility locations need to be mapped
- Management of stormwater and drainage needs improvement

The opportunities available due to the project are:

- Create a plan from the bottom and work upwards
- improve utilities and better manage runoff
- Make the street a signature and/or complete “Green” street.
- Use a more holistic approach

The City has some combined sanitary and storm sewers but the study confirmed there are no cross-connects under Delaware Street. The sewers were mapped with the exception of a clay pipe that is more than 100 years old. The camera can't be inserted into the pipe. There are 45 degree bends that need to be removed. The owner of the sewers, New Castle County, did some studies and has already made corrections of leakage.

There are water mains that were tested by the Municipal Services Commission and those pipes will be relined during the project.

Stormwater management alternatives were developed based on runoff rates. There are no inlets on one side of Delaware Street causing the rain to run the length of Delaware Street to The Strand where it turns right into the cobblestones.

Alternative schemes for turning Delaware Street into a Green Street to pick up some of the runoff have been developed. The Green Street idea tries to better replicate nature to the extent possible in a built environment by adding tree planters and green gutters.

DNREC grants are available for “green” infrastructure. The City has a stormwater permit and making green changes to Delaware Street would be counted as a credit toward future issuances of the permit.

As part of the project, additional storm sewer manholes for access will be added.

The next step is to develop a time line for final design, bidding and construction.

Cooperation with the Municipal Services Commission and Delmarva Power will be needed for temporary reroutes and any work to be completed on their utilities. The improvements will be coordinated with the work planned by the Trustees in Battery Park.

Councilperson Petty reported that sidewalks were added when New Castle Avenue near Buttonwood Avenue was repaved. The new sidewalk sunk. There are barriers around it. She has been advised that pipes are broken. President Ratchford directed the City Administrator to contact DelDOT to address the problem.

President Ratchford advised that more work is needed to identify the tradeoffs with parking caused by the designs.

Councilperson Di Mondì requested three proposals to include the street under normal construction without the extras and one with all the options. Council needs to decide what the City can afford and needs to know what is required to be done. Councilperson Di Mondì likes the green idea and not paving. Mr. Athey replied that from a runoff standpoint, the results need to be neutral. President Ratchford agrees with Councilperson Di Mondì on the need for options.

**Motion, Discussion and Vote on Resolution 2017-02** to approve appointment of City resident members to the Historic Area Commission:

Council Re-Appointment: Jean Norvell - Term Ending January 10, 2020

Mayor Appointment: Laura Fontana - Term Ending January 10, 2020

Mayor Appointment: Martin Wright - Term Ending January 10, 2020

The Historic Area Commission appointments are one member of the Planning Commission, two from Council, and two from the Mayor plus one professional planner.

The **Motion** to consider Resolution No. 2017-02 was made by Councilperson Megginson and seconded by Councilperson Petty.

President Ratchford read the resolution.

**Resolution No. 2017-02 passed unanimously.**

**Motion, Discussion and Vote on Resolution 2017-03** to approve Councilperson Petty's re-appointment of Barbara Winkler and Councilperson Megginson's re-appointment of Rick Pennell to the Board of Elections.

The **Motion** to consider Resolution No. 2017-03 was made by Councilperson Petty and seconded by Councilperson Megginson.

President Ratchford read the resolution.

**Resolution No. 2017-03 passed unanimously.**

**Motion, Discussion and Vote on Resolution 2017-04** to approve Arbor Day.

The **Motion** to consider Resolution No. 2017-04 was made by Councilperson Di Mondì and seconded by Councilperson Megginson.

President Ratchford read the resolution.

**Resolution No. 2017-04 passed unanimously.**

## Comments from the floor

Victor Bryson of Clark Street inquired about plans for a bark park in Dobbinsville that the Trust is considering for Trust land. Mr. Bryson stated that this park is for the SPCA and not the residents. He believes the City must give a permit and that the request should not be considered. Mr. Bryson stated that the dogs at the SPCA are 75% pit bulls and are those dogs are most responsible for injuries. President Ratchford asked City Admin to research what permits are needed. Mr. Bryson clarified that if the bark park is for the people and the SPCA is not permitted to bring dogs, he's all for it.

Mr. Bryson is upset that Councilperson Di Mondì's request was not put on the agenda. Councilperson Di Mondì stated that they don't care about our part of town. That's where the dump is and where the substation is. The City wants to put it there.

Mr. Bryson believes that additional parking is being considered for people that use the bike trail. President Ratchford advised that City Council cannot make decisions in Executive Session and cannot vote. Once laws are passed, we have to live within those laws. Bike trail is for the benefit of the citizens. No parking lot in City is being built for use of the trail by out of town bikers.

Paula Stockton of Buttonwood Avenue requested that the following items be addressed:

- There has been a big sink hole on New Castle Avenue for months that hasn't been addressed. There are cones but no repairs have been made.
- Meehan Avenue near Buttonwood was torn up for house construction and not restored, so Buttonwood United Methodist Church gets the runoff.
- The ditch hasn't been cleaned or maintained since it was repaired several years ago.
- When it snows, plowing on Buttonwood Avenue blocks access to Meehan Avenue.
- Houses are sold and occupied yet a sign advertising the sale of townhomes has not been removed.
- Trucks continue to be a problem and the electronic mapping companies need to be advised.

President Ratchford replied that the City has been trying to address truck traffic. The Chief added that the Police have gone to the businesses on Lukens Boulevard and verbally told them.

Roger Clark of West 4th Street requested an update on his request at the last meeting that Council ask Solicitor Losco to review the legal ability of the Trustees to put a parking lot in place in regard to the Comprehensive Plan. Solicitor Losco reported that he has completed his review but does not want to talk about his opinion due to the potential of court proceedings.

Marty Wright of West 7th Street asked if the pier will be open before grand opening presuming that everything is cleared from punch list it. The City Administrator replied that it will. Mr. Wright advised that he likes the City Engineer's idea of making Delaware Street green, but cautions that trees are damaging to water systems as roots wrap around pipes and foundations.

Judie Baldini of South Street asked if the audit and budget are available. President Ratchford replied that it will be posted online.

Dorsey Fiske of East 3rd Street asked what plans City Council has to address flaws in the City Charter and when. President Ratchford responded that it will be looked at along with a Code of Ethics. It will not be done before the election in April, so it will fall to the next Council. Ms. Fiske added that there are more immediate concerns such as the process if two council persons get same number of votes, the lack of a requirement that anyone running for office be current in paying City taxes and additional flaws. President Ratchford suggested that Ms. Fiske provide her concerns to the City Administrator.

Councilperson Petty thanked the people from Buttonwood for coming to the meeting and reminded them that they can contact her anytime if they need something.

The **Motion to adjourn** was made by Councilperson Megginson, seconded by Councilperson Petty and **passed unanimously**. Council adjourned at 8:24 pm.

Respectfully submitted,

Janet Wurtzel  
Clerk of the City of New Castle