

*"A Historic Past"*



*"A Bright Future"*

THE CITY OF DELAWARE CITY  
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**MINUTES  
CITY OF DELAWARE CITY  
MAYOR & COUNCIL  
PUBLIC HEARING 6:00p.m.  
MONTHLY MEETING 6:30p.m.  
Monday, January 22, 2024  
DELAWARE CITY FIRE HALL  
815 FIFTH STREET**

**CALL TO ORDER – PUBLIC HEARING – BOARD OF APPEALS**

Mayor Johnson called the January 22, 2024 Public Hearing to order at 6:00p.m.

- The Public Hearing was recessed at 6:01p.m.
- The Public Hearing has reconvened at 6:30p.m.
- The Public Hearing was adjourned at 7:31p.m.

**CALL TO ORDER – MONTHLY MEETING**

Mayor Johnson called the regularly scheduled 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, Price, and Jackson were present. Also in attendance were Police Chief Henderson, Finance Manager Graham, and Chandra Williams (substituting for City Solicitor Rhodunda).

### **ACTION UPON MINUTES**

Vice Mayor Barrett made a motion to accept the December 18, 2023 minutes. The motion was seconded by Council Member Jackson. A vote was taken, and all members were in favor. *Minutes were accepted as written.*

### **POLICE REPORT**

Chief Henderson gave the following report:

<b>CALLS FOR SERVICE</b>	<b>TOTAL REPORTS</b>
<b>DEC 2023</b>	<b>YTD 2023</b>
41	688
<b>DEC 2022</b>	<b>YTD 2022</b>
48	812
<b>% CHANGE</b>	<b>% CHANGE</b>
<b>-14.6%</b>	<b>-17.7%</b>

#### **Significant Events:**

- There were 6 traffic arrests and 9 traffic warnings. Also, there were 2 crime prevention checks; 11 crime reports; 12 field service reports; 1 accident; and 20 criminal arrests.
- Off. Williams investigated an incident where the suspect was taken into custody for an assault on their significant other and threatening family members with a weapon. The defendant was charged accordingly (12 crimes) and transported to the Howard Young Correctional Institute in lieu of \$39,500.00 bail.
- DCPD assisted the Wilmington Police Department after arresting the operator of a vehicle stop for an assault incident which occurred in the city. WPD had an outstanding warrant for the adult subject who was taken into custody without incident and transported to their agency for processing and arraignment.
- Off. Williams completed a personal injury crash investigation from June where the operator struck two (2) parked vehicles and a residence on Clinton St. After receiving toxicology results from the Office of Forensic Science, the operator was charged with DUI while under the influence of drugs and other related traffic charges. The operator turned themselves in at DCPD and was released with no bond.
- The camera project has shown recent progress as electric access and the installation of meters on the utility poles has begun. Once these steps have been completed, Emergency Response Protocol (ERP) can start their camera installs.
- DCPD took part in the Lions Club Food Drive, the Delaware City Community Park District Santa event, and the Delta Sigma Theta Christmas event that was held at the Delaware City PAL. During the Holiday Season, Off. Williams also handed out toys that were donated by a resident who wished to remain anonymous. If anyone is aware of a Delaware City family in need, please reach out to Off. Williams as we still have toys remaining for future donations.
- Lt. Clemons' hours have been increased significantly to nearly full-time. Be sure to reach out and introduce yourself to Lt. Clemons when you see him around town.

Chief Henderson also provided the data for year 2022 compared to year 2023:

- Traffic Arrests in 2022 were 431, compared to 213 last year; decrease - 48 %
- Traffic Warnings in 2022 were 96, compared to 71 last year; decrease - 26%
- Crime Prevention Checks in 2022 were 42, compared to 25 last year; decrease - 40%
- Crime Reports in 2022 were 234, compared to 197 last year; decrease - 16%
- Field Service Reports in 2022 were 364, compared to 339 last year; decrease - 7%
- Accidents in 2022 were 20, compared to 17 last year; decrease - 15%
- Criminal Arrests in 2022 were 50, compared to 113 last year; increase + 126%
- Felony Investigations in 2022 were 13, compared to 19 last year; increase + 46%

### **CITY MANAGER'S REPORT**

Finance Graham gave the following report:

#### **Code Enforcement:**

- Linda Tickle has been hired as the new part-time Code Enforcement Officer. She began working on Monday, January 8<sup>th</sup>.

#### **Community Center HVAC Replacement:**

- The HVAC bid has been awarded to Amakor. Contracts are currently being signed. More details will follow in the coming months. The project will be funded with CRF grant funds.

#### **Monroe-Madison Street Flood Mitigation Project:**

- We are still waiting for the official awarding of the FEMA grant. The last update from DEMA was on January 12<sup>th</sup> stating that the application is still being reviewed.

#### **Sea Wall and Sea Level Rise Report:**

- Verdantas is working to submit a draft of the report within the next few weeks.

#### **Meetings:**

- No meetings to report.

*Questions/Comments from Council Member Saunders:* Last month Bluewater was going to have a meeting with former City Manager Hill, did the meeting occur in December? Finance Manager Graham said that the meeting did occur, but she has no substantive details about it.

Is there an update about the generator at the Community Center? Finance Manager Graham said that the last interaction with them was the submission of some electrical bills. The city is awaiting their response.

Has Artesian provided any update on the pipes in town? Finance Manager Graham said that she has not heard from them.

During the recent storm, there was a pump put in the middle of Harbor Street near Crabby Dick's. Why? Finance Manager Graham said that this is an emergency pump that is taken out when coastal storms are expected. It is a "backup pump." Mayor Johnson said that the storm was the first test of the Washington Street pump, and the backup pump did have to turn on since the rain/flooding was at/near record-levels. The permanent pumps ended-up working fine.

*Question from Resident at 208 Madison Street:* What does the Madison-Monroe Street project entail, since her basement consistently floods when there is a lot of rain? Finance Manager Graham said it is a

large/complex engineering project, and when the FEMA funds are finally distributed, Verdantas will come before the town with a presentation of their plan.

### **REPORT OF CITY SOLICITOR**

Chandra Williams was present for City Solicitor Rhodunda. In the past month, her office has been working on the upcoming elections. The solicitor's office has also been working on how to proceed in the search for a new City Manager.

### **ACTION UPON FINANCE REPORT**

Finance Manager Graham gave the financial report as of December 31, 2023. (Full Report is available).

*Questions/Comments from Mayor Johnson:* Who is the invoice from on the one remaining account from Delaware City Day? Finance Manager Graham said the "capital police." Is the \$725,488 surplus going to be left at the end of Fiscal Year 2024? Or will it be used on upcoming operating expenses? Finance Graham said that there is a surplus because it is only six months into Fiscal Year 2024, and the funds should be used.

*Questions/Comments from Council Member Saunders:* On the ARPA funds report it shows \$33,196 remaining. When will these funds be expended? Finance Manager Graham said by December 31, 2024. Will this be in Fiscal Year 2024 or 2025? Finance Manager Graham said that it depends upon what projects arise, and it could be either fiscal year.

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

### **APPOINTMENTS**

- A motion was made by Vice Mayor Barrett to appoint Tim Dilliplane to the Election Board. This was seconded by Council Member Jackson. A roll call was taken, and all were in favor. *The motion passed.*
- A motion was made by Vice Mayor Barrett to appoint Jean Bonner to the Election Board. This was seconded by Council Member Jackson. A roll call was taken, and all were in favor. *The motion passed.*
- A motion was made by Council Member Saunders to appoint Bonnie Hanna as an Election Officer. This was seconded by Vice Mayor Barrett. A roll call was taken, and all were in favor. *The motion passed.*
- A motion was made by Council Member Saunders to appoint Angela Williamson as an Election Officer. This was seconded by Vice Mayor Barrett. A roll call was taken, and all were in favor. *The motion passed.*
- A motion was made by Vice Mayor Barrett to appoint Madonna Malinowski as an Election Officer. This was seconded by Council Member Jackson. A roll call was taken, and all were in favor. *The motion passed.*

### **REPORTS OF COMMISSIONS/COMMITTEES/ORGANIZATIONS**

*Tim Dilliplane / Planning Commission / Election Board:* The Commission had no January meeting. As the Election Board chairman, he stated that they needed a third Election Officer. According to Finance Manager Graham, there are candidates registered for the special election for the open council seat.

*Dave Turley / Tree Commission:* They had a working meeting last week for planning for Fiscal Year 2025. The Commission will be focusing less on cutting trees down and more on planting. Also, they will focus

on finding the right place to plant new trees; education; and increasing grant funding. There will be an Arbor Day celebration the last week of April. This is required to maintain the "Tree City" status.

*Lynne Dilliplane / Library:* There is nothing "major" upcoming. This week, however, are the "writer's group" and "maker's space"

*Mary Bricker-Jenkins / Friends of the African Union Church and Cemetery:* They are in the process of planning for the first annual celebration of "Juneteenth" in Delaware City. Thirty years ago, children playing in the reeds, discovered some "unusual" tombstones. David Orr (Delaware City resident) recognized them as tombstones issued from the federal government for USCT (U.S. Colored Troops). There are five soldiers interred there.

The first planning meeting was held at the library on January 11<sup>th</sup> at 6:00p.m. with over 20 representatives in attendance. Delaware City's celebration will begin on May 25<sup>th</sup> commemorating "Shove Off Day" (when both black and white soldiers set off from Virginia for Galveston, Texas to bring the word of emancipation) and ending on June 19<sup>th</sup>. This week, they will be breaking into "teams." There will be a budget/fundraising team, program team, etc.

## **OLD BUSINESS**

### **NEW BUSINESS**

#### **1) FY 2023 Auditor's Report**

Frank DeFroda (from Whisman Giordano – Certified Public Accountants) presented the results of the audit. He stated that in their opinion the financial statements of Delaware City are "fairly stated" for the FY 2023 audit. The city received a "clean opinion" report. This is the type of positive report that all cities would like to have. Since the city spent more than \$750,000 in federal funds, a special audit had to be done. There were no negative findings associated with the city's federal grant. The results of the audit were positive. Vice Mayor Barrett said that Finance Manager Graham "did a good job," and she offered her thanks.

#### **2) 905 Fourth Street (Oberholtzer) Subdivide Lot Into 3 Parcels – Final Approval**

This has previously been "approved" by the Planning Commission in December. The Planning Commission "recommended" that Council approve this plan. Lydia Oberholtzer was present, and she showed Council a blueprint of her land and where she wants to subdivide it. She wants to put a small house on one of the lots. Vice Mayor Barrett verified that one of the driveways will be off Fifth Street, and Mrs. Oberholtzer said yes. She will have to go to the State of Delaware concerning this driveway, since Fifth Street is a state road.

Vice Mayor Barrett made a motion to approve this subdivision. This was seconded by Council Member Jackson. A roll call was taken, and all were in favor. *The motion passed.*

#### **3) Fort DuPont Annual Report (Tim Slavin)**

Mr. Slavin has unable to attend the meeting, and he will give his report at the February meeting.

#### **4) Discussion Regarding Appointment of Acting City Manager**

Council Member Saunders stated that when Finance Manager Graham was the Acting City Manager previously, she seemed "overwhelmed" near the end. Does she plan anything different this time? She has developed a "transition plan" that will include delegating some duties to other town hall staff (such as attending Planning Commission and HPC meetings) as well as restructuring/revamping other duties in the office. Before, a lot of time and energy was spent on major projects in town, and hopefully this will not be the case in 2024.

Vice Mayor Barrett made a motion to approve Finance Manager Graham as Acting City Manager. A roll call was taken, and all were in favor. *The motion passed.*

Mayor Johnson recommended outsourcing the search for a new/permanent City Manager to an HR firm (budget permitting). Doing this, would take Mayor & Council out of the process, which the mayor thinks is best. Vice Mayor Barrett agreed, but would like to know the cost first.

Vice Mayor Barrett made a motion to have an outside HR firm search for a new City Manager, “contingent on the confines of the budget.” This was seconded by Council Member Saunders. A vote was taken, and all were in favor. *The motion passed.*

### **MAYOR & COUNCIL COMMENTS**

**Mayor Johnson:** The water pressure problems in town should be over. There was a situation in town where some areas peaked up to 80psi which caused issues – including two pipes bursting on Fourth Street. The city-wide pressure is now around 60psi – which is the goal. There is a new Facebook page for the city. The previous one was set-up years ago and the “login-in credentials” have been lost. This new page will have these stored in a safe place. He hopes to update the page a couple times per week, if not daily.

**Vice Mayor Barrett:** None.

**Council Member Saunders:** None.

**Council Member Jackson:** None.

**Council Member Price:** None.

### **CITIZENS QUESTIONS/COMMENTS**

*Dave Turley / 201 Clinton Street:* He wanted to give a “shout-out” to the fire department. He had a neighbor with a fire event in her home, and from the time of the 911 call to the first arrival of firetrucks/emergency personnel was four minutes. All personnel were very calm, compassionate, and professional, and he was quite impressed. (Mayor Johnson added that during the recent snow storm, many of the fire department personnel went out – voluntarily – to shovel many senior citizens’ driveways and walkways).

*John Buchheit/30 Clinton Street:* He fell in love with Delaware City after moving here about 20 years ago, and at this time began buying property in town. He and his partner own about twenty properties now that they have restored and refurbished. They do a lot of short-term rentals, and this rental income was going to fund their retirement. They feel that the passage of the recent ordinance dealing with short-term rentals will force them to sell their properties. The new ordinance requires property owners (providing short-term rentals) to reside in Delaware City. They had planned to retire elsewhere, but keep all their properties in town. He hopes that Council will hopefully reconsider this recently-passed ordinance.

- Council Member Saunders (who helped to draft this ordinance) said that the goal was to have some rules/guidelines concerning short-term rentals. Mr. Buchheit said, because of these restrictions, he feels like they are being driven out of town. Additionally, the fees the city wants to charge short-term rental property owners are very high and unfair.
- Mayor Johnson asked Mr. Buchheit to put all of his concerns in writing and to email Mayor & Council so that his issues and concerns could be looked into

He thanked Mayor Johnson for permitting him to decorate the gazebo over the holidays, and he would like to do it again next year

*Resident:* Is there anything in the works to fix all the potholes and repave Clinton Street? Some of the funding for repaving had to be reallocated to the Community Centers repairs, but once there is a clearer picture on available funding, the repairs to Clinton Street will be added to the list.

Tim Dilliplane/118 Clinton Street: During the last storm, a chunk of concrete fell out of the seawall on the river-side (near the flags). This needs to be evaluated.

**ADJOURNMENT**

**Mayor Johnson entertained a motion to adjourn the Mayor & Council meeting. Council Member Saunders made the motion. Council Member Jackson seconded the motion. All members were in favor. Mayor Johnson adjourned the meeting at 7:31p.m.**

*Respectfully submitted,  
Tina Pincus  
City Secretary*