

"A Historic Past"



"A Bright Future"

CITY OF DELAWARE CITY
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**MINUTES
CITY OF DELAWARE CITY
MAYOR & COUNCIL MEETING
MONTHLY MEETING
Monday, December 12, 2022, at 6:30p.m.
DELAWARE CITY COMMUNITY CENTER-GYMNASIUM
250 FIFTH STREET**

CALL TO ORDER

Mayor Johnson called the December 12, 2022 Mayor & Council meeting to order at 6:30p.m.

PLEDGE OF ALLEGIANCE

Mayor Johnson led the Pledge of Allegiance.

ROLL CALL

In addition to Mayor Johnson and Vice Mayor Barrett, Council Members Saunders, Konkus, Price, and Cornish were present. Also in attendance were City Manager Baylor, City Solicitor Rhodunda, Finance Manager Graham, and Police Chief Henderson.

ACTION UPON MINUTES

Council Member Saunders said it appears that City Manager Baylor's Report – in the minutes – was the same one from October and that it should be November's. City Manager Baylor said that he would read the minutes from the November meeting into the record tonight and get Mayor & Council a copy of these corrected minutes. Vice Mayor Barrett made the motion to accept the November 14, 2022 minutes (with the correct City Manager's report). The motion was seconded by Council Member Saunders. A vote was taken, and all members were in favor. *Minutes were accepted as written* (with the correct City Manager's report included).

POLICE REPORT

Chief Henderson gave the following report:

CALLS FOR SERVICE	TOTAL REPORTS
NOVEMBER 2022	YTD 2022
67	764
NOVEMBER 2021	YTD 2021
47	700
% CHANGE	% CHANGE
+42.5%	+9.1%

Significant Events:

- There were 39 traffic arrests and 11 traffic warnings. Also, there were 5 crime prevention checks; 19 crime reports; 27 field service reports; 4 accidents; and 0 criminal arrests.
- The department was approved for State funding for both an Emergency Illegal Drug Enforcement grant, as well as, a State Aid to Local Law Enforcement grant. Funding totaled just under \$7000 from the two grants.
- Purchases were made for mobile field surveillance equipment, and overtime was implemented throughout the month of November from previous active grants.

CITY MANAGER'S REPORT

City Manager Baylor gave the following report:

- **Harbor Street Pump Removal Project (Update) - Below** is an update regarding the Harbor Street Pump Removal Project:
 - ✓ The soil borings and geotechnical evaluation are done. There is a stable sand layer about 40 ft below the street. We are proposing that 4 helical piles be installed to a depth of approximately 45 ft below ground surface to support both new concrete structures (8 total piles) that are planned for the storm sewer improvements.
 - ✓ Verdantas Representatives met with Reybold on Nov 28 to give them a preview of the design changes so they could begin legwork to price the additional work. A revised set of design drawings were sent to Reybold on Friday, Dec. 2 for a formal price proposal.
 - ✓ Reybold is in the process of receiving quotes for the new materials and work. Subcontractor pricing for installation of the helical piles is the bottleneck. Reybold hopes to have pricing soon.
 - ✓ As soon as Verdantas receives Reybold's pricing and proposed schedule to complete the work, they will review and send the city their recommendation.

- **Monroe – Madison Street Project Update** - Verdantas is continuing work to prepare the FEMA Hazard Mitigation Grant Program Application. We should receive a final letter of support by the end of the month.
- **PILOT Agreement Update** – City Solicitor and I have a meeting scheduled with Mr. Mike Capone (Delaware City Refinery Manager) and a representative from their legal office to discuss the PILOT agreement. I will provide Mayor and Council with an update once we have met.
- **Delaware City Community Center –**
 - ✓ Project update: Below is an update on the on-going projects:
 - Renovations to one of the bathrooms on the Library Side of the building to make it ADA compliant have been complete.
 - Dave Athey is close to finalizing the requirements for the RFP for the HVAC replacement system for the Community Center. I anticipate the RFP will go out in January.
 - The sidewalk on south side of the Community Center has been replaced in preparation for the entranceway improvement to the Senior Center.
- **FY-20243 Grant in Aid** – The FY-2024 Grant in Aid application for Delaware City Day and the Delaware City Community Center was submitted on December 1, 2022.
- **Fort DuPont Update** – There will be a FDRPC Board meeting this Wednesday, December 14, 2022. The meeting will begin at 8:30 a.m. and will be held in Surfboard room at the Community Center.
 - ✓ Mr. Slavin is here this evening to discuss the decision regarding the entrance improvement project.
 - ✓ Last Thursday, December 8th, I participated in a meeting with Mr. Slavin, Mr. Don Webber from DelDOT as well as two other DelDOT officials. That meeting was to discuss the construction plans and schedule for the entrance to Fort DuPont. During the meeting it was revealed the Reedy Point Bridge will be closed for 90 days during the construction of the entrance to Fort DuPont. It is anticipated the closure will take place in January.
- **Community Events** – There was a breakfast with Santa event held at the Community Center on Saturday, December 3rd. The event was sponsored and put on by the Middletown Chapter of the Delta Sigma Theta Sorority. The event was well attended. Also, this past Saturday was the annual Delaware City Day Christmas Parade. The parade was coordinated by Mr. Tim Konkus of Main Street. There were several local participants in the parade, and it was a success.

Question from Vice Mayor Barrett: Do you have a date set up for the meeting on the PILOT program agreement? City Manager Baylor said that date will be December 14th (Wednesday) at 3:00p.m. How much were the grant applications for Delaware City Day and the Community Center? City Manager Baylor said that the grant applications for both were for a “substantial increase” over last year.

Council Member Konkus: How is the closing of the Reedy Point Bridge going to affect the emergency access to Fort DuPont? City Manager Baylor said that Mr. Slavin and Mr. Gorski would discuss this later in the meeting.

CITY SOLICITOR'S REPORT

City Solicitor Rhodunda gave the following report:

In the last month, he has been working on the issues concerning the PILOT program and the assessment of the refinery properties. He will have an update at the January Mayor & Council meeting. Also, the bike rental business has been reviewed and has an agreement in place. Additionally, a legal review of the audit letter has been done.

ACTION UPON FINANCE REPORT

Finance Manager Graham presented the financial report as of November 14, 2022. (Full report is available).

Vice Mayor Barrett made a motion to accept this report (subject to audit). Council Member Cornish seconded this motion. A vote was taken, and all members were in favor. *The finance report was accepted.*

******City Manager Baylor said that the FY 2022 audit report will be presented at the January Mayor & Council meeting.

APPOINTMENTS, ANNOUNCEMENTS, AND COMMUNICATIONS

Council Member Konkus made a motion to accept Eric Smith for a seat on the Planning Commission (3-year term). This was seconded by Linda Price. A roll call was taken with Vice Mayor Barrett voting "no." Council Member Konkus voted "yes." Council Member Saunders voted "no" since Mr. Smith is already on another committee (Zoning Codes). After he is done serving this committee, Council Member Saunders would be in favor of him serving on the Planning Commission. Council Member Price changed her mind and decided to vote "no." Council Member Cornish voted "no." *The motion was defeated 4 - 1.*

After the vote for Eric Smith (noted above) Council Member Konkus added that she feels that the Planning Commission is so very important, especially with the issues Delaware City is facing and will face in the future. There are no residents "knocking on the door" to be on the city's commissions. Last month the Planning Commission almost didn't have a quorum. Now Mr. Smith wants to be on this commission, but yet is denied. She is "disgusted" with the motion's results. She hopes in the future, the people who want to be on the commissions, will be able to serve.

Vice Mayor Barrett made a motion to accept Andrew Domino for a seat on the Planning Commission (3-year term). This was seconded by Council Member Saunders. A roll call vote was taken and all were in favor. *The motion passed.*

Tim Konkus announced that he no longer wanted to be considered for a seat on the Board of Ethics (3-year term).

Gibby from the Jackson Lodge #19 – Masonic Hall in Delaware City spoke. His organization had a fundraiser in 2021 in the month of October. They raised money and were able to provide donations to the Senior Center, Fire Hall, Food Pantry, and Friends of the African American Union Church Cemetery. They would like this year's fundraiser to be in the spring.

REPORTS OF COMMISSIONS, COMMITTEES, AND ORGANIZATIONS

Dave Turley spoke about the Tree Commission that has reformed. He talked about how important trees are for the town, and they are trying to get grants to fund the replacement of some of the trees that have been lost. They will spend the next year assessing the town's trees, determining where trees have been removed (but not replaced), and determining the best species of trees to plant. The mayor read and signed a proclamation tonight reestablishing Delaware City as a "Tree Community" and a "Tree City USA." April 28th will be Arbor Day each year in Delaware City.

There was no business for the Planning Commission or the HPC last month.

Tim Konkus of Main Street wanted to thank Chief Henderson and the other law enforcement officers that were present during the Christmas Parade. There were no incidents during the parade, and that was good.

Wendy Rogers from the Delaware City Day committee asked if Mayor & Council have thought about a date for next year's Delaware City Day? Mayor Johnson said that he feels that it should be the same Saturday every year. A recurring date seems the most desirable. (For example, the last Saturday of September or the first Saturday of October). (Mike Graci said that the 2023 Autism Walk will be held on October 7th. The 2022 Autism Walk had 130 families, 800 walkers, and raised \$90,000). Mayor Johnson thought it would be best to keep the Autism Walk and Delaware City Day on the same date. Thus, Delaware City Day 2023 will also be held on October 7th – the first Saturday of October.

Council Member Saunders said the "code committee" met 2 weeks ago and will next meet on December 14th. He is happy with the progress of the committee and that those with differing opinions are working together well.

OLD BUSINESS

None

NEW BUSINESS

1) Certification of the Third Quarter Supplemental Tax Assessment FY23.

Vice Mayor Barrett made a motion to accept this "assessment." The motion was seconded by Council Member Cornish. A vote was taken, and all were in favor. *The motion passed.*

2) Tim Slavin – Presentation of the Fort Dupont Entrance Improvement Plan.

Mr. Slavin explained that the roundabout is necessary, since no more building permits will be issued for Fort DuPont until the entranceway is improved. There were four options that have been researched, analyzed and studied: the "do nothing" and keep entrance "as is" plan; a traffic light; a "right in, right out"; and the roundabout. The roundabout was the option approved, since there were issues and potential problems with all the other options. ½ of the roundabout will be constructed at a time, leaving ½ of the road open to traffic into and out of Fort DuPont. This is a 90-day construction project – but delays may be possible. DelDOT, the Army Corps, engineering companies, the fire and police departments, Mayor and Council, Town Hall, the public, and others have voiced their views on this project, and the roundabout is moving forward with construction. There will be another meeting soon for the public to discuss scheduling, entry and exit from the Fort during the construction, building plans, etc.

Questions and Comments by Vice Mayor Barrett: She asked about the "right in, right out" plan? This would be too much of a strain on the pilings of Reedy Point Bridge. A flashing light would not work either.

Are there any roundabouts in neighboring states between two bridges? Engineer Steve Gorski said no, but other factors are more important, like the slopes and curves of the road on each end. She is also concerned about the negative effects on Polk Town. Have the National Guard and State Surplus (which are located on Fort DuPont's grounds) been informed about all the changes the construction of the roundabout will bring? Yes, they have been.

Questions and comments from Council Member Price: She is concerned about raising the road and said if you are sleeping in a Polk Town house in the upstairs, you "could almost go out and step on the road." Mr. Gorski said the road will be no closer to her house than it is now. A retaining wall in Polk Town will be built.

Questions and Comments from Council Member Konkus: She thinks the roundabout is a very bad idea and an accident "waiting to happen." It is a "terrible" idea to locate it between two bridges. She is "skeptical" that the decision to build the roundabout was based on factual information, since it was provided previously by Jeff Randol.

Questions and Comments from Council Member Saunders: Were the ideas of the town engineer (Dave Athey) considered? In June, Mr. Athey spoke about a way to gain entry/exit by going under the bridge. He is concerned about having to raise the road ten feet (to get it out of the flood plain), since the other roads in Fort DuPont are not this high. The experts determined that raising the road is not a safe option.

MAYOR & COUNCIL COMMENTS

Mayor Johnson: He thanked Main Street for putting the Christmas parade together this month. He also thanked all of the participants. He has been contacted by Artesian Water to set-up a meeting with City Manager Baylor, Tim Slavin, and himself to discuss the Fort DuPont "water tie-in." The Fire Company had their elections, and Chief McKenzie and President Poppe are still the contacts there. He also wanted to thank the Council Members, as well as, the Town Hall staff for all their successful work in 2022. Finally, he wished everyone a happy holiday and new year.

Vice Mayor Barrett: She utilized the donation that she received in 2021 from Jackson Lodge #19 to buy \$50 gift cards to Acme for her families. She also utilized part of this money for the turkeys she bought in November (for Thanksgiving). She wanted to thank the members of the Lodge again.

Council Member Konkus: She thanked Eric Smith for wanting to be on the Planning Commission and stated that she is very unhappy that her fellow Council Members voted against his approval. She urged him to apply again.

Council Member Saunders: None

Council Member Price: None.

Council Member Cornish: None.

CITIZENS QUESTIONS/COMMENTS

Tim Konkus / 302 Canal Street: Why are the Army Corp and DelDOT not present at this meeting to explain the decisions they made for Delaware City by planning to build the roundabout? The residents are going to have to live with their decisions, but yet they are not here to discuss all of this.

Resident: Has the "anticipated" amount of traffic, ten or twenty years in the future, been considered in the decisions to build the roundabout? Mr. Gorski said yes, projections for the future were considered in these decisions.

Resident: What is being done about the DART buses coming through the neighborhoods? Mayor Johnson said that they were supposed to be training on the city roads. City Manager Baylor added that there is some

“contention” now between Delaware City and DART, after a resident accosted a DART driver, and it’s all on video.

ADJOURNMENT

Mayor Johnson entertained a motion to adjourn. Vice Mayor Barrett made the motion. Council Member Saunders seconded the motion. All members were in favor. *Mayor Johnson adjourned the meeting at 8:03p.m.*

*Respectfully submitted,
Tina Pincus
City Secretary*