

**City of New Castle Delaware**  
**Regular City Council Meeting at Town Hall**  
**201 Delaware Street – New Castle**  
**Tuesday, May 14, 2019– 7:00 p.m.**

**Call to order:** 7:00 pm

**Roll Call**

Councilperson Suzanne M. Souder  
Councilperson Russell P. Smith  
Council President Linda Ratchford  
Councilperson Michael M. Platt  
Councilperson Valarie W. Leary

Also present:

Michael Quaranta, Mayor  
Janet Carlin, City Treasurer  
William Barthel, City Administrator  
Richard McCabe, Chief of Police  
Daniel Losco, City Solicitor  
Jeff Bergstrom, Building Official

Council President Ratchford announced a new procedure for City Council meetings, whereby members of the public who would like to speak on one of the agenda items will sign in at the beginning of the meeting.

**Minutes**

After a motion and second, the minutes for the 3/12/2019 and 4/9/2019 meetings were approved unanimously, as amended.

**Treasurer's Report**

The unaudited Treasurer's report was presented by Janet Carlin, City Treasurer; as of April, 30 2019 reported in \$3,319,832.61 unrestricted finds, and \$2,463,156.26 in restricted funds, for a total of \$5,782,988.87 total cash in accounts

Total capital outstanding debt is \$299,320. Total indebtedness is \$2,028,515, which includes the amount that will be paid back by the Trust, which is \$1,729,195.

Ms. Carlin stated that the city is on target, in terms of the overall budget, being at 84% of revenue, compared to 82% at this time last year.

After a motion and second, the unaudited Treasurer's report as of April 30, 2019, was approved unanimously.

**Reports from the City Administrator and Staff**

City Administrator William Barthel reported that the city had received \$5,000 from the Delaware City Refinery, to be paid toward the principal amount for the street sweeper.

Police Chief McCabe reported:

- There have been no new incidents of graffiti/criminal mischief since the last report.
- Complaints were at about 25 for April.
- There will be a mental health and drug awareness outreach program on Saturday 5/25, from 10:00 a.m. to 12:00 p.m., at St. Peter's School.
- The Police Department is in the process of two days of interviews for seasonal Officers.
- Related to a recent article on the topic of Police Department recruiting and retention issues in smaller departments, they are trying to generate interest in the profession.
- The cancelled trash pickup day will be rescheduled.

City Administrator William Barthel advised that all members have a first draft budget in their packets, for the budget meeting scheduled for May 15.

### **Council Communications**

Councilperson Leary brought up the topic of dog waste containers throughout town. The Trust may be interested in funding these containers. There would be one at the entrance to Battery Park and one near the Sailing Club. The Trust had expressed concern about who would be responsible for emptying the containers. Ms. Leary has spoken to Mr. Barthel about this, who had no concerns about the city taking on that responsibility. It was mentioned and confirmed that the Trust is interested in taking on the installation of the poles and the bags, and being responsible for the refilling of the bags, with the city being responsible for emptying. They would want to meet with a member of Council and a Public Works person, to confirm the locations. There is the possibility of a third unit being placed next to the tennis courts. The project would begin with a three month trial period, although the trial period could be longer. The Trust would require written confirmation that the city would be responsible for the emptying.

There was a motion and second that the city would agree to maintain the dog waste stations for a 120-day trial period, after which time the Trust and Council together will revisit their effectiveness. The motion was passed unanimously.

Councilperson Platt brought up the topic of vacant properties and properties that are in disrepair. Trustee Mr. Meek informed Council that the Trust is interested in exploring renovation of 615 Clymer Street. The Trust would be interested in helping to renovate abandoned, derelict buildings. 615 Clymer Street has been foreclosed on. If and when the City takes ownership of that property, the Trust is interested in inspecting the property, to help determine whether they would like to take possession of it, to be renovated and sold to a homeowner. There is the option of hiring a private company to renovate. Another possibility would be one of the County's Community Stabilization Program's vetted contractors.

Councilperson Platt advised that May 23<sup>rd</sup> will be the Honored Heroes Run.

Councilperson Smith reported that on May 14<sup>th</sup>, the Council attended a meeting in Dover, of the Delaware League of Local Government. The meeting was productive, and included meeting with representatives, as well as officials from other municipalities.

### **Business from the Mayor**

Mayor Quaranta recommended that Council consider a camera rebate program, which would encourage residents and business owners to purchase security cameras. There would be input from the Police Department. The Mayor reviewed some conditions from other similar programs.

The Mayor expressed hope that, as part of the budget process, Council would consider providing the Goodwill Fire Company with some form of grant.

The Mayor will be hosting an open public meeting and discussion about coordinating events and community communications. He listed some organizations he would like to invite, mentioning that invitees would not be limited to those on the list. The date, time and location of the meeting will be announced later. Councilperson Souder suggested that documentation of the events and details be part of the discussion at the meeting.

Mayor Quaranta nominated Erin Sabatella to fill the vacancy on the Planning Commission that was created with the election of Russ Smith to the City Council.

The Mayor expressed gratitude to Council President Ratchford for her intention to recognize former Mayor Don Reese, at the June Council meeting.

The Mayor mentioned some upcoming events, including A Day in Old New Castle, Memorial Day, and Separation Day, and stated that any volunteers would be appreciated.

In June or July, Mayor Quaranta will propose to Council the creation of an ad hoc committee or task force made up of families and home buyers, to pull together information that will be helpful in promoting home buying in the community.

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

Council President Ratchford reported that the Federal School Lane Bridge and another bridge in the area will be closed for two weeks this coming summer. More information will be forthcoming on this.

Ms. Ratchford advised that at the meeting in Dover that Councilperson Smith mentioned earlier, there was discussion about the Dobbinsville flooding and Ferry Cut-Off.

Ms. Ratchford reported that there is currently consideration of a turn lane at 273 and Centerpoint. There will be 350 more employees at the office park there. Councilperson Platt mentioned that there is currently a turn lane there. Mayor Quaranta clarified that there has been a change to a turn light, to ease turning onto 273, and that they are looking at improving turning ability at that intersection. City Administrator Barthel will follow up with DelDOT on this topic, and keep Council informed.

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

No business from the floor.

### **Old Business**

The Second Reading of **Ordinance 519**, An Ordinance to **amend Section 58-2 A** of the Code of the City of New Castle to change the titles of the Planning Commission Chairman to “Chairperson” and the Planning Commission Secretary to “Vice-Chairperson,” (posted by Council President Ratchford on 05/07/2019), was dispensed with.

Having previously been a discussion, motion and second at the earlier 5/14 Public Hearing, **Ordinance 519** was **passed unanimously**.

### **New Business**

Julie Miro-Wenger spoke on the Tall Ship series and the earlier request from Council to have a tall ship in every month between now and October. The first ship is in. The following week, the Kalmar Nyckel will be in. The Schooner Virginia will be coming in July. The Kalmar will return in August and September, and the Lynx will be coming in October.

Ms. Miro-Wenger reviewed various promotional events and activities, to promote visiting the tall ships, the pier, and Separation Day.

Regarding changes to Separation Day this year, Ms. Miro-Wenger reported that city residents have the opportunity to receive a free wrist band by going to the city office and showing proof of residency. Children that are accompanied by an adult will have free admission. Rides will be free for children.

Ms. Miro-Wenger reviewed the schedule of events and activities related to Separation Day, as well as where some of the ads for the events can be found.

Councilperson Smith stated that he would like to see the barbecue and Separation Day be more knit together.

City Administrator Barthel spoke on the topic of code enforcement, monitions and nuisance properties, including the following details:

- The city is currently dealing with 16 vacant buildings. There were 45 to 55 in the 2012-2013 time frame. Seven of the current 16 are in Dobbinsville. Two of those are going to Sheriff's sale next month. The city will be taking possession, around the June time frame, of the one that went to Sheriff's sale last month.
- The property at 16 Arbutus sold earlier today 5/14, to a third party.
- Three of the current 16 are in the historic area. The Sheriff's sale process has just begun on two of those.
- Of the six current properties that are not in Dobbinsville and not in the historic area, the Sheriff's sale process has begun on two.
- Since 2011, the city has taken possession of, and later sold, five properties through either Sheriff's sale or the threat of Sheriff's sale. Three of those were taken due to delinquent taxes, and two were nuisance properties.
- From these activities, as well as others since 2011, the city has collected \$284,023 in either back taxes and/or fines and fees.
- Mr. Barthel detailed additional statistics related to payment arrangements that have been made, properties that have been brought back up to code, and other resolution of these property issues, resulting in the city collecting \$116,367, so far.
- Although there are costs involved in the process, which would come out of the amounts that the city has collected, the properties go back on the tax rolls after going through the process, which benefits the city.

City Solicitor Losco provided an overview of the monitions process, and spoke about the types of charges and fines that the city pursues. He reviewed costs involved, specific code violations, fines and charges to property owners, timing of the steps involved, etc.

Mr. Losco clarified that where a homeowner leaves their home for 45 days or more, they are required to ensure that the property is maintained while they are away, as well as to register the

property with the city as vacant. Properties that are listed for sale are an exception to the registration requirement.

Mr. Losco answered questions from Council and other attendees on this topic, as well as discussing several specific situations.

After a motion and second, Council President Ratchford read Resolution 2019-17, A Resolution to Approve a Roving Ice Cream Truck (Council President Ratchford – posted 05/07/2019) into the record.

Discussion of **Resolution 2019-17** included City Administrator Barthel mentioning that the vendor in question is the same vendor who was approved last year. Mr. Barthel also mentioned some of the conditions that the vendor would be subject to. Council President Ratchford advised that the vendor had requested approval to, in addition to being roving, be allowed to be stationary at the spot that the hot dog vendor currently occupies, if the hot dog vendor has not occupied that spot by 11:00 AM. Councilperson Souder brought up the concern that if that were approved, she would not like the music to be played continuously during that time.

It was moved and seconded that the resolution be amended to state that it be a roving truck throughout the city before 8:00 PM, with the option to park silently at the wharf, if not occupied by 11:00 AM. The amendment motion was passed unanimously.

**Resolution 2019-17** was **passed unanimously**, as amended.

Erin Sabatella introduced herself to the Council and attendees, and stated her desire to participate in the Planning Commission. Councilperson Platt expressed his approval.

After a motion and second, Council President Ratchford read **Resolution 2019-18**, A Resolution Approving Mayor's Appointment to the Planning Commission of Erin Sabatella, to fulfill the unexpired term of Russell P. Smith (Council President Ratchford – posted 05/07/2019) into the record. The resolution was **passed unanimously**.

After a motion and second, Council President Ratchford read **Resolution 2019-19**, Establishing Two Handicap Parking Spaces and Opening Up Remainder of Parking without Time Restrictions for Parking Lot at Ferry Cut-Off and Delaware Street, Parcel # 21-015.10-022 (Councilperson Platt – posted 05/07/2019) into the record.

Councilperson Platt provided some background to **Resolution 2019-19**, and expressed support for the resolution.

There was additional discussion, including Councilperson Leary expressing support for cleaning up the appearance of the parking lot. Council President Ratchford mentioned that that area will be undergoing some redesign in the near future.

**Resolution 2019-19** was **passed unanimously**.

After a motion and second, Council President Ratchford read **Resolution 2019-20**, Resolution Rescinding **Resolution 2017-29**, Requiring Attendance at Council Meetings in Order to be Appointed to a City Commission or Panel (Councilperson Leary – posted 05/07/2019) into the record.

Councilperson Leary spoke in support of **Resolution 2019-20**.

After some additional discussion, **Resolution 2019-20** was **passed unanimously**.

Councilperson Souder expressed support for a Code of Conduct for Council members and non-union city workers. Under the City Charter, no one can be expelled for reasons of poor conduct. However, she would like to see standards in place related to how Council members and others are expected to behave. Her thought would be that the Code of Conduct would be signed by those subject to it, but that anybody who refuses to sign would not be kept from serving. She read the proposed Code of Conduct, which has been posted to the City's website.

Councilperson Leary provided some additional background to the topic of her research on a Code of Conduct. She mentioned that following the Code of Conduct would be aspirational, and would be meant to set expectations for behavior.

On the question of whether a Code of Conduct should be presented as an Ordinance or a Resolution, City Solicitor Losco advised that it would have more gravity if adopted as an Ordinance, that a Resolution is a lesser form of Council action. It would be easier to amend if it were by Resolution.

There was discussion on specific items in the sample Code of Conduct provided. It will be reviewed by Council, the City Administrator and the City Solicitor, as well as other interested parties, to be followed by another discussion at a future regular City Council meeting.

### **Public Comments**

Phil Gross expressed his disagreement with **Resolution 2019-20**, stating his preference that non-appearance be the exception, rather than the rule. He expressed his approval of a Code of Conduct, but he would prefer that Council not be responsible for writing their own Code of Conduct.

Rod Miller expressed his approval for the work being done by the city, related to vacant properties. He advised that he will be bringing up, in the future, the topic of properties being cut up into more living units than are currently allowed. Mr. Miller has been researching this issue and intends to bring the information he gains before Council at a later date.

Mr. Miller also brought up a situation that he is aware of, of a single family home within the city that is being used as what he referred to as a "boarding house." He plans to check on the legality of this, and if it is legal, he expressed his disapproval.

Council President Ratchford asked that Mr. Miller speak to a Council Member about scheduling a discussion on this topic.

The Motion to adjourn was made by Councilperson Leary, seconded by Councilperson Platt and **passed unanimously**. Council adjourned at 9:19pm.

Respectfully submitted,

Brian Whitaker  
Clerk of the City of New Castle

Next Regular Meeting Date: June 11, 2019

Posted: 05/07/2019