

City of New Castle Delaware
Regular City Council Meeting
Meeting Held in Person and via Zoom
Tuesday, October 8, 2024
7:00 p.m.

Call to Order: 7:00 PM

Roll Call

Present: Council President Suzanne M. Souder
Councilperson Andrew Zeltt
Councilperson Brian M. Mattaway
Councilperson Nermin Zubaca

Absent: Councilperson Joseph F. Day, III

Also present: Mayor Valarie Leary
Max Walton, Esquire
Police Chief Richard McCabe
City Administrator Antonina Tantillo

Council President Souder called the October 8, 2024, City Council meeting to order at 7:00 p.m. The assembly stood for the Pledge of Allegiance. Roll call followed and a quorum to conduct business was declared.

Report from David Salter, Executive Director, Community Collaboration of Delaware

Mr. Salter stated that the Community Collaboration of Delaware (CCD) has had major success working with various entities in New Castle and the surrounding area providing resources and programs: CARE, CORE and Youth Programs.

Most recently, CCD partnered with New Castle agencies to offer a free prevention program known as Project ALERT, an 11 week program that teaches seventh and eighth graders how to resist drugs and alcohol. Unfortunately, despite significant efforts marketing the program in schools within the City limits and in the surrounding community, only three (3) students signed up for the program. The goal was to register 15-20 students, but the class would be held with a minimum of 10 students. Based on the low registration and the desire to reach as many students as possible and to utilize the funding and resources in the best possible way, the decision was made to cancel the fall program.

Councilperson Mattaway stated that he would like to work with CCD to provide this and similar programs to school age children.

Ms. Tantillo stated that she is working with CCD to determine a path forward, noting that a final decision on cancelling the class will be made on October 10th.

Mr. Salter explained other options that he proposed to Ms. Tantillo for Council consideration:

- The George Read Middle School has stated they are interested in hosting the program to provide the program to their students in an after-school environment. In response to a question from Councilperson Mattaway, Mr. Salter stated he would investigate to see if individuals who have already expressed interest in the program would be able to participate in the program held at George Read Middle School.
- If CCD moves completely away from Project ALERT, they can still have a very important role with providing a Town Hall Forum to identify needs from the community directly that CCD could assist with; i.e., parents recognizing the signs of drug or alcohol abuse in teens.
- With approval from William Penn High School and/or the Colonial School District, CCD could provide direct outreach to high school students with information, a review of the Good Samaritan Law, and resources.

Treasurer's Report

In Mr. Whisman absence, Council President Souder presented the unaudited Treasurer's Report as of September 30, 2024:

Total unrestricted funds	\$10,606,194.48
Total restricted funds	\$ 3,337,510.47
Total cash	\$13,943,704.95

- Property tax receipts are at 93%.
- Delinquent tax collection is well ahead of projection at 44%.

A motion to approve the Treasurer's Report as presented subject to audit was made by Councilperson Mattaway, seconded by Councilperson Zeltt, and unanimously carried.

Minutes

A motion to approve the September 17, 2024 regular City Council meeting as amended was made by Councilperson Mattaway, seconded by Councilperson Zeltt, and unanimously carried.

Reports from the City Administrator and Staff

Report From the City Administrator

- FEMA Conference – Ms. Tantillo thanked Council for allowing her to attend the FEMA Conference and noted some of the topics that were covered.
- Code Enforcement Officer Position – The new Code Enforcement Officer should begin within the month. The other posting for the Code Enforcement Team will be going up shortly.
- Floating Pier – The contractor has completed the drawings and they were submitted to the engineer for comment. Ms. Tantillo will advise the schedule for work as soon as it is available.
- Mobile Stage – The mobile stage has been ordered. Ms. Tantillo will inform Council of the delivery date as soon as it is available.

- City Paving Contract – No bids were received by the Bid deadline and the Bid Opening has been moved to October 10th at 1:30 p.m. at the City Office.
- Curbing and Sidewalks – Ms. Tantillo is working on the Bid Package for curbing and sidewalks. Information will be shared on the City Website as soon as it is available.
- Grants – Additional grants have been applied for, including cybersecurity and homeland security grants.
- Parking Sign – A 2-Hour Parking Sign on Delaware Street between 4th and 5th Streets will be removed and replaced with an additional speed sign and a pedestrian sign. Residents and business owners were notified and no objections were received. The City Website has been updated with this information.
- City Staff met with the State regarding flooding problems in the City and is working to plan for the future with continued discussions.

In response to questions From Councils, Ms. Tantillo reported that:

- She will be meeting with the Bike Council later in October and more information should be available after the Council meets in early December.
- The mobile stage is en route.
- She is looking into sponsorship opportunities for business owners to put signage up at the dog park.
- The engineer handled posting the bid information for paving, and he explained that often a bid deadline will be extended. When the initial bid went out the engineer was not formally engaged with PennBid, which is a site many municipalities use; however, the engineer received authorization last week to engage with them and the next bidding opportunity will be posted on PennBid.

Report from Chief McCabe

Chief McCabe reported on the following:

- The first PAC meeting was held on September 19th. The next meeting was scheduled for October 17th; however, due to scheduling conflicts it will be postponed to the first week of November. Chief McCabe encouraged Council to attend a future meeting.
- Captain Shughart is heading up the annual Christmas donation program for needy families. Anyone wishing to identify a family in need can do so on the Department website or by contacting Captain Shughart directly.

Chief McCabe yielded the remainder of his report time to Mr. Harold Stafford, Government Relations Director for the HELP Initiative.

Mr. Stafford explained the HELP Lights-On Initiative that is designed to help law enforcement reduce crime was formed in 2016 to convert exterior lights on homes in high-crime districts to LED lights. For those homes without an outside fixture, a solar powered motion light is installed. Mr. Stafford stated that this is done at no cost to the residents or the community. So far, lights have been installed on 19,000 homes in Delaware, and Mr. Stafford would like to

include the City of New Castle in the program. Mr. Stafford explained the process and asked for City Council approval to work in New Castle.

Mr. Stafford stated that the HELP Initiative also has other programs:

- HELP will replace inefficient windows in lower-income communities with new windows at no cost.
- HELP has a pre-apprenticeship training program where individuals in the community are hired by HELP to become light installers. HELP has agreements with local patron schools where these individuals can take classes for free.

In response to questions from Council, Mr. Stafford stated that:

- HELP was initially funded Energize Delaware, and for the last two years it has received Federal funding from the American Rescue Plan Act. HELP is also researching other funding sources for 2025 and beyond.
- With immediate Council approval, HELP can mobilize in New Castle this month.
- HELP does homes, apartment complexes and alleyways. Solar lights are used in alleyways.
- HELP welcomes volunteers to work with HELP.

It was the consensus of Council to approve the HELP Initiative to begin its work in the City of New Castle.

Council Communications

Councilperson Zeltt

- Dog Park – As soon as a site plan is done, an RFP for the dog park can be initiated.
- Community Yard Sale – Councilperson Zeltt thanked Wendy Houghton for setting up this event.
- Art on the Green – Councilperson Zeltt thanked the Fire and Police Departments for their participation in the event.
- Saturday Market – October 12th is the last Saturday Market. There will be hayrides, a maze, and other family fun activities.
- Outreach Position – Councilperson Zeltt suggested that the Outreach Program be extended. Council President Souder stated that could be considered at the mid-year Budget Discussion in January.

Councilperson Mattaway

- Councilperson Mattaway acknowledged the life and death Donata Leone.
- Councilperson Mattaway extended thoughts and prayers to everyone affected by the recent hurricane.
- Councilperson Mattaway thanked Ms. Tantillo for connecting the City with security grants.

- Councilperson Mattaway asked City Council and Ms. Tantillo to consider sending electronic holiday greeting cards as is done in Middletown. He will share information with the City Administrator.

Councilperson Zubaca

- Councilperson Zubaca echoed items mentioned by Councilpersons Zeltt and Mattaway.

Business From the Council President

- Dog Park – Council President Souder thanked Mr. Miller for his idea of finding grants to help fund the dog park, and Mr. Gross for his idea of finding sponsors to help with costs in exchange for recognition via signs on the fencing around the dog park.
- Council President Souder thanked Chief Majewski and Captain Schoeffler, and other Delaware firefighters who went to North Carolina to help with search-and-rescue efforts after Hurricane Helene.
- Flood Resilience Committee – Council President gave an update of the Flood Resiliency Committee (FRC):
 - Much of the planning has already been done, and engineering design and construction is needed.
 - The NRCS budget has been severely cut.
 - Committee members contacted the staffs of our Senators and Representatives, as well as the Governor.
 - The committee is exploring other options and the idea of breaking projects into smaller phases for which the City can seek other funding sources.
 - Mses. Souder, Tantillo and Riehl (Chair of the FRC) met with Diane Gray, the new State Conservationist for the NRCS, the State Engineer, the City Planner, and the Supervising Engineer from AECOM to discuss the challenges New Castle faces from flooding. After the State representatives left the call, the remaining attendees discussed ways to move forward and identify smaller projects that could be undertaken to provide additional protection.
 - Mses. Souder and Tantillo met with DNREC, the Public Works Director and the City Building Official to discuss maintenance needs and emergency planning for the dikes and floodgates at Bull Hill, Buttonwood, and the Sailing Club.

Business From the Mayor

- The Nao Trinidad was recently in port.
- The Senior Center Block Party was a great success.
- Mayor Leary echoed Council President Souder's thanks to Good Will Fire Company for their search-and-rescue efforts.
- The last Market on the Green is October 12th.
- MSC is currently on standby to respond to Hurricane Milton as needed.
- MSC Commissioners received communications about a letter some people received about additional deposits on their account. Mayor Leary explained that only residential

customers who have had a relatively poor payment history were assessed the additional deposit. Customers who pay on time were not requested to pay an additional deposit. Call MSC with any questions.

Comments From Good Will Fire Company

Captain Timothy Moore

- October is Fire Prevention Month. Captain Moore reminded everyone to check their smoke detectors and batteries. Both are available at the Fire Department. A member of the fire department will install a fire detector if needed.
- Good Will is holding an Open House on October 26th from 11 a.m. to 3 p.m. There will be many activities and a live demo.
- The recent deployment to North Carolina is the first time a fire department has been deployed out of state. Three members of Good Will were part of the deployment. The team was demobilized on October 3rd.

Councilperson Mattaway asked that Captain Moore's comments about smoke detectors be added to the City Website and in The Weekly.

Public Comment

Melinda Roche – 1122 Condos

Ms. Roche stated that the 1122 Condos need help with maintenance of the buildings and she does not know where to find it. She added that the Property Manager will only handle things outside the building. Ms. Tantillo will speak with Ms. Roche to see what can be done.

Josie Roy

Ms. Roy thanked Council for its quick response to her request to have tree limbs trimmed back from the historical marker at Mt. Salem Church. Ms. Roy said they are considering inviting residents and visitors to learn some of the history of the church during Separation Day or Juneteenth next year, and she will reach out to the City closer to that time.

Carol Vukelich – 33 The Strand

Ms. Vukelich spoke in opposition of a house on Packet Alley being turned into an Airbnb. A letter was sent to Council expressing residents' concern about the matter and requesting a revision to §230-19. She noted that there appears to be confusion in that section regarding the number of rooms that can be used for transient lodging. She asked that the Council consider change the Code and that no properties are grandfathered.

Binney Beale – 26 The Strand

Mr. Beale spoke in opposition of the proposed Airbnb on Packet Alley and echoed Ms. Vukelich's comments. He added that the neighbors are concerned because it breaks up the traditional historic neighborhood; noting that Airbnb's have a reputation for being "party houses". Mr. Beale stated that access to the property on Packet Alley is also troubling because the street is narrow and one-way. He stated his concern for the neighborhood and the neighbors and urged Council to revise §230-19.

Mike Platt

- Mr. Platt thanked Council President Souder for her help on the issue he brought up at the September meeting.
- Mr. Platt noted his concern with Council renegotiating a union contract (*Resolution 2024-40*) and asked why this was not discussed during Budget meetings.
- Mr. Platt noted his concern with Council considering Ordinance 551 to add a tax incentive for resident firefighters and asked who is paying for it. (*Item 4 on the Agenda*)

Rod Miller – East 3rd Street

Mr. Miller asked about an Ordinance on a moratorium on multi-unit dwellings. Council President Souder stated that Ordinance will be on a future Agenda. Councilperson Zubaca suggested that Mr. Miller attend the Planning Commission meeting where the Ordinance will be discussed.

New Business

Resolution 2024-39 – Council Discussion, Possible Motion and Vote on Resolution 2024-39 – A Resolution to Authorize Outdoor Recreation, Parks, and Trails (ORPT) 2024 Playground Grant Application.

Council President Souder read Resolution 2024-39.

Council Discussion

Councilperson Zubaca suggested that the Resolution be edited to read “Playground Sub-Committee **and** the Old New Castle Outdoor Recreation Coalition” in the first and third Whereas clauses.

A motion was made by Councilperson Zubaca to amend Resolution 2024-39 to remove the comma in the phrase “Playground Sub-Committee, the Old New Castle Outdoor Recreation Coalition” and change it to “and”. The motion was seconded by Councilperson Zeltt and the motion passed unanimously.

Councilperson Zubaca thanked Ms. Judy Guttenplan for reaching out to DNREC for the grant.

A motion was made by Councilperson Zubaca to approve Resolution 2024-39. The motion was seconded by Councilperson Zeltt and the motion passed unanimously.

Resolution 2024-40 – Council Discussion, Possible Motion and Vote on Resolution 2024-40 – A Resolution approving the Memorandum of Agreement between the City of New Castle, Delaware and Local 3515, Council 81, American Federation of State, County, and Municipal Employees AFL-CIO (AFSCME) for the period of November 1, 2024 through June 30, 2026, Related to Collective Bargaining.

Council President Souder noted that this not a reopening of the entire Contract, adding that the extreme increase in health insurance costs was discussed during the Budget meetings. In July the Union requested bargaining on the benefits portion only of the Contract, asking for a revision to

the City's contribution to health care through the end of the Contract in 2026. The City agreed to bargain because adjusting these contributions now would be more equitable and would help with traction and retention of employees.

Council President Souder read Resolution 2024-40. There was no Council discussion on the Resolution.

A motion was made by Councilperson Zeltt to approve Resolution 2024-40. The motion was seconded by Councilperson Zubaca and passed unanimously.

Council Discussion, Possible Motion and Vote on revised film permit.

Council President Souder noted that the last film agreement was prepared in September 1997. Council was provided with a copy of the revised Location Agreement that specifies the responsibilities of filming companies.

Council Discussion

Councilperson Zubaca asked if the Police and Fire Chiefs were involved in drafting the language regarding blocking streets, etc. Ms. Tantillo explained that this is a consideration for all events held in the City, and the Police and Fire Chiefs are involved in all aspects of events. Council President Souder added that the agreement provides that a specific traffic and parking plan must be submitted.

Regarding one-way streets, Chief McCabe noted that closing streets is a collaborative decision between the Police, the Fire Department, Public Works, the City Administrator and the Event Planner. He added that most street closures are short-term.

In response to a question from Councilperson Zubaca, Mr. Walton explained that the document is being updated now because there was an inquiry for filming in the City in the coming months.

In response to a question from Councilperson Mattaway regarding the use of "explosives", Ms. Tantillo noted that the Building Official is also the City Fire Marshall. After discussion it was suggested that the language be changed to "Building Official and Fire Marshall". City Council approved the suggestion and Mr. Walton will see that the document is updated accordingly. Mr. Walton noted that the language was taken from the prior version of the document. Chief Majewski added that with regard to fireworks at Separation Day, an Explosives Permit is prepared by the fireworks vendor in conjunction with Mr. Bergstrom in his capacity as Fire Marshall, and that permit is reviewed and approved by the Fire Department.

A motion to consent to the form of the Contract with changes was made by Councilperson Zubaca. The motion was seconded by Councilperson Zeltt and passed unanimously.

First Reading of Ordinance 2024-551 – An Ordinance to amend the City of New Castle Municipal Code, Chapter 221 (Taxation), to add a Tax Incentive for Resident Firefighters.

Council President Souder read Ordinance 2024-551

City Council Regular Meeting
October 8, 2024

There being no further business to discuss, Council President Souder called for a motion to adjourn.

A motion to adjourn was made by Councilperson Zubaca, and seconded by Councilperson Zeltt. The motion was unanimously passed and the meeting adjourned at 8:36 p.m.

Respectfully submitted,

Kathleen R. Weirich
City Stenographer

Next Regular Meeting Date: November 12, 2024
Posted: 9/30/2024