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Three Meetings**

City of New Castle Delaware
Public Hearing
Virtual Meeting via Zoom
Tuesday, July 14, 2020 – 6:00 p.m.

Call to Order: 6:00 PM

Roll Call

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

Absent: Councilperson Russ Smith

Also present: William Barthel, City Administrator
Daniel Losco, Esquire, City Solicitor
Janet Carlin, City Treasurer
Jeff Bergstrom, City Building Official
Chris Rogers, City Planner
Brian Whittaker, City Clerk
David Baldini, Planning Commission Chairman

A Public Hearing concerning Ordinance 526; An Ordinance to amend the City of New Castle Comprehensive Plan and rezone the property located at 604 Frenchtown Road, New Castle, DE 19720 previously known as Wilson’s Radiator Shop, Presently Zoned Residential District R-1 (“R-1”) to Retail Commercial (“RC”). (Council President Ratchford – posted 06/23/2020.)

Mr. Rogers explained that Ordinance 526 creates a new Future Land Use designation in the 2009 Comprehensive Plan of “Retail/Commercial. Compatible with Surrounding Uses” and amends Map C2 to designate the subject parcel to that land use recommendation. The Ordinance also seeks to rezone the parcel from Residential (R-1) to Retail Commercial (RC). The Application for the amendment to the Comprehensive Plan was reviewed by PLUS on March 25, 2020, at which time minimal comments were noted, and the State Office of Planning and Coordination had no issue with the amendment. The Planning Commission reviewed the Ordinance and recommended approval subject to changing the Land Use recommendation from “Retail/Service. Compatible with Surrounding Uses” to “Retail/Commercial. Compatible with Surrounding Uses”.

Shawn Tucker, Esquire, representing the property owner, Mr. George Velitskakis, made a presentation in support of the Ordinance and respectfully requested Council vote in favor of Ordinance 526. Mr. Baldini stated the Applicant has taken the appropriate steps and followed proper procedures, and opined the proposed use will be a significant improvement to the area.

There were no comments from Council.

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Public Comment

Mr. Philip Gross spoke in favor of approving the Ordinance.

Council President Ratchford expressed her appreciation for the proposed improvements to the property.

In response to a question from Councilperson Platt regarding traffic in the area Mr. Tucker stated that when the Building Permit is applied for there will be discussions with the Building Official and DelDOT regarding traffic.

In response to a question from Councilperson Platt regarding clean-up of the site, Mr. Velitskakis stated that when he purchased the property documentation from DNREC was provided stating no additional environmental clean-up of the site was required.

A Motion to adjourn the Public Hearing was made by Councilperson Platt and seconded by Councilperson Souder. On vote, the Motion was unanimously approved and the Hearing adjourned at 6:24 pm.

Respectfully submitted,

Kathleen Weirich
Stenographer

Next Regular Meeting Date: August 11, 2020

Posted: 06/23/2020

Final: 07/07/2020

City of New Castle Delaware
Public Hearing
Virtual Meeting via Zoom
Tuesday, July 14, 2020 – 6:30 p.m.

Call to Order: 6:30 PM

Roll Call

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

Also present: William Barthel, City Administrator
Daniel Losco, Esquire, City Solicitor
Janet Carlin, City Treasurer
Jeff Bergstrom, City Building Official
Chris Rogers, City Planner
Brian Whittaker, City Clerk
David Baldini, Planning Commission Chairman

A Public Hearing concerning Ordinance 527; An Ordinance to amend and restate the following chapters of the Code of the City of New Castle: Chapters 102 (Building Construction), Chapter 103 (One- and Two-Family Dwellings), Chapter 162 (Mechanical Standards), Chapter 163 (Fuel Gas Standards), Chapter 181 (Plumbing Code), Chapter 185 (Property Maintenance Code); and to establish new Chapters 164 (Existing Building Code) and 165 (Swimming Pool and Spa Code) to the Code of the City of New Castle. (Council President Ratchford – posted 06/23/2020.)

Mr. Bergstrom stated that the proposed Ordinance will bring the City Code in line with the New Castle County Code and the current edition of the International Code Council. The value to the City is to provide uniformity to contractors to work inter-jurisdictionally and to increase the City's ISO rating for Fire and Flood Insurance. Mr. Losco stated that the existing Code adopts the current International Building Code and incorporates newer Codes not in the existing Code.

There were no comments from Council.

Public Comment

Mr. Phil Gross asked for clarification of the purpose for updating the Code. It was explained that the adoption of the Ordinance will bring the City Code in line with newer building standards and regulations and to adapt for newer building materials as well as to increase the City's ISO rating.

There being no further questions or comments, Council President Ratchford called for a Motion to adjourn.

Public Hearing
July 14, 2020

A Motion to adjourn the Public Hearing on Ordinance 527 was made by Councilperson Leary and seconded by Councilperson Platt. On vote, the Motion was unanimously approved.

Respectfully submitted,

Kathleen Weirich
Stenographer

Next Regular Meeting Date: August 11, 2020
Posted: 06/23/2020
Final: 07/07/2020

City of New Castle Delaware
City Council Meeting
Virtual Meeting via Zoom
Tuesday, July 14, 2020 – 7:00 p.m.

Call to Order: 7:00 PM

Roll Call

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

Also present: Mayor Michael J. Quaranta
William Barthel, City Administrator
Daniel Losco, Esquire, City Solicitor
Richard P. McCabe, Chief of Police
Janet Carlin, City Treasurer
Jeff Bergstrom, City Building Official
Chris Rogers, City Planner
Brian Whittaker, City Clerk

Council President Ratchford called the July 14, 2020, Regular City Council meeting to order and introduced the Council and attendees.

Second Reading of Ordinance 526; An Ordinance to amend the City of New Castle Comprehensive Plan and rezone tax parcel 21-010.00-011 (604 Frenchtown Road) to the RC (Retail Commercial) zoning classification.

Motion, Discussion and Vote on Ordinance 526.

A Motion to amend the 2009 Comprehensive Plan to change the zoning classification in Section 1 from “Mixed Use/Retail” to “Retail/Service” and in Section 2 from “Retail/Commercial. Compatible with Surrounding Uses” to “Retail/Service. Compatible with Surrounding Uses” consistent with the PLUS Application was made by Councilperson Smith and seconded by Councilperson Leary. On vote, the Motion was unanimously approved.

Approval of the Minutes by Date:

A Motion to approve the Minutes of the June 4, 2020, Budget Workshop and the June 15, 2020, Budget Workshop as amended, and the Minutes of the June 9, 2020 City Council Meeting as presented was made by Councilperson Leary and seconded by Councilperson Souder. On vote the Motion was unanimously approved.

Approval of the Treasurer’s Report

Ms. Carlin presented the unaudited Treasurer’s Report as of June 30, 2020:

Total unrestricted funds	\$2,876,712.03
Total restricted funds	\$2,279,264.12
Total cash	\$5,155,976.15

A Motion to approve the unaudited Treasurer’s Report of June 30, 2020, as presented was made by Councilperson Smith and seconded by Councilperson Leary. On vote, the Motion was unanimously approved.

City Administrator’s Report

Delaware Street – Mr. Barthel updated Council on the status of the work on Delaware Street, noting that it is on schedule to be completed by the end of October.

Granite Curbs – The majority of curbs being replaced with granite are cement, and existing granite curbs will be reused where possible.

After discussion, it was noted that the judicial standard for no parking zones is a yellow curb; however it was agreed that the City will use yellow markings on the asphalt and signage to identify no parking areas. That decision will be revisited if parking tickets are consistently dismissed by the courts because the curb is not painted yellow.

Feasibility Study – The Feasibility Study for a City Campus off Municipal Boulevard has been completed and is ready to be presented to Council. A decision needs to be made if the presentation will be held at a Public Meeting or a Zoom Meeting.

Report from the Police Chief

The Police Department is operating at full strength with 17 Officers. Rookies are done with Field Training and are out on their own.

An arrest was made in connection with a rash of vehicle thefts/break-ins that occurred in the last few months. The suspects were identified with the help of residents and camera systems. The suspects were very young.

An arrest was made in connection with a “smash and grab” burglary at Walmart.

Council Communications

Movie Night/Summer Concerts – Councilperson Smith thanked the New Castle Community Partnership, the Jaycees, the Mayor and the Arts Council for the outdoor events scheduled for this summer.

Liaisons/Communications – Councilperson Platt opined that Council has been left out of many recent City decisions and recommended that Council Liaisons be appointed to City Departments again. The advantages and disadvantages of reinstating Council Liaisons, the use of Liaisons in other municipalities, and the role of the Liaisons were discussed. After an in-depth discussion it

was recommended that in lieu of reinstating Council Liaisons there be better lines of communication between the City and Council.

Business from the Mayor

Movie Night – The first Movie Night went very well with between 40-50 attendees. The Mayor will recommend to the Arts Council that future Movie Nights be postponed until September when the start time can be earlier in the evening and thunderstorm season may be over.

Lantern Fly – The Mayor spoke of the invasive Lantern Fly and noted that they have been seen in the City. He urged residents to report Lantern Fly sightings to the County and State.

Electric Vehicle Charging Stations – MSC is offering rebates to commercial and residential customers that invest in electric vehicle charging equipment and infrastructure. The Mayor suggested that the Historic Area Commission invite MSC to discuss how other Historic Areas are meeting this need.

Childcare Facilities – The Mayor noted that many childcare facilities that were required to close during the COVID-19 shut-down may not reopen. He opined that there are schools in the City that are being underutilized and might have space that could be dedicated for childcare and that this could be an opportunity for the City.

City Staff – The Mayor expressed his appreciation for the City Staff and businesses, and their continued dedication to provide outstanding services to the residents of New Castle.

Planning Commission – The Mayor advised that Mr. Joseph Day's term on the Planning Commission has expired and the Mayor will re-nominate Mr. Day to the Planning Commission at the next Council meeting.

Board of Health – The City Administrator will send the names of Board of Health members whose terms are expiring in the near future.

Miscellaneous

COVID-19 – Council President Ratchford thanked the residents and businesses for continuing to follow the CDC Guidelines. She noted that infection rates in the State are under 5% and things are moving in a positive direction.

WILMAPCO – Seven firms have responded to WILMAPCO's Request for Proposal for the New Castle City Transportation Plan. Councilperson Smith, City Administrator Barthel, Council President Ratchford and Ms. Gail Seitz will review the bidders and report back to Council. Council President Ratchford asked Council Members to send their comments regarding participation in the process to her.

Public Comment

Mr. Phil Gross expressed his appreciation to the Mayor and the Arts Council for Movie Night. He noted that the required Waiver was available to print from the City's website.

Mr. Gross expressed his appreciation for the City Workers.

Mr. Gross expressed his agreement with the decision not to reinstate Council Liaisons.

Old Business

Second Reading of Ordinance 527; An Ordinance to amend and restate the following chapters of the Code of the City of New Castle: Chapters 102 (Building Construction), Chapter 103 (One- and Two-Family Dwellings), Chapter 162 (Mechanical Standards), Chapter 163 (Fuel Gas Standards), Chapter 181 (Plumbing Code), Chapter 185 (Property Maintenance Code); and to establish new Chapters 164 (Existing Building Code) and 165 (Swimming Pool and Spa Code) to the Code of the City of New Castle. (Council President Ratchford – posted 06/23/2020.)

Motion, Discussion and Vote on Ordinance 527

There being no discussion on the Ordinance, Council President Ratchford called for a vote on Ordinance 527. On vote the Motion was unanimously approved.

Council Discussion and Possible Action on City's Operations, Budget or Recovery due to COVID-19. (Council President Ratchford - posted 06/23/2020.)

City Operations – Mr. Barthel stated that the City is doing well in Phase 2 and is following the same processes. Residents wishing to pay their taxes at the City Office will be able to call for an appointment to do so.

Ms. Leila Hamroun has been asked to draft a plan for operating the City offices in Phase 3 and beyond.

CARES Act – The City has \$22,513 in COVID-19 expenses, a net of \$16,606, and \$5,900 in grants through the Police Department. The County website now has an interactive Form to upload COVID-19 expenses for reimbursement and that process will begin shortly. Legal fees are approximately \$8,800. The City Administrator stated that only reimbursable items will be purchased; however if there is a need for anything for the health of residents that is not reimbursable, the City will purchase it regardless.

Public Meetings – The Senior Center is the best location to hold public meetings. The City Administrator recommended that Council continue to hold Zoom meetings; however, if Council decides to go ahead with blended live/Zoom public meetings, there will be a cost for outside technical assistance to broadcast the meetings.

Playgrounds – Council President Ratchford stated that other areas of the State are opening playgrounds; however she recommended that New Castle continues to keep playgrounds closed until Phase 3.

Special Outdoor Requests – Nora Lee’s French Quarter Bistro opened their outside seating and it has been very well received. It is not known what the Governor or the Legislature will decide regarding extending outside seating past July 31; however, Mr. Barthel opined that the City could extend the time for the outside seating through October contingent on receiving special permission from the ABC. It was suggested that Nora Lee’s seeks permission for outdoor seating from Spring through Fall in the future.

Public Restrooms – The Trust has opened public restrooms in Battery Park for Concerts and Movie Night.

Council Discussion: Revisions to Chapter 28 of the Code of the City of New Castle regarding States of Emergency. (Councilperson Smith – posted 07/07/020.)

Councilperson Smith reviewed the background and rationale for updating the Code to broaden the range of emergencies covered in Chapter 28. A draft of the revisions was distributed to Council Members, and a number of edits and clarifications were recommended. Councilperson Platt clarified his position and recommended that there be clarification of what is an “emergency” and what is a “crisis”. There was further discussion of the imposition of fines, enforceability and acceptable consequences, and maintaining constitutional rights. Chief McCabe explained the Police are obligated to follow procedures handed down from the DOJ, and the direction from the Attorney General’s Office was that the Police were to lead with education vs. enforcement. He added that some restrictions the City could impose are not realistically enforceable. After further in-depth discussion, it was agreed that Councilperson Smith will make edits to the draft and submit it to Mr. Losco for final legal review.

Motion, Discussion and Vote on Resolution 2020-17; A Resolution to Request an Optional “Preferred Mailing Address” for the City of New Castle from the United States Postal Service. (Councilperson Smith– posted 06/23/2020.)

A Motion to discuss and vote on Resolution 2020-17 was made by Councilperson Smith and seconded by Councilperson Leary.

Council President Ratchford read the Resolution. Councilperson Smith led a discussion of how to delineate the City of New Castle from Greater New Castle. After discussion, Council President Ratchford called for a vote:

Council President Ratchford – yes
Councilperson Smith – yes
Councilperson Leary – yes
Councilperson Platt – yes

City Council of New Castle
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Councilperson Souder – no

On vote, Resolution 2020-17, a Resolution to request an optional preferred mailing address of “Historic New Castle” was passed with a vote of four to one.

There being no further business to discuss, Council President Ratchford called for a Motion to adjourn to Executive Session.

A Motion to adjourn the meeting to Executive Session was made by Councilperson Leary and seconded by Councilperson Platt. On vote, the Motion was unanimously approved and the meeting adjourned to Executive Session at 9:05 pm.

Respectfully submitted,

Kathleen Weirich
Stenographer

Next Regular Meeting Date: August 11, 2020

Posted: 06/23/2020

Final: 07/07/2020