CITY OF NEWARK
DELAWARE

COUNCIL MEETING MINUTES

May 24, 2010

Those present at 7:00 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 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.

MOTION BY MR. CLIFTON, SECONDED BY MR. POMEROY: THAT AGENDA ITEM 8-A-2, MEADOW PROGRAM DISCUSSION, BE ADDED TO THE AGENDA AND THAT THE PROCLAMATION TO MRS. LINDA BURNS, BE REMOVED FROM THE AGENDA.

MOTION PASSED UNANIMOUSLY: VOTE: 7 to 0.

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

1. **1. ITEMS NOT ON PUBLISHED AGENDA**
A. Public

1:05

Ivan Nusic, a Newark resident, was concerned that a number of people in the City were appearing dressed in public with their faces completely covered which he believed was a custom that satisfied their religion. For safety reasons he thought the City should not allow this practice. Mr. Nusic also requested that the information on Channel 22 be updated.

2. Michael Greenberg, a Newark resident, lived next to a student rental property (224 West Main Street) where the tenants were held responsible for lawn mowing. He thought this was unreasonable. Mr. Funk advised that under City Code, the landlord was responsible for mowing. Mr. Sonnenberg will handle the complaint.

3. **1-B. UNIVERSITY**
1. Administration - There were no comments forthcoming.

4. **1-B-2. STUDENT BODY REPRESENTATIVE**

There were no comments forthcoming.

5. **1-C. COUNCIL MEMBERS**
09:41

Mr. Temko – issued a reminder about the Christina School District referendum on 5/25; regarding Mr. Nusic's concern about Muslim attire, he felt the decision was a religious choice that had nothing to do with politics and thought the City should respect that choice; felt the comments about outdated information on Channel 22 were heard on a recurring basis – Council members thought there had been improvement and the information was fairly current; questioned the status of Ms. Roe's request for permit parking on Sunset Road – Mr. Funk said the Traffic Committee would pursue requests only upon receipt of a petition from the residents. Mr. Sonnenberg noted this was pointed out to Ms. Roe when she first brought the situation to Council. Mr. Athey had not received any further requests from residents on Sunset Road.

6. **Mr. Athey** – said the Memorial Parade was a fantastic event with great weather; reported there will be a ceremony on 6/5/10 at Kells Park recognizing the designation of the James F. Hall Trail as a National Recreation Trail by the Department of the Interior; reported Mike Fortner of the Planning & Development Department had published his memoirs from the two years he lived in West Africa as a member of the Peace Corps and encouraged everyone to read his book.

7. **Mr. Clifton** – congratulated Mr. Athey on his 50th birthday; asked Mr. Sonnenberg if he would be reporting back to Council on the New Urbanist conference he attended – Mr. Sonnenberg was preparing a report for Council.

8. **Mr. Tuttle** – felt the good weather encouraged the big turnout at the Memorial Parade; acknowledged those who attended the WILMAPCO public session for the Newark Transportation plan; reported that Planner Mike Fortner would be the alumni speaker at UD commencement on 5/29 for the School of Urban Affairs and Public Policy.

9. **Mr. Markham** – commented on the beautiful weather and the good turnout for the Memorial Day Parade; mentioned move-out week/U Don't Need It and Newark Nite on 6/5; was glad to see that bike sharing was back under consideration by the Bicycle Committee.

10. **Mr. Funk** – thanked those who came to the parade and said he was proud of all the people who participated.

11. **2.** **APPROVAL OF CONSENT AGENDA**

19:31

A. Approval of Regular Council Meeting Minutes – May 10, 2010

B. Receipt of Alderman's Report -- May 3, 2010

C. ***First Reading* – Bill 10-09** - An Ordinance Amending and Combining Chapter 6, International Energy Code with Chapter 7, Building, Code of the City of Newark, Delaware, and Establishing a Newark LEED Based Energy Conservation Program – ***2nd Reading 6-14-10***

D. Appointment of Marguerite Ashley and Tim Barchak to Newark Housing Authority

Ms. Fogg read the Consent Agenda in its entirety.

Mr. Athey requested that Item 2-D, Appointment of Marguerite Ashley to Newark Housing Authority, be removed from the Consent Agenda (appointment of Tim Barchak was not removed from the agenda.)

MOTION BY MR. POMEROY, SECONDED BY MR. MARKHAM: 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.

12. 2-D. APPOINTMENT OF MARGUERITE ASHLEY TO NEWARK HOUSING AUTHORITY

20:36

Mr. Athey was disappointed to learn that Ms. Ashley was unable to serve on the Newark Housing Authority due to her inability to attend the 3:00 pm meetings. He believed she was an extremely qualified candidate, and felt the afternoon meetings were a roadblock to finding good candidates. For this reason, he suggested that a letter be sent to the Board requesting them to reconsider their meeting time. Although the Joint Sunset Committee made the same recommendation, the NHA was not required to make the change. Mr. Funk reported he previously made this request to the NHA Executive Director to no avail. Council members agreed the City should send a written request to the NHA Board.

13. 3. ITEMS NOT FINISHED AT PREVIOUS MEETING

22:53

A. Authorization to Execute Agreement with Aetna Hose Hook & Ladder Company

Ms. Fogg explained Council had previously approved the agreement for the issuance of certain bonds or notes by Aetna. Aetna, however, learned that a public hearing and resolution were required by Council.

The Chair opened the discussion to the public.

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

According to Mr. Akin, the agreement did not present a liability issue to the City.

MOTION BY MR. CLIFTON, SECONDED BY MR. TUTTLE: THAT THE RESOLUTION BE APPROVED AS PRESENTED.

MOTION PASSED UNANIMOUSLY: VOTE: 7 to 0.

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

(RESOLUTION NO. 10-O)

14. 4. FINANCIAL STATEMENT

24:09

Mr. McFarland presented the April 2010 Financial Report. On a City-wide basis, results were about $2.2 million under budget and were expected to come close to budget by year end depending on transfer tax revenues.

The Governmental Funds were about $700,000 under budget, with the bulk of that due to lower-than-budgeted transfer tax revenues and grant revenues which were trailing budget by about $264,000. The grant revenues were a timing difference. The transfer tax revenues were significantly under budget, although there was an uptake in the last several months in the number of scheduled residential property transfers, with 59 in April and 74 in May. Operating expenses in the Governmental Funds were relatively on budget.

Enterprise Funds were $1.4 million under budget primarily due to the revenue shortfall of $1.3 of which about $1 million was from shortfalls in the Electric Fund. The shortfall was addressed by the increase in the PPCA in mid-May and thus, the electric target for revenues should be hit or be slightly above.

The Sewer Fund was still trailing by about $225,000, mostly due to timing. The expenses in the Enterprise Funds were slightly over, also a timing difference due to contractual payments for the maintenance-type agreements early in the year. Expenses were expected to come in close to budget, and revenues across the board should be on track with some weakness in the transfer tax and fine revenues.

The cash reserve position was $11.5 million at the end of April, a decrease of $1.8 million from the beginning of the year. Mr. McFarland assumed this would come back by year end to hit budget.

Regarding Mr. Markham's question about the municipal street funds, Mr. McFarland said it was assumed for budgeting purposes that the City would receive $500,000, and the Capital Program was set up to use those funds. Thus, if the funds were not received, capital expenditures could be reduced by a like amount, and the projects would not be completed.

Mr. Markham noted traffic and parking enforcement was running behind. Mr. McFarland said there was a slight shortfall because of staffing but the fund was now back up to budget levels.

Mr. Funk questioned receivables at $8.9 million in 2010, up from $7 million in 2009. Mr. McFarland explained this was based on the timing of the University's utility payments.

MOTION BY MR. ATHEY, SECONDED BY MR. CLIFTON: THAT THE APRIL 2010 FINANCIAL REPORT BE RECEIVED.

MOTION PASSED UNANIMOUSLY: VOTE: 7 to 0.

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

15. 5. RECOMMENDATIONS ON CONTRACTS & BIDS – None

16. 6. ORDINANCES FOR SECOND READING & PUBLIC HEARING

30:18

A. Bill 10-10 - An Ordinance Amending the Zoning Map of the City of Newark, Delaware, By Rezoning from BB (Central Business District) to BC (General Business) a 1.9959 Acre Parcel at 601 Ogletown Road **(See Item 7-A)**

(NOTE: The following is the public hearing for the rezoning and the special use permits – see Item #18.)

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

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

Thomas Mammarella, the attorney representing the applicant, Fusco Enterprises, explained that the project involved the redevelopment of the former Bennigan's restaurant to a Wawa convenience store. The proposed store structure would have about 5,589 square feet of gross floor area of which approximately 2,300 square feet would be devoted to retail sales. It was also proposed to have six multiple product dispensers with twelve fueling positions for the retail sale of gasoline. The property was just short of two acres.

At its meeting on September 1, 2009, the Planning Commission recommended approval of the rezoning and the two special use permits conditioned upon: a channelization of traffic from the access road eastbound

onto Ogletown Road; clarification of the ownership and responsibility for the maintenance of the access road; evaluation of the traffic impact of the proposed use by means of a traffic operational analysis; and appropriate sight access way directional signage. The ownership and responsibility for the access road was resolved through an easement agreement with the State of Delaware.

Colm DeAscanis of CDA Engineering said they worked with DelDOT and with a traffic engineering consultant on the traffic operational analysis. In addition to responding to DelDOT's comments, they refined the plans to address comments from the Planning and Parks & Recreation Departments.

Scott Girard, Wawa Engineering Manager, provided background about operational considerations of the store. Wawa was a privately held convenience store company with 560 stores in Pennsylvania, New Jersey, Maryland and Virginia. The proposed store will have six or seven full-time employees and 25-30 part-time employees. The store would be open 24 hours, 365 days a year, and offered an essential service to the community as they were often one of the few retail stores open during snow and other serious storms. They ran a safe operation and Wawa employees monitor all security for fire, theft and environmental at their headquarters. Mr. Girard said the facility would start a pilot program offering passenger car diesel fuel in addition to gasoline.

Mr. Markham clarified that the diesel would not be sold to tractor trailers. Mr. Girard said their fueling positions were not designed to handle 18 wheelers.

The Chair opened the discussion to the public.

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

Mr. Temko said the project was a good fit since it was in an area adjacent to other business-commercial zoning and felt it was a great complement to the City.

Mr. Pomeroy said Wawa was a great regional company and a great addition to Newark, and he would be voting for it.

Mr. Athey felt Wawa was a class operation and said it might bring up some of the surrounding areas. He thought it would be a good addition and looked forward to seeing the store open.

Mr. Clifton thought this was the ideal location for the store, and his neighbors at Fountainview (some of the closest residents), supported the store. He believed it was a well-run company controlled by corporate and thought it would be a good partner to the City.

Mr. Tuttle thought Wawa was an excellent company to welcome to this location, and the rezoning request was consistent with the adjacent property. He was glad the business was coming to Newark.

Mr. Markham disclosed that his company had done business with Wawa in the past, although he had not worked directly on any projects for them. The project made sense to him with BC zoning around it, and he thought it should fit in with the surrounding area. He would support the rezoning.

Mr. Funk said Wawa was a class act with very professional employees, and he was happy to have them in the community.

Question on the Motion was called.

MOTION PASSED UNANIMOUSLY: VOTE: 7 to 0.

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

(ORDINANCE NO. 10-14)

17. 6-B. BILL 10-11 - AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF NEWARK, DELAWARE, BY REZONING FROM AC (ADULT COMMUNITY) TO RR (ROW OR TOWNHOUSES) AN 8.18 ACRE PORTION OF THE VILLAGE AT TWIN LAKES SUBDIVISION LOCATED ON THE EAST SIDE OF ELKTON ROAD, BETWEEN THE NEWARK INTERSTATE BUSINESS PARK, OTTS CHAPEL ROAD, AND THE NORTHEAST CORRIDOR RAILROAD RIGHT-OF-WAY (See Item 7-B)

46:19

(NOTE: The following is the public hearing for the rezoning and the major subdivision.)

Ms. Fogg read Bill 10-11 by title only.

MOTION BY MR.CLIFTON, SECONDED BY MR. TUTTLE: THAT THIS BE THE SECOND READING AND FINAL PASSAGE OF BILL 10-11.

Jeff Lang, a Newark resident and the property owner, was seeking approval to modify the previously approved project of 88 age restricted garden apartment condominiums. The proposal was to replace the approved pair of two-story condominium buildings with two sets of six adult community townhouses and replace 56 adult community apartments with 60 fee-simple townhomes. The overall idea of the project was to design the townhouse project similar to the existing condo side to give the feel of one project.

Initially, the current residents voiced a number of concerns about logistics and how the changes would impact them. Mr. Lang reported he subsequently met with the residents and reached a consensus, and they now unanimously supported the project. Their support hinged on the fact that the quality project would be continued, and that the residents would be part of a nice community.

Mr. Lang said the benefit to the City would be that the project would continue to evolve. He felt they would be able to start construction within the next month or two and have units up and people living in the balance of the project this year. He felt the entry level housing created another benefit by attracting new families to the community.

Mr. Pomeroy asked if the new housing would be marketed as owner-occupant units. Mr. Lang said the target market would be owner-occupants.

The Chair opened the discussion to the public.

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

Mr. Markham noted that two members of the Planning Commission voted against the request and asked if Mr. Lang felt their concerns were addressed. Mr. Lang said the primary discussion at the Planning Commission related to whether the developer would revise the plan and bring it back to the Planning Commission for review and support. Mr. Lang's plan was to incorporate the modifications resulting from the Planning Commission meeting and then go before Council with the revised plan.

Mr. Lang said the site plan approval actually gave them flexibility, and they now had groups of three and four units which created more end units. End units and side yards were popular with tenants, but the Zoning Code had a lot of

inflexibility with side yards (buildings had to be 50 feet apart instead of 25 feet), so those requirements caused them to seek site plan approval.

Mr. Markham pointed out there were questions about adequate funding in the maintenance organization to take care of common areas. Mr. Lang said there would be a maintenance association for the townhomes and a condo association for the condominiums. Both would pay fees into a joint organization which would maintain the common components of the project. Further, the condo owners discussed how they would be able to afford long-term maintenance of the Clubhouse. The resolution was the Clubhouse became a joint component for the benefit of the entire 88 units, and costs would be spread evenly across the 88 units. There was also a discussion regarding a pool, and the residents agreed not to have a pool since the cost would be prohibitive for the 28 units. Mr. Lang pointed out the project size of 88 units was smaller than typical for a community pool.

Mr. Lang explained that a common understanding was reached with the current property owners, and most of the issues raised at the Planning Commission meeting were resolved. The only concern that still existed was the roadway because the condo portion of the road would be private while the City would take over the townhouse portion of the road. To avoid confusion, Mr. Lang requested that the City take over the entire roadway as part of the approval process. He said the Public Works Department did not support the request because it was not typical of condominium projects, although the roads were built to City standards. Mr. Markham questioned whether the City wanted to take on the expense. Mr. Tuttle observed it would be confusing for residents if the City plowed only a portion of the streets during snow storms. Mr. Funk was concerned that other condominium projects would come back with the same request. Mr. Lopata pointed out with the way the development was laid out, this was an unusual circumstance.

A discussion ensued about the road becoming a public vs. a private road. Mr. Athey expressed concern about committing the City to future responsibility for repaving and maintenance repairs. Mr. Markham asked if the City would receive any remuneration for taking over the streets, and Mr. Lang pointed out revenues that would be generated by the project. Further, he learned there would be a fee for stormwater management, although the developer would maintain two ponds on the site and thus not be receiving that service from the City. Mr. Clifton wanted to avoid setting precedents where other age-restricted communities would come back with a similar request. He said one of the benefits of private roads such as Fountainview had was the control over parking.

Mr. Temko asked for a ballpark estimate on the cost for the City to maintain the additional roadway, but Mr. Sonnenberg did not have figures available.

Mr. Lang felt the big picture for Council to consider was whether the City netted enough tax, electric and other revenues to justify servicing the road. He said this was not a gated community and did not give the appearance of a condominium complex when you drove into the site.

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Mr. Athey asked Mr. Lopata the logic of the Code providing City maintenance for fee-simple townhouses. Mr. Lopata said it germinated from an appendix in the subdivision regulations that showed a chart for a typical RR street. He felt it was something the City might want to examine based on situations like this since it required a public road where the City might prefer a private road.

Mr. Lopata noted the condo market was not good nationally and without Council's approval, the project might sit undeveloped with no tax revenue being generated for the City.

Mr. Athey suggested the deed restrictions or the subdivision agreement state that the City would be responsible for annual maintenance, but major restoration was the responsibility of the Phase I Adult Community.

Mr. Markham requested the record include a copy of the agreement by the current residents to the proposed change in the project. Mr. Locke shared the document with Council during the meeting, and a copy will be kept on file in the City Secretary's office.

Mr. Lang said there would be a maintenance association and a condominium association with one person overseeing both. Mr. Locke confirmed Lang Development would be the management company for this facility, and there would be two separate entities, the Village of Twin Lakes Condominium Association comprised of the 28 homeowners and the Village of Twin Lakes Homeowner's Maintenance Association made up of the 60 homeowners.

AMENDMENT BY MR. ATHEY, SECONDED BY MR. TEMKO: THAT THE SUBDIVISION AGREEMENT BE AMENDED BY ADDING A PROVISION THAT THE CITY WILL MAINTAIN THE ANNUAL MAINTENANCE ON THE PHASE I PORTION OF THE STREETS TO INCLUDE SNOWPLOWING AND OTHER MINOR MAINTENANCE, BUT ANY MAJOR RESTORATION WORK AT A FUTURE TIME PERIOD WILL BE THE RESPONSIBLITY OF THE MAINTENANCE ASSOCIATION.

Mr. Pomeroy asked if this action might create a precedent for other condominium communities to petition for such an exemption. Mr. Akin did not believe this street maintenance issue was binding or set a precedent for any existing condominiums nor any to be built in the future. He said every subdivision presented different facts, and this one was unique.

In regard to how the amendment was worded, Mr. Markham asked whether the current condo owners had sole financial responsibility to maintain the private area.

Mr. Sonnenberg asked for clarification whether the intent was that the road be public or private. He thought it would be clearer if Council decided to make the road public which the City then would handle like every other public street.

Mr. Athey withdrew the amendment, and Mr. Temko withdrew his second.

AMENDMENT BY MR. TEMKO, SECONDED BY MR. TUTTLE: TO MAKE THE STREET IN THE PHASE I PORTION OF THE TWIN LAKES SUBDIVISION A PUBLIC ROAD.

AMENDMENT PASSED: VOTE: 5 to 2.

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

Mr. Markham supported the rezoning because it would move the project forward, the project was not rentals, and there was a written agreement to the changes by the residents. However, he was not sure he would have previously supported the project if he knew what the outcome would be.

Although Mr. Tuttle was not a member of Council when Twin Lakes was originally approved, he believed he would have voted against rezoning the land residential because of the location and the fact that it was not a walkable community. Since the property was now occupied, he would support the proposal because it moved the project towards completion. He also thought there was some value to a mixture of age groups.

Mr. Clifton was initially opposed to the request and was concerned about its impact on other communities. However, with the downturn in the economy, the City had to decide whether to give reprieve to this one location. One of the benchmarks he wanted to see because of the effect it would have on other communities was a 100% buy in of the residents. He noted that Mr. Lang received full support. Further, he felt the community was a unique design in its layout which lent itself to a natural divide. For those reasons, he would support the request.

Mr. Athey did not support the original project. However, he did see a difference here, and he thought the City should be reasonably flexible to developers. He did not see this as a major precedent, and since there was no owner opposition, he would support the project.

Mr. Pomeroy stated the biggest growth opportunity in the City over the course of the next several years will come from BRAC opportunities and from development in and around the Technology Park and the Chrysler site. To highlight this point, the potential development at the intersection of Barksdale and Valley Road on the Maryland side was turned down twice. The developer finally came forward with a plan of 118 new residential, mixed-use units. Mr. Pomeroy felt they recognized the potential for a turn in the economy in this area. He felt one of the advantages of the Twin Lakes project was that it was a newer product and an entry-level product that spoke specifically to that market place. He will support the project.

Mr. Temko planned to support the project given its location with no impact on adjacent areas. He appreciated the fact that the developer proactively approached the residents and was pleased the project would be moving forward.

Mr. Funk agreed with Mr. Pomeroy and supported the proposed change. From feedback at the BRAC events he attended, the vast majority of the people he spoke to wanted to live in Delaware rather than in Maryland, and the location right next to I-95 was ideal. He noted most townhouses in New Castle County were 18-20 feet wide while these were 24 feet and that they would be very attractive townhouses in a really good-looking community.

Question on the Motion as Amended was called.

MOTION AS AMENDED PASSED UNANIMOUSLY: VOTE: 7 to 0.

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

(ORDINANCE 10-15)

18. <u>7. PLANNING COMMISSION/DEPARTMENT RECOMMENDATIONS</u>

A. Request of Fusco Enterprises, LP for a Special Use Permit for the Sale of Gasoline and a Special Use Permit for a Retail Food Store Greater than 5,000 Sq. Ft. Floor Area (to be known as Wawa) at 601 Ogletown Road (Former Site of Bennigan's Restaurant) **(See Item 6-A)**

(NOTE: The public hearing for the special use permits and the rezoning was held under Item #16.)

MOTION BY MR. CLIFTON, SECONDED BY MR. MARKHAM: THAT THE SPECIAL USE PERMITS BE APPROVED AS REQUESTED.

MOTION PASSED UNANIMOUSLY: VOTE: 7 to 0.

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

19. 7-B. REQUEST OF IRON HILL PROPERTIES, LLC, FOR THE MAJOR SUBDIVISION OF AN 8.18 ACRE PORTION OF THE VILLAGES AT TWIN LAKES SUBDIVISION, LOCATED ON THE EAST SIDE OF ELKTON ROAD BETWEEN THE NEWARK INTERSTATE BUSINESS PARK, OTTS CHAPEL ROAD, AND THE NORTHEAST CORRIDOR RAILROAD RIGHT-OF-WAY, IN ORDER TO REPLACE THE APPROVED PAIR OF TWO-STORY CONDOMINIUM BUILDINGS WITH TWO SETS OF SIX ADULT-COMMUNITY TOWNHOUSES AND TO REPLACE 56 ADULT-COMMUNITY APARTMENTS WITH 60 FEE-SIMPLE TOWNHOMES. (See Item 6-B)

(NOTE: The public hearing for Bill 10-11 and the major subdivision was held under item #17.)

MOTION BY MR. POMEROY, SECONDED BY MR. CLIFTON: THAT THE MAJOR SUBDIVISION BE APPROVED AS REQUESTED.

MOTION PASSED UNANIMOUSLY: VOTE: 7 to 0.

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

(RESOLUTION NO. 10-P)

20. 8. ITEMS SUBMITTED FOR PUBLISHED AGENDA

A. Council Members:

1. Resolution 10-__: City of Newark Participation in National League of Cities (NLC) Prescription Discount Card Program

1:39

Mr. Sonnenberg explained the National League of Cities offered a Prescription Discount Card Program with open participation and no cost for enrollment. The program saved participants an average of 20% off prescriptions not covered by insurance. There were no requirements based on age or income, and nine out of ten pharmacies nationwide participate in the program. The City's only responsibility would be to publicize the program and distribute the cards.

MOTION BY MR. CLIFTON, SECONDED BY MR. TUTTLE: THAT THE CITY OF NEWARK BECOME A PARTICIPANT IN THE NATIONAL LEAGUE OF CITIES PRESCRIPTION DISCOUNT CARD PROGRAM.

MOTION PASSED UNANIMOUSLY: VOTE: 7 to 0.

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

(RESOLUTION NO. 10-Q)

21. 8-A-2. MEADOW PROGRAM DISCUSSION

1:41

Mr. Pomeroy received complaints from constituents regarding parcels of land on Rahway Drive and Sue Lane involved in the meadow program. These were individual residential lots, and the neighbors in surrounding properties were disturbed by the appearance of the lots and concerns of attracting unwanted wildlife. His request was to have the grass cut at the two locations while he and Mr. Sonnenberg worked towards a solution with the individual neighbors.

Mr. Temko said if nothing worked out in terms of the land being sold to adjacent neighbors, he suggested other creative uses such as an urban garden.

Mr. Markham pointed out that his district had the largest meadow area. He requested that the circle area of Karpinski Park be reviewed because he believed the park was used significantly more than previously thought.

Mr. Pomeroy was sympathetic to Mr. Markham's plight because he heard regularly from constituents in three other areas who were upset about the program. He was open to a short-term solution for the two properties and was open to broader solutions related to the meadow program in general.

The issue was referred to staff.

22. **<u>8-B. OTHERS</u>** – None

23. **<u>9. SPECIAL DEPARTMENTAL REPORTS</u>**
A. Special Reports from Manager & Staff – None

24. **Meeting adjourned at 8:45 p.m.**

Patricia M. Fogg, CMC
City Secretary

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