

**CITY OF NEWARK  
DELAWARE**

**COUNCIL MEETING MINUTES**

**January 25, 2010**

Those present at 7:30 pm:

Presiding: Mayor Vance A. Funk, III  
District 1, Paul J. Pomeroy  
District 2, Jerry Clifton  
District 3, Doug Tuttle  
District 4, David J. Athey  
District 5, Ezra J. Temko  
District 6, A. Stuart Markham

Staff Members: City Manager Kyle Sonnenberg  
City Secretary Patricia Fogg  
City Solicitor Roger Akin  
Chief Paul Tiernan, NPD  
Finance Director Dennis McFarland  
Planning & Development Director Roy Lopata

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The meeting began with a moment of silent meditation and pledge to the flag.

1. Mr. Athey read a proclamation recognizing the Newark Post on the occasion of their 100<sup>th</sup> Anniversary on January 26, 2010.
2. MOTION BY MR. ATHEY, SECONDED BY MR. POMEROY: THAT ITEMS 2-F, APPOINTMENT OF PATRICIA BRILL TO PLANNING COMMISSION AND 2-G, RECEIPT OF ALDERMAN'S REPORT DATED JANUARY 19, 2010, BE ADDED TO THE AGENDA.

MOTION PASSED UNANIMOUSLY: VOTE: 7 to 0.

Aye – Athey, Clifton, Funk, Markham, Pomeroy, Temko, Tuttle.  
Nay – 0.

**3. 1. ITEMS NOT ON PUBLISHED AGENDA**

**04:06** A. Public

State Representative John Kowalko reported on an endowment fund providing Newark Senior Center memberships and transportation to residents unable to afford the cost. Jerry Heisler from the Reybold Group was recognized for creating the endowment. Mr. Clifton asked if this was an ongoing fund, and Mr. Kowalko suggested contacting Carla Grygiel at the NSC for further details. Mr. Kowalko also discussed the foreclosure mediation program, advocating for street activists to publicize the mediation program to property owners who received foreclosure notices. Mr. Clifton suggested program details be made available on the City's website and Channel 22. Mr. Pomeroy will share the information with Mr. Sonnenberg for his determination as to what would be appropriate to put out to the public. Mr. Kowalko reported the Joint Sunset Committee will hold the public review of the Newark Housing Authority in the Council Chamber on March 1st at 5:30 p.m. The agenda will be an overview of the Sunset process, opening comments by the Newark Housing Authority, questions and answers with the bi-partisan committee, followed by public comments of three minutes per individual and concluding remarks. Mr. Kowalko

remarked that the purpose of the review was to make sure the organization optimized their ability to serve people.

4. Bill Stritzinger, a Newark resident, noted that the budgeted purchase amount for water was \$20,000 for the year, and as of the end of November, the amount purchased was \$46,000. Mr. Sonnenberg will investigate and report back to Mr. Stritzinger.

5. Amy Roe, a Newark resident, congratulated Council for the fifth year anniversary since the adoption of Resolution 05-H, which increased the City's purchases of renewable energy. She said the City was seen as a leader in local government renewable energy policy as a result of the resolution. She requested an update on what the resolution achieved in the area of renewable energy purchases for the City in the past five years and what Newark intended to do into the future.

6. Syl Woolford, a Newark resident, thanked Mr. Temko for bringing the Dover Human Relations Commission to the 1/11 Council meeting. Mr. Woolford asked Council to approve a resolution, as he hoped the Dover City Council would, urging the Delaware Legislature to apologize for slavery.

7. **3-B. UNIVERSITY**

1. Administration

There were no comments forthcoming.

8. **3-B-2. STUDENT BODY REPRESENTATIVE**

There were no comments forthcoming.

9. **3-C. COUNCIL MEMBERS**

**18:58**

**Mr. Athey** – complimented the mural at the rail station on the underpass at the Hall Trail on South College Avenue which he felt was extremely well done; was pleased with the program working with convicted offenders to remove graffiti; complimented efforts on the e-newsletter now on the City's website; remarked that Restaurant Week appeared to be very successful; referenced the CAC memo recommending the Mayor sign on to the Cool Cities initiative – Mr. Funk suggested that staff be asked to review their recommendation to see if the City should move forward with it; thought the CAC Earth Hour idea was a good thing to do; asked for a report on the impact of raising fees in the Parks and Recreation programs and would like it discussed at a February meeting.

10. **Mr. Tuttle** – commented on the progress being made on the Elkton Road work which was a precursor to the reconstruction.

11. **Mr. Pomeroy** – said Restaurant Week had great crowds and felt the City's events get better each year as word spreads to a broader radius; regarding the Cool Cities program, he said most of what the CAC asked for was already being done and supported the Earth Hour idea; shared the Federal Reserve forecast that showed continued contraction in Delaware's economy with New Jersey and Pennsylvania expected to experience moderate expansions, but he believed Newark had been faring much better than other areas in the state; requested that a copy of the Newark Housing Authority Charter be distributed to members of Council in advance of the Joint Sunset Committee hearing on March 1; appreciated the Newark Police Department's diligent efforts on the attempted child abduction that happened recently in his district.

12. **Mr. Funk** – reported on a Newark Senior Center fund raiser at Iron Hill Brewery on 1/26; thanked the Newark Arts Alliance for their efforts on the mural; noted the University of Delaware and the U.S. Army were entering a joint venture

involving research to be done at the University and the creation of a number of jobs.

**13. Mr. Temko** – agreed with Council members comments about Cool Cities and Restaurant Week; was also interested in knowing the impact of the Parks and Recreations fee increases; regarding Resolution 05-H, he thought Ms. Roe was kind in not mentioning that there would be annual recommendations to Council about the City’s renewable energy purchases and felt this program had fallen off the table in its implementation. He felt it was important to revisit the City’s commitment to the unanimously-adopted Council resolution. Mr. Funk thought the surcharge for the Green Energy grant fund should be doubled. Mr. McFarland said the intent was to bring to Council at the same time both the CAC recommendation for what the City would buy in terms of renewable energy and a proposal to double the surcharge for the green energy grant fund. He said this would be done in February.

**14. Mr. Markham** – echoed the positive Restaurant Week comments but felt there was still room for public outreach based on speaking with people from Pike Creek who were not aware of the event; regarding the report from Parks and Recreation, he said leeway should be given on the numbers because of the change to the electronic newsletter, which might bring the numbers down; questioned the \$10 million bond for work at the Chrysler site mentioned in Governor Markell’s speech – Mr. Pomeroy did not think it would have any direct impact on the City, and Mr. Funk understood it was to assist in constructing the buildings for Jefferson Medical Research.

**15. Mr. Clifton** – mentioned Ms. Roe’s comments about Resolution 05-H because one of his concerns was Council agreed to purchase 1.5% of the City’s energy in renewable resources, and he hoped to move that further ahead. Although he knew the argument had been given that renewable energy was higher-priced, until the market was created for it, he believed it would always be more costly. He felt it was incumbent on publicly-owned utility companies such as the City to help drive that market. Mr. Clifton announced that he would be absent from the 2/8 Council meeting.

**16. 2. APPROVAL OF CONSENT AGENDA**

**37:55**

Item 2-A, Approval of Regular Council Meeting Minutes January 11, 2010, and 2-E, Receipt of Alderman’s Report Dated January 4, 2010, were removed from the Consent Agenda at the request of Messrs. Athey and Clifton respectively.

Mr. Athey requested clarification to the sentence on the 14<sup>th</sup> line of page 3, item 10, which was changed to read, “Mr. Athey questioned the possibility of selling the property **to a reasonably compatible business such as a non-profit**, as he did not see the economic feasibility in remediating the site as open space and did not believe the best solution was to leave it fenced in indefinitely.”

MOTION BY MR. POMEROY, SECONDED BY MR. ATHEY: THAT THE MINUTES OF JANUARY 11, 2010 BE APPROVED AS AMENDED

MOTION PASSED UNANIMOUSLY: VOTE: 7 to 0.

Aye – Athey, Clifton, Funk, Markham, Pomeroy, Temko, Tuttle.  
Nay – 0.

Mr. Clifton commented that In the Alderman’s Report dated January 4, 2010, the revenue of \$45,000 was \$15,000-\$20,000 lower than expected. He did not see any logical reason for that time period to be slow. Mr. Funk said Council no longer received the statistical reports listing the tickets issued which he found very helpful. Mr. Markham commented the Traffic Division was still down several officers, and Mr. Clifton asked the status of replacing the positions. Mr.

Sonnenberg said they had been working with the vacancies by moving personnel into different areas and noted there were currently five recruits in the Police Academy.

MOTION BY MR. CLIFTON, SECONDED BY MR. MARKHAM: THAT THE ALDERMAN'S REPORT DATED JANUARY 4, 2010 BE RECEIVED.

MOTION PASSED UNANIMOUSLY: VOTE: 7 to 0.

Aye – Athey, Clifton, Funk, Markham, Pomeroy, Temko, Tuttle.  
Nay – 0.

- B. Reappointment of Newark Memorial Day Parade Committee
- C. Reappointment of Mary Ellen Green to Board of Ethics
- D. Reappointment of John Kalmer to Property Maintenance Appeals Board
- F. Appointment of Patricia Brill to Planning Commission
- G. Receipt of Alderman's Report – Dated January 19, 2010

Ms. Fogg read the Consent Agenda in its entirety.

MOTION BY MR. POMEROY, SECONDED BY MR. TUTTLE: THAT THE CONSENT AGENDA BE APPROVED AS AMENDED.

MOTION PASSED UNANIMOUSLY: VOTE: 7 to 0.

Aye – Athey, Clifton, Funk, Markham, Pomeroy, Temko, Tuttle.  
Nay – 0.

17. **3. ITEMS NOT FINISHED AT PREVIOUS MEETING** – None

18. **4. FINANCIAL STATEMENT** – None

19. **5. RECOMMENDATIONS ON CONTRACTS & BIDS** - None

20. **6. ORDINANCES FOR SECOND READING & PUBLIC HEARING**

**51:01** A. **Bill 10-01** – An Ordinance Amending Chapter 20, Motor Vehicles and Traffic, Code of the City of Newark, Delaware, By Increasing the Load Restrictions Upon Motor Vehicles Parking in Residential Districts; and Removing Three Parking Spaces at 41, 43 and 45 North Chapel Street

Ms. Fogg read Bill 10-01 by title only.

MOTION BY MR. MARKHAM, SECONDED BY MR. CLIFTON: THAT THIS BE THE SECOND READING AND FINAL PASSAGE OF BILL 10-01.

Regarding Amendment 1, Chief Tiernan explained with the weight of many SUV's now exceeding 5,000 pounds, this would make it legal for residents to park their vehicles in front of their homes.

Amendment 2 involved a student renter who requested the Traffic Committee to have the parking spaces on either side of his driveway eliminated so he could exit and enter the driveway safely. The Traffic Committee voted to eliminate the three positions. Mr. Funk noted the Police Department opposed the request and asked their reason for opposition. Chief Tiernan said the vehicles being there acted more as a traffic calming device. After requesting the Public Works Director to look at the situation, he thought this was a good compromise.

Regarding the load size, Mr. Markham asked if this allowed people to park their five wheelers on the street. Chief Tiernan said there was a website the

traffic officers used to find the weight of the vehicles, and the five wheelers would exceed 7,000 pounds.

The Chair opened the discussion to the public.

Ben Capon, University of Delaware student, lived at 43 N. Chapel Street, and he spoke to the residents of 41, 45, 47 and 49 who use the same common driveway. He said with vehicles parked in front of his house, there was no visibility in either direction and was concerned from a safety standpoint.

David Robertson, a Newark resident, spoke about the difficult visibility coming out New Street onto Chapel Street because of cars parked so close to the corner and the curve coming from under the railroad bridge.

There being no further comments forthcoming, the discussion was returned to the table.

Question on the Motion was called.

MOTION PASSED UNANIMOUSLY: VOTE: 7 to 0.

Aye – Athey, Clifton, Funk, Markham, Pomeroy, Temko, Tuttle.  
Nay – 0.

**(ORDINANCE 10-06)**

**21. 6-B. BILL 10-02 – AN ORDINANCE AMENDING CHAPTER 7, BUILDING, CODE OF THE CITY OF NEWARK, DELAWARE, BY AMENDING THE 2006 INTERNATIONAL BUILDING CODE AS IT RELATES TO BUILDING AND PERMIT FEES**

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**59:48**

Ms. Fogg read Bill 10-02 by title only.

MOTION BY MR. CLIFTON, SECONDED BY MR. TUTTLE: THAT THIS BE THE SECOND READING AND FINAL PASSAGE OF BILL 10-02.

Mr. Lopata noted that the City's fees were reviewed periodically, and the building and permit fees had not been updated since October 2007. The ordinance also clarified several matters where fees were charged but were not listed in the Code. Several communities were surveyed to make sure the proposed fees were reasonable and reflected the market.

Messrs. Pomeroy and Funk asked how the proposed fees compared to surrounding areas including the County. Mr. Lopata said his sense was that most of these fees were much lower.

The Chair opened the discussion to the public.

Bill Stritzinger, a Newark resident, noted the fee increases ranged from 25% to 200% and pointed out that some were significant when looking at CO's and trying to attract people to the City. He commented the City's infrastructure was getting bigger, and he heard a number of comments from people who wanted to stay out of the City because of the uncertainty of cost increases. He felt there needed to be a lot of research done in preparation for next year's budget.

Mr. Lopata explained the City's ordinances, especially with the inclusion of the International Building Code, were now much more onerous. The inspectors were spending more time on plan review, and the current fees did not come close to covering the review costs. He felt the proposed fees were fair and equitable and said it was important to note that the fees covered all the users in the community. Mr. Pomeroy said he had not heard anybody who preferred

doing business with the County than with the City. However, if somebody previously paid \$250 for a preliminary plan review and was now paying \$5,000, he thought this was a significant jump and wondered if that might be a complete disincentive to stop them from coming to Main Street. Mr. Lopata noted the biggest impact would be for major projects such as the recent CVS project, and Mr. Athey questioned what financial impact these changes would have to the CVS project. Mr. Lopata said he did not know the valuation of the project and was unable to calculate the amount. Mr. Markham shared some of Mr. Pomeroy's concerns that while it did not sound like a lot of money, by doing a redevelopment project, the City got a nice kick in the tax base which he saw as an attractive incentive well above the fee increase.

There being no further comments forthcoming, the discussion was returned to the table.

Question on the Motion was called.

MOTION PASSED UNANIMOUSLY: VOTE: 7 to 0.

Aye – Athey, Clifton, Funk, Markham, Pomeroy, Temko, Tuttle.  
Nay – 0.

**(ORDINANCE 10-07)**

**22. 7. PLANNING COMMISSION/DEPARTMENT RECOMMENDATIONS**

**A.** Discussion re Downtown "Above Ground" Utility Impact Fee

**1:15**

Mr. Lopata reported that there was a recommendation in the Comprehensive Plan for the City to explore the possibility of establishing a funding mechanism for an underground utility impact fee. The Planning Commission recommended Council approve an assessment requiring that all developers in the downtown district be assessed a fee. The initial recommendation was for developers to pay 25% of the cost, and the community would pay the remainder. Following considerable concern at the Planning Commission meeting about funding, staff brought the issue to Council for their deliberation.

The Chair opened the discussion to the public.

Joe Charma, a Newark resident, urged Council to form a plan of action in a time period with measured milestones to accomplish this task. For example, he said these milestones could be: investigate all possible alternatives and costs to bury all power lines; bury some of the power lines or move them to the rear of properties; and derive a cost benefit matrix to assess the best course of action to investigate financing and funding alternatives from public and private sources.

Mr. Charma distributed a spreadsheet detailing how to finance or recoup costs associated with burying power lines. He felt burying or relocating the power lines could have a tremendous positive impact on the downtown area and suggested thinking about rising costs and who benefited from the project which he thought would be a good thing for the City in the long run. He said the key was to find an equitable way to obtain funding such as was done with the reservoir.

Mr. Clifton asked Mr. Charma what the selling point to the community would be for burying the lines on Main Street when looking at an overall increase in the electric rate that would affect commercial and residential customers. Mr. Charma said this was an intangible benefit, but if the downtown was vibrant, more businesses would be attracted and there might be a possibility of lower taxes because of profitable downtown activities. He said it was pennies if distributed over a three or five year period on the electric consumption which he

thought would be worth creating the better environment downtown for businesses.

There being no further comments forthcoming, the discussion was returned to the table.

The issue Mr. Athey had with this approach was if the proposal started immediately, the recently approved projects would benefit greatly as they were not paying into the fund. He thought this was a real equity issue and there had to be a different way to spread the cost and suggested 50% of the cost be through a downtown assessment. He felt there were multiple approaches and welcomed other perspectives.

Mr. Pomeroy thought Council's only decision was whether to pursue the proposal. He suggested Council decide whether to ask staff to evaluate a range of options with a cost benefit analysis so there was more information on which to base a decision. Mr. Pomeroy felt there was a great economic benefit to increasing the overall aesthetics of the downtown area and the idea was worth exploring, even if the end result was not burying the lines.

While Mr. Tuttle understood the aesthetic argument, he felt if Council wanted to consider a project that would cost \$20 million, they should discuss the parking garage instead. He believed parking issues inhibited growth on Main Street more tangibly than unattractive power lines. He did not think a lot of staff time should be committed to planning something the City could not afford.

Mr. Funk did not believe the downtown business community would buy into the proposal based on his discussions with the business community who did not want more fees. He said people loved coming to Newark, and a parking garage should be the number one priority based on traffic issues with burying the lines being second.

Mr. Temko thought it would be helpful to look into options in the event of future opportunities to pursue funding. He thought the project should be a long-term priority for the City and felt the entire City would benefit.

Mr. Markham noted the City had a concept for the parking garage but had nothing for dealing with the power lines.

Mr. Clifton agreed if funding was available, the parking garage would be the first priority. He supported moving forward to look at the options for the lines.

From Mr. Athey's experience, he said a cost-benefit analysis could be an enormous amount of work, particularly when talking about the intangibles. At the very least, he thought Council should be on record as having the intent to do this long-term and although it would not be the highest priority, there should be a further evaluation of options to keep the discussion in the public venue.

Mr. Sonnenberg was asked to have staff brainstorm other concepts within the next six months.

## **23. 7-B. NEW CENTER VILLAGE REDEVELOPMENT PLAN**

**1:43**

Mr. Lopata reported this was the first public discussion of the proposal at the Council level. The catalyst for this proposal was the CVS project where there was a general discussion of nearby properties on Choate, Linden, Center and New Streets. A public workshop was held with the property owners followed by a questionnaire. The suggestion was for the City to consider using either existing or new housing assistance programs to target owner occupancy in the New Center Village area. They would be targeted and experimental, and considering the budget situation, he did not believe that would happen overnight. A related aspect was the possibility of a City-University housing development corporation

that would purchase properties in the downtown area in general (not restricted to this community) and would make them available for sale to owner occupants. The next aspect was trying to establish a new zone that would apply only to this community, but, if successful, could be used elsewhere. The intent would be to provide significant density bonuses with very strict development regulations through the site plan approval process already in place in exchange for developers and land owners agreeing if they changed or wanted to expand their property, they would be limited in terms of the rental use of the property as was done in other areas throughout the City. Examples of other communities where that worked were Abbotsford, Country Place and Williamsburg Village. Mr. Lopata noted this was the most successful tool the City had to keep these as owner-occupied communities. He said there was very strong resistance on the part of the land owners to the idea of restricting their ability to rent, so what was being proposed was that everybody was grandfathered. If a landlord did not want to change or expand their property in terms of density, they could continue renting their properties forever. If a landlord wanted to change, they would be permitted a calculated maximum density of 25-30 units per acre based on discussions with the development community.

Mr. Lopata concluded by saying what was being done was using the existing market, a university community with student rentals, and the parameters of the Code while planning for a growing and evolving community in the way he felt the community desired.

Mr. Clifton asked if this plan would require buildings to be demolished. Mr. Lopata said some of the existing buildings could be renovated. He noted that most of the units were successful as rentals, and if the City wanted to change that usage, a serious incentive program would have to be developed. Mr. Clifton questioned whether it was realistic that this be applied as a template to other communities such as George Reed Village and Cherry Hill Manor. Mr. Lopata said once there was experience with this model, the template could be modified or adapted to other communities

Mr. Pomeroy saw this as a different area than Cherry Hill Manor because it was urban living. He believed there were elements of a template that could provide incentives for redevelopment or the addition of owner-occupied incentives in other neighborhoods. He thought given recent dynamics with Chrysler and Aberdeen, the City had an opportunity to move towards being more of a destination area for young professionals who wanted to reside in Newark. He felt the plan would allow the City to start moving away from transitory residents to more permanent owner-occupied residents. He thought this was a plan that would create a zoning overlay targeting a certain type of professional – recognizing a market niche that could be used to the City's benefit in order to enhance and alter some of the dynamics of the owner-occupied population in the City. He cited Trolley Square as an area where there was a range of different type housing with high density. He believed there was a life style choice associated with that area that catered to an audience Newark had not fully capitalized on.

Mr. Clifton wanted this to be the genesis of the template for George Reed Village, and he cited the Hyatt Palma report 13 years ago which targeted the New Center Village area, George Reed Village and all the areas within close proximity to the downtown area. Mr. Pomeroy thought this plan could provide the impetus to move into these other areas to create similar programs. Mr. Clifton wanted to see an outreach component to go along with the plan. Mr. Pomeroy agreed and said creating a market demand would be a vital step.

Mr. Athey agreed there was a market not being captured. However, he was not comfortable with the assumption that the market would be in this one location. He mentioned Tyre and Continental Avenues, and said this template could apply in many places. He disagreed with using the City's limited funds in

this one area and pointed out that, based on the survey, the community was not asking for this.

Mr. Markham looked at this as an experiment and said the current property owners (primarily rental properties) were not the target for that area since the City wanted owner occupants. He suggested expanding the map, and Mr. Lopata said it was illustrative and was not meant to be a final map. Mr. Markham noted the City had not yet determined what to do with the property it was acquiring. He said this could become an owner-occupied property, and the income could be used as seed money to purchase another property and thereby influence the area. Mr. Lopata said that property was left out deliberately because it was under Council control and they had to decide what to do with it. Mr. Markham believed the other issue problematic to the area was the UD athletic field, and he felt the City could get the University to buy into establishing some kind of barrier to making the area more attractive.

Mr. Pomeroy referenced conversations he had with the University related to providing incentives to their employees for purchasing homes within the City. He thought now was the time to take positive steps towards the market recovery.

Mr. Funk emphasized the importance of reinstating the \$30,000 POOH incentive towards the purchase of single-family homes and felt it was important to cap this at \$30,000 vs. \$50,000 because he did not think more people would get involved in the program at that level.

The Chair opened the discussion to the public.

Joe Charma, a Newark resident, said the City was on the verge of an exciting opportunity to change the face of the central business district. The proposed NCV overlay would be a tool in the City's zoning toolbox to promote owner-occupied housing. He said it was evident this was a viable alternative based on sales of the Washington House condominiums. Further, the zoning would offer existing property owners an option to remain a rental property or convert to owner-occupied housing. The task was to make owner-occupied housing the preferred option. He felt the very small RS and RD zoned lots created problems with many of the properties in the area with respect to redevelopment opportunities. Further, he said even with zoning variances, reconstruction opportunities were very limited with no incentive to property owners to create a few fee simple lots with single-family or duplex homes when they could rent to 4-6 occupants in a single dwelling unit. Key elements to change the mindset were to allow critical mass of fee simple units such that it encouraged adjacent property owners to assemble their properties into large subdivision parcels where buildings could be built such that the number of units for sale produced affordable homes. He also saw the need to employ neo-traditional architectural styles and land development practices to create compact sites with higher densities that would result in aesthetic high-quality neighborhoods. Mr. Charma also felt it was important to consider each proposal on its own merits while assessing the overall contribution to the community. Further, he thought it was important to offer other financial incentives to property owners, builders and developers to encourage investing in the neighborhood. He suggested promoting high-quality amenities in individual living units to attract buyers and promoting energy-efficient and green building designed construction practices to attract a new generation of environmentally-responsible home buyers. Mr. Charma said the City would benefit financially from the construction of new housing units by the additional jobs created from the projects and the transfer taxes collected from real estate sales, from future property taxes, from revenues generated by the sale of utilities and City services provided to new housing units and from the full-time population of new residents living downtown. He urged Council to think outside the box and take advantage of this opportunity.

Matthew Egan, a Newark resident, said he and his wife searched for a home as close to Main Street as they could get several years ago. If this project

was available to them at that time, they would have bought a home closer to Main Street. He said to support the rezoning, a density of at least 30 units per acre would be the necessary incentive to a land owner with a lucrative rental property.

Rick Longo, owner of Hillcrest Associates who developed a number of properties in the City, said with the proper density, architecture and the help of a really creative Planning Department, he was able to create 2, 3 and 4 unit groups that looked like one big house and sold for more than single-family homes. He said builders would build until the market failed, and right now, the biggest market in the City was student housing. He thought the upscale student housing would turn into great single-family or condo units that would be very marketable. He thought the proposed market was needed in the City and should be high quality, low maintenance, small and affordable. He thought there were a lot of people in the City that would enjoy this, not only young families, but older families, and thought it was a great place to try it with an overlay. He thought it was a great opportunity and looked forward to being involved.

Amy Roe, a Newark resident, reminded Council what was intended when the plan was conceived. She cited Mr. Pomeroy's proposal that the Planning and Development Department, in conjunction with other City departments, the City Manager, the University of Delaware and the community at large, be requested to prepare a detailed revitalization plan for Center/New/Linden Streets. Her concern was the lack of community involvement in the development of the plan. She said the only public meeting held was with property owners on 8/26/09 followed by a property owner questionnaire. She was also disturbed by the lack of discussion with the University of Delaware and requested that community input be incorporated into the development of the plan from this point forward.

Jean White, a Newark resident, felt it might be beneficial to involve top officials at the University with the plan. She pointed out that the Comprehensive Plan said Council may need to consider density reductions for projects of this type on a case by case basis. However, the current discussion was about a huge increase in density, and she thought there needed to be further vetting of that idea. Mrs. White did not believe that the larger Newark community had any input or understanding of what was proposed and thought it was premature at this point to bring it to the Planning Commission. She suggested a workshop (or several) on this topic so the public could be actively involved. Furthermore, she suggested having planners from other communities to provide input on how the revitalization could be accomplished. She thought the source material should be made available to the public to study. Mrs. White was upset that the first two properties behind the Post Office building were omitted from the plan and felt it should have been mentioned that the first property on Main Street was the Post Office and that the City supported keeping the facility in operation.

Bruce Harvey, a Newark resident, said the landlords he knew were not comfortable with an outside force making decisions about their property. He believed one thing missing from the plan was a market study which he said was essential for anything that involved the transfer of assets. He felt the tenants were left out of the conversation and recommended getting everyone from the area involved in the process.

Jerome Gravatt, a Center Street property owner, said his two properties were part of the plan. His property at 24 Center Street was a six unit, three-story apartment building. There were two other similar properties in the plan. He asked how multi-unit properties fit into the scenario. Mr. Lopata said they could be kept just as they were.

Jim Lisa, property owner, said he attended the meeting on 8/26 and was also part of the questionnaire. He opposed the development plan as it was drafted. He said 84% of the area was made up of student rentals and commented on the negative impact from the lights and noise at Frazer Field, the

dilapidated housing and the use of the neighborhood as a traffic cut through. Regarding redevelopment of the area, he thought the way to do it was by giving a density bonus not only for residential owner occupants but also for student housing.

There being no further comments forthcoming, the discussion was returned to the table.

It was the consensus of Council that Mr. Lopata move forward with a more formal plan to be presented to the Planning Commission and then to Council.

**24. 8. ITEMS SUBMITTED FOR PUBLISHED AGENDA**

**A.** Council Members: None

**B.** Others: None

**25. 9. SPECIAL DEPARTMENTAL REPORTS**

**A.** Special Reports from Manager & Staff: None

**26. Meeting adjourned at 10:24 p.m.**

Patricia M. Fogg, CMC  
City Secretary

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