

City Council of the City of New Castle
Regular City Council Meeting
Town Hall, 201 Delaware Street, New Castle
Tuesday, March 21, 2017 at 7:00 p.m.

Call to order: 7:00 pm

Roll Call:

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

Also present:

Jeff Bergstrom, Building Official
Janet Carlin, City Treasurer
Jamie Rogers, Police Chief
Daniel Losco, City Solicitor
William Barthel, City Administrator

Approval of Minutes by Date: Regular Meeting on 2/14/17 and Special Meeting on 02/22/17 and **Approval to Accept Staff Reports** as submitted.

The Minutes of Regular City Council Meeting on 2/14/17 were amended on page 2 with the reference to a “city traffic engineer” removed and replaced with the “DelDOT traffic engineer”.

Councilperson Megginson motioned and Councilperson Petty seconded approval of the Minutes as amended and Staff Reports as submitted. **The motion passed unanimously.**

Approval of Treasurer’s Report:

City Treasurer Janet Carlin reported on the balances of the City’s accounts as of February 28, 2017. The total cash on hand in all accounts is \$3,936,745.53.

Councilperson Megginson 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:

DelDOT conducted a traffic signal removal at Delaware and 6th Streets study 8 to 12 months ago. The study results showed no need for the traffic signal, so DelDOT will proceed with removal process. The signal deactivation process will include installation of stop signs about April 5th and within 30 days the signs will be uncovered and the traffic signal will go on flash. The change from signal to signs will be studied for six months. If there are no safety issues, the traffic signal will be turned off and removed. DelDOT will accept comments from residents during this period.

Councilperson Di Mondy asked if this is the time period for comments and Mr. Barthel replied affirmatively. Councilperson Di Mondy asked if DeIDOT would come to a City Council meeting to discuss. Mr. Barthel agreed to schedule DeIDOT for a future meeting on the topic.

Building Official Bergstrom:

Reported that public works projects are spread out throughout the City. He showed a drawing of the projects and welcomed anyone to take a copy (See Attachment A). President Ratchford asked Mr. Bergstrom to review the process. Mr. Bergstrom replied that potential projects are reviewed with a team that includes the City Engineer to evaluate what needs to be done and weight the projects based on traffic and usage. The decision to prioritize project is based on the data, costs and budget.

Police Chief Rogers:

The Chief reviewed the monthly statistics for February and reported that the police are receiving good reports that the new flashing speed signs are slowing traffic in Dobbinsville.

Captain McCabe:

The Captain reported that large groups of children on motorized dirt bikes are gathering to ride on City streets. The police have learned that the kids are doing a "ride out". They follow a kid on internet that names a ride location for kids to show up. The public should not try to stop or interact because they have been responding with throwing rocks. Call 911 if this activity is observed but be aware that the police cannot chase them.

Council Communications:

Councilperson Petty received notice of a sex offender moving to Buttonwood Avenue next to a home with children. The Captain responded that is also a halfway house in the neighborhood. The notice means that they are a higher tier offender. The schools have been notified. Each tier has specific offender reporting requirements and community notifications.

Councilperson Petty reported that the signs have been installed for trucks at the entrance to Buttonwood Avenue, but the trucks continue.

Business from the Mayor:

None

Business from the Council President:

President Ratchford read an email from the Trustees indicating approval of a grant to the City for ADA compliant curbs in the amount of \$200,000. The grant requires that work must be completed and invoiced prior to March 31, 2018. Councilperson Di Mondy asked if there are stipulations on where within the City the money is spent and the President replied that there are none.

Business from the Floor:

Victor Bryson of Clark Street started talking about money concerns and was stopped because the topic is not on the meeting agenda. He was advised that he is welcome to bring his concerns to Council Concern during the Comments from the Floor portion of the meeting.

Old Business

None

New Business

Motion, Discussion and Vote on Resolution 2017-09 to approve the placement request of Summer J. Artisan Ice Pops, LLC as a vendor operating within the City limits.

The **Motion** to consider Resolution No. 2017-09 was made by Councilperson Megginson and seconded by Councilperson Petty.

President Ratchford read the resolution.

Mr. Jackson, one of the owners of Summer J. Artisan Ice Pops, LLC, cofounded the business with wife. It was created in response to a family member facing a health crisis by creating a healthy alternative to other cold treats. The product is vegan, gluten-free and dairy-free with no additives. The business has a mobile truck and has been selling at festivals and summer locations like beaches.

The President inquired about the type of vehicle. Mr. Jackson responded that it's a Jeep. Councilperson Megginson asked if the vehicle is stationary while vending and Mr. Jackson replied that it is. Mr. Jackson reported that the business is up to code and safe certified. Flavors are rotated depending on what farmers have that is ripe and bring five to seven at a time.

Councilperson Petty asked if they play music and Mr. Jackson replied only with council approval.

Councilperson Megginson requested a stipulation that the vending is on 3rd Street in the parking lot area near the sailing club. President Ratchford reread final paragraph of Resolution No. 2017-09 with the vending location added.

Resolution No. 2017-09 as amended passed unanimously.

Motion, Discussion and Vote on Resolution 2017-10 to approve the Mayor's Appointment of John Lloyd to the Tree Advisory Commission.

The Motion to consider Resolution No. 2017-10 was made by Councilperson Petty and seconded by Councilperson Megginson.

President Ratchford read the resolution.

Term will be March 14, 2017 to March 14, 2020.

Resolution No. 2017-10 passed unanimously.

Motion, Discussion and Vote on Resolution 2017-11 to approve the reappointment of Mr. Daniel Knox to the Municipal Services Commission, as the City Council representative.

The Motion to consider Resolution No. 2017-11 was made by Councilperson Di Mondì and seconded by Councilperson Petty.

President Ratchford read the resolution.

President Ratchford read an email from Mr. Knox because he was unable to attend the meeting. Councilperson Di Mondì added that the City is very lucky to have Mr. Knox serve because he is financial person and was instrumental in the agreement between the Municipal Services Commission and the City.

Resolution No. 2017-11 passed unanimously.

Comments from the floor

Bill Emory of Baldt commented about off road vehicles between used by kids on his street at speeds he estimated to be 40-50 MPH while ignoring Stop signs. It is safety concern heightened by having kids on the street in warm weather. There were multiple police cars but they are unable to do anything. Mr. Emory asked the police to find a program to address the problem. President Ratchford expressed appreciation for his concerns and stated that the City will continue to research for a solution.

Victor Bryson of Clark Street asked if the \$200,000 grant is one time this year or one time forever. President Ratchford replied that this grant is for this year.

Sandy Beale of the Strand reported on behalf of a group of residents that formed the Pokemon No Committee. The group believes that there is a lack of crowd control and vehicular control because the City's response has been inadequate. They perceive Pokemon people as disrespectful.

Karen Whalen of E 3rd street stated that the Pokemon No Committee is working to keep issue in front of Council. She is afraid the problems will increase. The maker of the game is slated to release additional versions of the game to include "battles". It is clear to us and should be clear to everyone that this game is 180 degrees at odds with the character of this City. The visual impact impairs the City. People are loitering, leaving trash, etc. She asked how long this has to go on before it stops people from visiting the City. People have told her they are no longer coming until it is addressed. The committee has a petition that has been signed by 105 people.

Dorsey Fiske of E 3rd Street reported that Pokemon players park illegally and refuse to move. Players have been asked by residents to turn off idling engines. Drivers gaze at their smart phone to play rather than watch the road. Their presence causes degrading and devaluation of the City. Dobbinsville has had truck traffic problems for years and has asked for assistance. Traffic calming island solution is less safe for children.

President Ratchford responded that residents and visitors have to follow traffic laws and asked the Chief to comment. Chief Rogers reported that they will meet with DeIDOT on March 30. DeIDOT controls it because it is a State Road. The State Police Truck Enforcement Unit has worked the two times per month. The City Police have focused on enforcement downtown. The Chief expressed frustration that City Council gets email complaints about Pokemon player behavior but the police have not received any calls requesting their response.

Paula Stockton of Buttonwood Avenue reported that progress has been made on several issues in Buttonwood. She believes that a police crackdown on cell phone usage while driving would make a huge difference. She appreciates the truck traffic signs, but it hasn't stopped the trucks. The police have responded to complaints about ATV use in the area. Work is still needs to be completed at the intersection of Buttonwood Avenue and Meehan Avenues. There is runoff from the south side of Buttonwood Avenue that contains bottles, boxes and trash. Ms. Stockton again thanked the City for improvements and responses to previous requests.

Binnie Beale of the Strand followed up on comments from the Pokemon No Committee. He reminded Council that they made a presentation at a Special Council Meeting on October 26. The committee asked City Council to protect the City's national image and enforce city laws. Councilperson Megginson commented that he hopes the folks complaining will question City Council candidates about this topic during the March 30th forum. Councilperson Di Mondì believes that this is a minor problem compared with what is coming from the apartments being built. He added that the City needs to increase police presence on nights and weekends to address Pokemon players and to close the wharf like the park at dusk. Changes will come from enforcement and will cost money. He wants police on foot instead of in squad cars. President Ratchford agreed that enforcement is key.

Dave Roman of 9th Avenue reported that his neighbor's home was destroyed by fire and his home was damaged. Home that had the fire had no insurance. The repairs cannot be made to his home until the home next door is condemned and torn down. He needs assistance from the City. He continues to pay both rent and his mortgage. The home that had the fire still has three feet of water. The City Administrator reported that the City Building Official talked to the contractor today. Mr. Roman replied that people are saying different things and he wants something in writing.

Brian Whitaker reminded people of the Super Bowl strategy to keep working hard until the end. He has seen people playing Pokemon, heard loud music and witnessed other bad behavior but believes these are separate issues. In regard to the dirt bikes, Mr. Whitaker knows three City of Wilmington police officers that have same frustration with people doing circus acts on their bikes. It is dangerous and nerve racking.

Paul Hannum stated that he was surprised to hear that Council came to same conclusion as the Committee that resolution of the Pokemon problem starts with enforcement. Tonight was the first time he heard it mentioned and wanted to know why. The President replied that the City has been proactive. Chief has targeted efforts to specific problems and areas. The City is evaluating available resources and is currently short two officers.

The **Motion to adjourn** was made by Councilperson Megginson, seconded by Councilperson Petty and **passed unanimously**. Council adjourned at 8:15 pm.

Respectfully submitted,

Janet Wurtzel
Clerk of the City of New Castle