

**City Council Regular Meeting  
City of New Castle Delaware  
Town Hall 201 Delaware Street  
New Castle, DE 19720  
Tuesday, August 8, 2017**

**Roll Call**

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

**Also Present:**

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

Before the review of the minutes, Council President Linda Ratchford wanted to just make a brief opening statement. She stated that there was a serious debate at a Council meeting, and emotions were very high. Unfortunately, someone's emotions got away with them, and they vandalized the property of two Councilmembers, after the meeting. She stated that the problem is not opposing views and civil discourse is a very positive thing. She cited the problem was how we spoke to each other, and there were concerns last week regarding the tenor at part of last week's Council meeting. She informed the audience about the reason why the councilmembers are wearing blue because the color blue that was used to vandalize her house and Councilperson's Leary house, also. Council President Ratchford informed the audience that we did this because we want to stand up for civility. She cited that civility and respect are critical, for our representative democracy to work, also she stated that she wants people to run for office. She also discussed how the City Government would like people to serve on appointed commissions and for tough decisions to be made. Council President Linda Ratchford encourages the council to and the audience to act civility and to participate in the meeting.

Councilperson Leary stated that she would like to thank all of the people. She stated that no matter what side of the issue you were on, the public communicated to her in face to face, or via email, or sent a text, or gave me a call, and expressed their outrage and disgust at what occurred. She stated that a number of people, again, no matter what side of the issue you were on, offered to come and pick up a paintbrush, sandpaper, paint and everything, and helped repair the damage. She expressed thanks and gratitude to everyone who attended the City Council meeting for their help and consideration.

Council President Linda Ratchford thanked the audience and the City Council for everyone's concern and support because we are a community. The Council President proceeded with the City Council meeting.

**Minutes:**

June 8, 2017 - Special Mtg. (Approval tabled after comments); June 13, 2017 - Regular Mtg. (Approved as Amended); June 20, 2017 - Special Mtg. & Budget Workshop (Approved as Amended); June 27, 2017 - Public Hearing and Special Mtg. (Approved as Amended); July, 11, 2017 -Regular Mtg. (Approved as Amended).

**Staff Reports Approved as Presented.****Presentation of Treasurer's Report:**

City Treasurer, Janet Carlin reported on the balances of the City's accounts as of July 31, 2017. The Total cash on hand in all accounts is \$3,155,133.89.

**A motion was passed unanimously to approve the Treasurer's Report as presented.**

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

City Administrator William Barthel provided an update on the tree removal from St. Anthony's. He received the Hold Harmless agreements from the two property owners. Unless Council has other concerns, the intention is to move forward with those removals.

Police Chief Rogers provided law enforcement numbers for the month of July; 39 criminal arrests, 105 traffic arrests, 59 traffic warnings, 24 crime prevention checks, 94 reports were taken. The Chief highlighted the painting on the houses an unlawful sexual contact at the library is still being investigated; a child abuse case is being investigated; a DUI drug arrest occurred; two heroin overdoses; one DOA; and four DUI arrests in the city limits.

Councilperson Michael J. Quaranta requested that, at some point in the future, year-on-year law enforcement statistics and comparisons be provided by the Police Chief. He also asked if it is possible to break down the incident reports in a more meaningful way, geographically. This was discussed, and the Police Chief and Councilperson Michael J. Quaranta agreed to discuss this further, outside of the meeting.

**Council Communications:**

Councilperson Leary reported on a successful first National Night Out, and thanked the New Castle Police Department and the Goodwill Fire Company, among the other 18 other organizations that participated. Unofficial count was approximately 400 people.

The summer concert that was rained out is not able to be re-scheduled. All were encouraged to attend the next night's summer concert, which will be the last of the season.

Councilperson Michael J. Quaranta thanked and congratulated the candidates for Mayor for stepping forward and expressing their interest.

Councilperson Michael J. Quaranta also expressed his appreciation to the constituents for time and thought put into their communications, after last week's meeting.

Council President Ratchford announced that a member of the Planning Commission had resigned from the Planning Commission. There will be an open position on that Commission.

Council President Ratchford thanked, Ronald Vukelich who makes improvements around the city on his own.

**Comments from the floor:**

Bill Emory spoke on Resolution 2017-30, and requested that consideration be given to which side of the street may be changed to no parking, and consider who parks there. Going from Baldt Avenue to Moores Lane, very few people park on that side of the street. The other side of the street is where numerous residents park. He recommends that the side heading out, from Baldt Avenue to Moores Lane be the side changed to no parking.

Councilperson Michael Platt stated that the Council intends to abide by the recommendation of the people in the area, which is in alignment with Mr. Emory's request.

Councilperson John Di Mondì requested that a memorandum be sent to the people on both sides of the street, for their opinions.

Council President Ratchford stated that, at this time, comments are limited to the Mayor Resolution first, and then return to the other Resolutions.

Alice Jarvis spoke, mentioning that New Castle would eventually be asking for federal dollars to help protect New Castle from storms, rising waters, etc. Designation as a National Park would help with this, and supports Russell Smith for Mayor, due to his familiarity with the National Park Service, which would allow him to better advocate for, and help save the town.

Council President Ratchford asked whether any additional names are to be added to the list of Mayoral candidates.

Council President Ratchford outlined the plan for the meeting, related to the Mayoral candidates:

First, each candidate will give a presentation.

Second, there will be a discussion of what is important to be considered, in making the decision.

Third, she suggested that, since the Charter does not specify a way to come up with nominees, she would like to make a motion that each Councilperson have one nomination. After nominations are made, there would be a request for a second of the nominees, and the nominees seconded would be voted on in alphabetical order.

Councilperson Di Mondì expressed disappointment that the City is going to appoint an elected official, instead of the citizens making the decision. He would like to have a quick election on September 17, with the winner appointed by Council. In lieu of that, he recommends that all

candidates be given a fair opportunity to be appointed. All candidates should be nominated, and moved forward by a round robin vote, with a second by the Council.

Council President Ratchford requested that the City Solicitor comment on this. She also stated that the Charter will be discussed in September, including replacement of Officers, which is a topic of concern.

Daniel Losco Esq. stated that the topic would be a great discussion topic for any Charter change. Also stated that the law of the City is the Charter, as it exists.

Council President Ratchford moved that the previously outlined process for nomination of Mayoral candidates. Seconded, **passed (4 to 1)**

**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 2017-28; A Resolution Appointing a New Mayor.**

Council President Di Mondì requested that the alphabetical order portion of the process be set aside.

Council President Ratchford requested that each candidate speak for five minutes and each candidate spoke to the council expressing their platforms to the City Council and the reason why they should be nominated.

Council President Ratchford expressed how fortunate we are, to have so many good candidates for the position of Mayor, and summarized some of the key duties of the Mayor:

- Represent the city at many events.
- Frequently the person called by other government agencies.
- Appoint a lot of the commission members, subject to Council approval.
- Appoint one of the members of the Municipal Services Commission.
- Chair the Board of Adjustment, that makes decisions on zoning issues.
- Veto power over city laws, that can be overruled by a 2/3 majority.
- Serve as Justice of the Peace

### **Council President Ratchford requested of the City Council, their thoughts on this decision.**

Thanks was reiterated to all of the candidates. Commented that the ability to be on the target line, along with City Council, is an important qualification.

Councilperson Di Mondì commented that all eight candidates are all qualified, deserve to be voted on, and his preference that the people elect the Mayor. He emphasized his hope that the next Mayor be independent, and not swayed by the City Council.

Councilperson Di Mondì referred to his recent letter to the Editor regarding qualifications, as well as his preference for a Charter change, to change the process to a special election, in the future.

The eight candidates who spoke approximately five minutes were:

**William G. Blest**  
**Jeffrey Davis**  
**Vincent “Jimmy” Gambacorta**  
**Dr. Somasunderam Padmalingam**  
**Russell Smith**  
**Peter J. Toner**  
**James A. Whisman**  
**Brian G. Whitaker** (City Clerk)

The City Council Members nominated their candidates and asked for their pick to be seconded.

Councilperson Di Mondì **nominated** Dr. Somasunderam Padmalingam for Mayor.  
Councilperson Leary **nominated** Russell Smith for Mayor.  
Councilperson Platt **nominated** Vincent “Jimmy” Gambacorta for Mayor.  
Councilperson Quaranta **nominated** Peter J. Toner for Mayor.

**The nomination** for Dr. Somasunderam Padmalingam was **not seconded**.  
**The nomination** for Russell Smith was **not seconded**.  
**The nomination** for Vincent “Jimmy” Gambacorta was **seconded**.  
**The nomination** for Peter J. Toner was **seconded**.

Council President Ratchford explained that Vincent “Jimmy” Gambacorta and Peter J. Toner are the two candidates now in consideration for Mayor. The first name to receive three votes will be appointed Mayor.

Vincent “Jimmy” Gambacorta received four votes, and will be appointed Mayor.

**The nomination for the new Mayor was recorded as follows: (4-1)**

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

It was moved and seconded that Resolution 2017-28 be read by Council President Linda Ratchford, resolving that Jimmy Gambacorta be appointed as the next Mayor of the City of New

Castle, effective for the remaining term of the previous Mayor, expiring April of 2019.  
Resolution 2017-28 was passed unanimously.

**There was a three-minute break**

Council President Ratchford advised that comments on the floor had been postponed regarding the three resolutions to be voted on, and asked if there are any comments from the floor at this time.

**Motion, Discussion and Vote on Resolution 2017-29; A Resolution to Require the Personal Appearance of any Proposed Appointee to any City Committee, Board or Position before City Council to be made available for vetting by Council members and Public Comment before a Confirmation Vote.**

It was moved and seconded to consider **Resolution 2017-29**, and the **Resolution** was read by Council President Ratchford.

Councilperson Di Mondì explained his reasoning behind bringing the resolution forward.

Council President Ratchford expressed concern with the consequence of potential scheduling conflicts that would make a potential candidate unavailable.

Support for the resolution was expressed, with some concerns as to whether the candidates have to be present when they are being appointed to be on a commission.

**The resolution was passed: (4-1)**

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

**Motion, Discussion and Vote on Resolution 2017-30; A Resolution Making One Side of East 12th Street No Parking.**

It was moved and seconded to consider **Resolution 2017-30**, and the **Resolution** was read by Council President Ratchford.

Councilperson Platt explained his reasoning behind bringing the resolution forward.

Councilperson Di Mondì mentioned that he has no problem with it, as long as the neighbors have no problem with it.

Councilperson Platt confirmed that the neighbors have no problem with the change.

**The resolution was passed.**

**Motion, Discussion and Vote on Resolution 2017-31; A Resolution to Establish a Task Force to Develop and Propose a Formal Code of Ethics For Elected Officials and Non-Union Employees in the City Of New Castle.**

It was moved and seconded to consider **Resolution 2017-31**, and the **Resolution** was read by Council President Ratchford.

Councilperson Quaranta asked Dan Losco Esq. whether this also included people that serve on boards and commissions.

Dan Losco Esq, responded that the Resolution could be amended to include people that serve on Boards and Commissions.

Councilperson Quaranta explained his reasoning behind bringing the resolution forward, and would hope that a process/procedure would be established as to dealing with ethics concerns and complaints and the response that he received was that the state does authorize municipalities to establish such a process, with caveats.

Councilperson Quaranta further reiterated the need for the task force mentioned in the resolution.

Council President Ratchford pointed out that this would be a formal committee, and expressed support for the resolution, as well as including boards and commissions.

Councilperson Platt expressed belief that it should be the decision of the City Council, as to whether recommendations of the task force be considered.

Councilperson Di Mondì expressed concern that this resolution could be a “slippery slope,” possibly limiting a person’s first amendment rights, and the potential for legal consequences.

Council President Ratchford requested that the City Solicitor comment on whether other cities have a Board of Ethics.

Council President Ratchford confirmed that such boards do exist in other cities.

After further discussion, **it was moved, seconded and passed to table the resolution.**

**Comments from the floor.**

Betsy McNamara commended and thanked Councilperson Quaranta for stopping by to discuss the previous week’s meeting. She requested that the Council rescind Ordinance 510, and allow further discussion on the topic.

Mr. Beale remarked on the Council’s passage of Ordinance 510, and requested that the ordinance be rescinded, to allow further study and discussion.

Dorsey Fiske remarked on the Council's passage of Ordinance 510, and requested that any previously unexplained plan that necessitated the passage of the ordinance be revealed to the citizens.

Karen Whalen commented on the July 31<sup>st</sup> Special City Council meeting, and the expressions of opinion by the citizens, and inquired as to the City Council's specific reasoning for the passage of Ordinance 510. She also expressed disappointment in denigrating comments made by City Council members, regarding the citizens, after the July 31<sup>st</sup> meeting. She requested that the Ordinance be rescinded.

Sandy Beale remarked that the passage of Ordinance of 510 was inappropriate.

Peter Toner commented on the passage of Ordinance 510, and expressed support for the Ordinance.

Philip Gross thanked Councilperson Quaranta for his explaining the Mayoral appointment. He expressed disappointment in the process followed, regarding the passage of Ordinance 510.

Bill Emory remarked on the Trolley Barn, requesting that the light be changed to a trip light, rather than a timed light. He also remarked on the condition of the sidewalks in New Castle, expressing concern as to a safety issue, and requested that the city enforce the residents' legal requirement to maintain their sidewalks. He also inquired as to the scheduling of the 12<sup>th</sup> street blacktopping.

**Motion to adjourn was seconded. Meeting adjourned.**

**Respectfully Submitted,**

**Brian G. Whitaker**

**City Clerk of New Castle, Delaware**