

**City of New Castle Delaware**  
**Regular City Council Meeting at Town Hall**  
**201 Delaware Street – New Castle**  
**Tuesday, April 10, 2018– 7:00 p.m.**

Roll Call: 7:00 pm

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

Also present:

Jeff Bergstrom, Building Official and Fire Marshal  
Jamie Rogers, Chief of Police  
Daniel Losco, City Solicitor  
Janet Carlin, City Treasurer  
Jimmy Gambacorta, Mayor  
William Barthel, City Administrator

**Minutes:**

The minutes from the previous Council meeting are not available.

**Staff Reports**

After a motion and second, the staff reports were approved as submitted, by a vote of 4 to 1. Councilperson Di Mondì stated that he had not yet read the staff reports, that being the reason for his no vote.

**Approval of the Staff Reports, was passed, as follows (4 to 1):**

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

**Approval of Treasurer’s Report**

City Treasurer Janet Carlin reported for a total of \$4,216,188.40 unaudited \$3,713,045.40 as of 03/31/2018.

**Report from the City Administrator & Staff**

Councilperson Quaranta asked Ms. Carlin about the financial status of the city compared to last year, now that the third quarter has been completed. Ms. Carlin responded that the city is right on target, with any discrepancy being related to the transfer tax.

After a motion and second, the unaudited Treasurer's report, as presented, was unanimously approved.

City Administrator William Barthel had nothing to report to Council. Building Official and Fire Marshal Jeff Bergstrom also had nothing to report.

Police Chief Rogers made the following report from March:

- In March of 2018, there were 50 criminal arrests, 183 traffic tickets, 64 traffic warnings, 18 crime prevention checks, 116 crime reports written. One additional report was written, that does not fall into any of those categories.
- Detectives arrested juveniles for a burglary and theft of a firearm.
- A carjacked vehicle was stopped by patrol.
- Detectives are investigating a robbery that occurred near Airport Plaza.
- Patrol investigated a protection from abuse violation at Airport Plaza.
- Patrol responded to one drug overdose in the month of March.
- 40 accidents were investigated by officers in March.

Councilperson Quaranta asked Chief Rogers whether, in the future, the location of criminal arrests could or should be included in the reports to Council. After some discussion, Chief Rogers stated that he would look into a way to report the additional information that would be helpful for citizens to know, without compromising or violating any confidentiality or investigation concerns.

The potential danger of the increase in crime was discussed, as well as the likelihood that crime prevention measures would be part of future budget discussions. Chief Rogers advised that the bike patrol would be returning, currently consisting of three individuals.

It was announced that Police Chief Rogers will be retiring at the end of July 2018. Council will be discussing his replacement in the future.

Related to the topic of the city losing \$125,000 for curb replacement, Councilperson Platt asked Mr. Barthel for an explanation. Mr. Barthel reported that the city had had to delay some of the work due to MSC. At the time of the delay, the contractor was not able to wait, idle, so left to work on other jobs. Although the contractor had assured the city that they would complete the curb work within the needed time frame, they were unable to.

Councilperson Platt expressed concern that such a large sum of money could be lost, without Council being aware. Council President Ratchford and Mr. Barthel explained that, until the last minute, no one realized that the contractor was not going to complete the work on time. This contractor will not be doing work for the city in the future.

Councilperson Di Mondì expressed concern about waste bins blocking vehicle traffic in the streets, for extended periods of time.

Councilperson Platt commented that neighbors had asked him about pink markings on the curbs throughout the neighborhood, in Van Dyke. According to a conversation he had with MSC, this is the beginning of a project to bury utility lines.

Council President Ratchford stated that the Van Dyke area is one of the highest outage locations.

Jeff Bergstrom stated that the project is currently in the design phase.

### **Business from the Mayor**

Mayor Gambacorta reported that there are three upcoming Planning Commission term expirations; Jonathan Justice, Peter Toner and Vera Worthy. This matter will be given attention in the coming weeks.

Mayor Gambacorta also reported that he had received a letter advising that the Arbor Day Foundation had named New Castle, Delaware a 2017 Tree City USA. There will be an upcoming story on this in the New Castle Weekly.

The Mayor also reported that he and Council President Ratchford had attended the opening of the 2018 Little League season, and had thrown out the first balls.

The Mayor and City Code Enforcement are looking into the sign control program, now that the new sign ordinance is in place, and the Mayor will report to Council on this at a future meeting.

### **Business from the Council President**

Council President Ratchford reported the following:

- She, the Mayor and the City Administrator had met with a couple of board members of the Buttonwood Methodist Church. They are interested in leasing a portion of a city lot that is located on the Lincoln Street side of the drainage ditch, for additional parking. They will be discussing this with their membership. The city will be doing more investigating into the possibility.
- She was copied on a letter sent from the Trust to the City Administrator, in which the Trust expressed support to the city, as they continue to address and plan for issues surrounding the city's susceptibility to flooding, storm surge and extreme tides.
- WILMAPCO and DeIDOT are working on a blueprint for a bicycle-friendly Delaware. Citizens will be invited to a future meeting to take place in New Castle, to provide input related to the city and state becoming more bicycle friendly.
- In response to inquiries related to resident parking, she was in contact with Parkeon, as well as the city of Wilmington. There will be future meetings on this topic, and she will report back with more information.

### **Business from the Floor (concerning agenda items only)**

Victor Bryson asked that Police Chief Rogers be requested to contact the State Police for assistance related to drug problems in the city, with the intention of arresting drug dealers.

Chief Rogers invited Mr. Bryson to meet with him. He also explained that drug arrests are not typically publicized, as the publicity can negatively affect further investigations and arrests.

**Old Business:**

**New Business:**

**1. Motion, Discussion and Vote on Resolution 2018-10;** A Resolution Approving Trust Memorandum of Understanding. (Council President Ratchford – posted 04/03/2018.)

A motion was made and seconded, to consider **Resolution 2018-10**, A Resolution Approving Trust Memorandum of Understanding. Council President Ratchford read the Resolution, which was posted by her on 4/3/2018, into the record.

Councilperson Quaranta asked Mr. Barthel whether it is possible to meet the required timeline in the MOU for the city to establish the loan, being within 90 days of the date of execution of the MOU. He also asked whether some construction would have begun, within four months or 120 days.

Mr. Barthel responded in the affirmative, to both questions.

Councilperson Di Mondì expressed disapproval of the ten-year term of the loan.

Councilperson Leary advised that the trustees would be making the payments, not the city.

Council President Ratchford advised that the Trust is interested in participating in the loan, based on the terms as they are laid out in the Resolution.

Councilperson Quaranta reported that the City Treasurer had expressed her approval of the terms and conditions of the loan, and that they are to the city's benefit. Her recommendation is that the city go forward.

City Solicitor Losco stated that the city can borrow, via a public hearing and a supermajority vote, up to approximately \$3.1 million, which translates to 1.2% of the real estate assessed value. The projects under consideration total the \$800,000 range, and the Delaware Street project is anticipated to be in the \$1 million range.

Mr. Losco also stated that it would be less expensive to borrow the money all at once, rather than incrementally, due to the high cost of the legal representation required for a bond loan.

After further discussion, Resolution 2018-10 was passed by a voice vote of four to one, Councilperson Di Mondì being the no vote.

**Approval of the Resolution 2018-10**, was passed, as follows **(4 to 1)**:

Councilperson Valarie W. Leary - Yes

Councilperson Michael J. Quaranta - Yes

Council President Linda Ratchford - Yes

Councilperson Michael M. Platt - Yes

Councilperson John A. Di Mondì voted No

**2. Motion, Discussion and Vote on Resolution 2018-11;** A Resolution Approving City Loan for the purposes of Investing in Infrastructure Projects. (Council President Ratchford – posted 04/03/2018.)

A motion was made and seconded, to consider **Resolution 2018-11**, A Resolution Approving City Loan for the purposes of Investing in Infrastructure Projects. Council President Ratchford read the Resolution, which was posted by her on 4/3/2018, into the record.

Councilperson Quaranta requested that Mr. Losco clarify and/or explain the portion of the resolution that states that unspent funds are to be deposited into an interest-bearing account, until the Delaware Street project is ready for construction. Mr. Losco stated that those invested funds would be restricted funds.

Councilperson Quaranta then asked City Treasurer Janet Carlin whether moving those funds into unrestricted is in keeping with best practices, and whether she is comfortable with that. Ms. Carlin responded in the affirmative.

**Resolution 2018-11** was passed by a voice vote of four to one, Councilperson Di Mondì being the no vote.

**Approval of the Resolution 2018-11**, was passed, as follows (**4 to 1**):

Councilperson Valarie W. Leary - Yes

Councilperson Michael J. Quaranta - Yes

Council President Linda Ratchford - Yes

Councilperson Michael M. Platt - Yes

Councilperson John A. Di Mondì voted No

**3. Motion, Discussion and Vote on Resolution 2018-12;** A Resolution Approving Infrastructure Projects. (Council President Ratchford – posted 04/03/2018.)

A motion was made and seconded, to consider **Resolution 2018-12**, A Resolution Approving Infrastructure Projects. Council President Ratchford read the Resolution, which was posted by her on 4/3/2018, into the record.

Council President Ratchford stated that the projects included in the resolution are separate from the MOU and the loan. They are the projects that the city would start with, moving into the Delaware Street project after the engineering is completed.

City Administrator Barthel commented on funding for the Third Street drainage project cost of \$119,000, that \$25,000 of it consists of money that the city had budgeted toward the catch basin work, the remainder coming from the state.

Council President Ratchford advised that the Trust had provided the funding for the engineering on the Third Street drainage project, including a watershed that affects West Third, part of West Fourth, and some of Delaware Street, totaling a little over 12 acres.

Councilperson Platt stated that a lot of people on Baldr Avenue do not want the road widened.

Mr. Barthel stated that the projects to be funded have been discussed for some time. The roads have been evaluated and determined to be those most in need of repair.

In response to an inquiry from Mr. Quaranta, Mr. Bergstrom described the evaluation process that was followed, in determining the priorities of the street projects being considered. He stated that the city had had other priorities over the years, that had kept the funds for these projects from being available, and that this is now a great opportunity for the city.

There was discussion as to the federal requirements and mandates related to handicapped-accessible ramps and curbs.

Related to the bids and cost estimates provided as part of the resolution, Mr. Barthel explained that contingencies are included for possible cost overages.

It was moved and seconded to remove item number two (alternate bid for the Baldt Avenue widening project) from the list included in the resolution, and re-number the list. The motion was passed by a vote of four to one.

After further discussion, **Resolution 2018-12**, as amended, was passed by a voice vote of four to one:

**Resolution 2018-12**, was passed, as follows (4 to 1):

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

### **Public Comments**

Binney Beale read a letter that he had written to an attorney from whom he had received a communication, relative to an issue that Mr. Beale had with a Councilperson. The letter reiterated Mr. Beale's reasons for requesting a public apology from Councilperson Leary.

Phil Gross asked about meetings that are to be held, related to MSC and rates. Council President Ratchford responded that Ms. Pam Patone, from MSC, will be presenting to Council in the May/June time period. There will be an opportunity to ask questions at the presentation.

Mr. Gross asked for clarification related to the funding for the Delaware Street project, and when those funds will be available for construction to begin. Ms. Ratchford responded that her expectation is that construction will begin in 2019. Mr. Bergstrom gave a brief outline of the engineering work that has been completed, so far.

Councilperson Platt stated that an estimate given by Mr. Athey in November of 2017 was for work to begin in the spring of 2019. Mr. Gross asked if the project could be a two-part project, one part being Third Street to the wharf, the other part being Third to Sixth, so that work could

be completed in the next 18 months to two years, on the part that is Third Street to the wharf, if the money is available.

Councilperson Quaranta responded that he believes that once the engineering is completed on the entire project, it would cost less to complete the entire project, rather than just part. Mr. Gross asked if there is a possibility that the project could be broken into the two parts that he mentioned. Councilpersons Quaranta and Platt responded in the affirmative, with Mr. Quaranta adding that there is a great amount of interest in proceeding that way. Councilperson Di Mondri responded that the money will be spent before the plans are completed.

Judy Baldini asked whether there was any more consideration on the zip code change. She also thanked the Council for being very diligent about the engineering process for the Delaware Street project. She asked if there is the possibility of the utility lines being buried, as part of the project. She also asked about the Separation Day reports on preparations.

Council President Ratchford responded that she and Mr. Quaranta have looked into the zip code issue, and it's a tough one. Regarding burying the utility lines on Delaware Street, Ms. Ratchford stated that she has previously indicated to MSC that the city is interested in this. Verizon and Comcast have to be part of the decision. The city will look into their agreements with Verizon and Comcast.

Regarding Separation Day, Councilperson Quaranta reported that the barbecue competition will become part of the Separation Day events, so many of the festival assets will be moved this year. The Battery Park committee has reviewed maps of location changes of some of the assets, creating a larger Separation Day experience.

The event will be gated this year, with an entrance fee. City residents will be exempt from the fee. The logistics of how that will work have not yet been ironed out. The state grant that is used to fund part of the festivities was reduced by thousands of dollars, this year.

Councilperson Platt advised that the exemption from the entrance fee, for city residents, is not mentioned on the website. He also expressed his belief that charging an entrance fee to the festival will hurt the non-profit booths, as well as concern about the logistics of collecting an entrance fee. He would prefer that the barbecue remain separate.

Cyndi Snyder, of the Separation Day Committee, commented that the historical significance of Separation Day, and the purpose behind the celebration, have become lost, while it has become more of a festival than a historic event. The festival has become the major fundraiser of the year, for the non-profit vendor participants. Ms. Snyder would like to see the barbecue event remain separate. The Committee does not approve of an entrance fee, and Ms. Snyder believes that it will damage the event.

In response to an inquiry from Council President Ratchford, Ms. Snyder stated that the Committee had suggested that the barbecue take place on a different day, but it didn't work out.

Mr. Phillip Gross asked where the \$10 entrance fee came up in the first place. Mr. Barthel stated that an outside company that raised its own funds met with members of the Council, along with

the members of the Separation Day Committee, including Ms. Snyder, and came to a compromise agreement about the \$10 entrance fee.

Councilperson Platt suggested that a line item report of expenses and income related to Separation Day be reviewed, and the issue be re-visited.

Ms. Snyder stated that the Committee's requests and suggestions have not been considered, an example being that the Committee had decided not to charge an entrance fee, but learned that it was being implemented anyway, upon viewing the website.

Ms. Baldini asked what a person would be getting for their \$10 entrance fee. Councilperson Quaranta responded that they get a drink ticket, which gets them two bottles of water, a beer or a cocktail. He mentioned that the barbecue costs around \$35,000 to be put on.

Councilperson Platt suggested that the two events be separate.

Councilperson Quaranta stated that one of the points of combining the events was to create a revenue stream.

Ms. Baldini asked whether she understands correctly that Baldt Avenue is not to be widened. Various Council members responded in the affirmative. In response to Ms. Baldini's question as to why, Councilperson Platt stated that most of the people said they didn't want it.

**Adjournment motion carried at 9:04 pm**

**Respectfully submitted,**

**Brian G. Whitaker**

**Clerk of the City of New Castle, Delaware**