

**CITY OF NEWARK  
DELAWARE**

**COUNCIL MEETING MINUTES**

**February 25, 2013**

Those present at 7:00 pm:

Presiding: Mayor Vance A. Funk, III  
District 1, Mark Morehead  
District 2, Jerry Clifton  
District 3, Doug Tuttle  
District 4, David J. Athey  
District 6, A. Stuart Markham

Absent: District 5, Luke Chapman

Staff Members: City Manager Carol Houck  
City Secretary Patricia Fogg  
City Solicitor Bruce Herron  
Community Affairs Officer Dana Johnston

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1. The regular Council meeting began with a moment of silent meditation and pledge to the flag.
  2. MOTION BY MR. CLIFTON, SECONDED BY MR. TUTTLE: THAT ITEM #8-A-1, RESOLUTION NO. 13-D: RETIREMENT OF LINDA A BURNS, SECRETARY, BE MOVED TO ITEM #3 AND THAT ITEMS 6-A AND 7-A, REZONING AND RESUBDIVISION AT THE VILLAGE OF TWIN LAKES, BE RESCHEDULED FOR THE APRIL 22, 2013 AGENDA.

MOTION PASSED UNANIMOUSLY. VOTE: 6 to 0.

Aye – Athey, Clifton, Funk, Markham, Morehead, Tuttle.  
Nay – 0.  
Absent – Chapman.

3. **RESOLUTION NO. 13-\_\_\_: RETIREMENT OF LINDA A. BURNS, SECRETARY**

**01:00**

The Resolution honoring Mrs. Burns for her 42 years of service to the City was read by Mr. Clifton and unanimously endorsed by Council.

**(RESOLUTION NO. 13-D)**

4. **1. ITEMS NOT ON PUBLISHED AGENDA**
  - A. Public – There were no comments forthcoming.
5. **1-B. UNIVERSITY**

There were no comments forthcoming.
6. **1-B-2. STUDENT BODY REPRESENTATIVE**

There were no comments forthcoming.

7. 1-C. COUNCIL MEMBERS

05:11

Mr. Athey

- Mr. Athey asked if the City had planned any special Earth Day activities. Ms. Houck said the lights would again be turned off in the municipal building.

8. Mr. Markham

- Mr. Markham announced there would be a presentation on Black History tomorrow night in the Council Chamber at 7:00 pm.
- Mr. Markham reported that he attended the New Castle County Council meeting and the Stopyra Tract project did not get approved. The vote was 13-0.
- Mr. Markham advised the demolition of the Curtis Paper Mill smokestack would be completed in the near future.
- Mr. Markham provided an update on the Hunt at Louviers retrofit basins. Final bid information was pending from DEMEC after which the proposal would be discussed at a future Council meeting.
- Mr. Markham referenced previous Council discussions about whether the City could perform its own property reassessments and noted Mr. Herron opined there was no restriction against this in New Castle County. Ms. Houck said before moving ahead she wanted to get costs from other municipalities that had already been through the process.
- Mr. Markham referred to the newspaper article about train delivery of crude oil to the Delaware City refinery and whether there might be any impact to the City's traffic flow, noise issues, etc. Ms. Houck said she planned to attend a meeting on Wednesday to obtain further information.
- Mr. Markham provided details of a Newark Housing Authority meeting where the development of Cleveland Heights was discussed along with the City's solar plans for McKees Park. In addition, Mr. Markham suggested that the City (or the State) might want to look into an initiative requiring new gas stations to have back-up power for at least one gas pump in the event of large storms and major power outages.

9. 2. APPROVAL OF CONSENT AGENDA

12:50

- A. Approval of Regular Council Meeting Minutes – February 11, 2013
- B. Receipt of Alderman's Report – February 21, 2013
- C. **First Reading Bill 13-05** – An Ordinance Amending the Zoning Map of the City of Newark, Delaware, By Rezoning from RD (One-Family Semi-Detached Residential) to RM (Multi-Family-Garden Apartments) the .546 Acre Property Located at 30, 34, 38 and 42 Chambers Street – **Second Reading March 25, 2013**
- D. **First Reading Bill 13-06** – An Ordinance Amending the Zoning Map of the City of Newark, Delaware, By Rezoning from BLR (Business Limited Residential) to RM (Multi-Family-Garden Apartments) the .8476 Acre Property Located at 221 Murray Road – **Second Reading March 25, 2013**
- E. Extension of Insurance Brokerage Agreement

Ms. Fogg read the Consent agenda in its entirety.

MOTION BY MR. CLIFTON, SECONDED BY MR. ATHEY: THAT THE CONSENT AGENDA BE APPROVED AS SUBMITTED.

MOTION PASSED UNANIMOUSLY. VOTE: 6 to 0.

Aye – Athey, Clifton, Funk, Markham, Morehead, Tuttle.

Nay – 0.

Absent – Chapman.

10. **3. ITEMS NOT FINISHED AT PREVIOUS MEETING:** *None*

11. **4. FINANCIAL STATEMENT:** *None*

12. **5. RECOMMENDATIONS ON CONTRACTS & BIDS:** *None*

13. **6. ORDINANCES FOR SECOND READING AND PUBLIC HEARING:**

A. **Bill 13-02** - An Ordinance Amending the Zoning Map of the City of Newark, Delaware, By Rezoning from AC (Adult Community) to RM (Garden Apartments) 7.65 Acres in the Village of Twin Lakes Community Located on the East Side of Elkton Road Between the Newark Interchange Business Park, Otts Chapel Road, and the Northeast Corridor Railroad Right-of-Way (**See Item 7-A**)

(Removed from the Agenda at the request of the developer.)

14. **7. RECOMMENDATIONS FROM THE PLANNING COMMISSION AND/OR PLANNING & DEVELOPMENT DEPARTMENT:**

A. Request of Iron Hill Properties, LLC Corporation, for the Major Resubdivision of a 7.65 Acre Portion of the Village of Twin Lakes, 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 Change the Site Design for the Property by Substituting 12 Units in Semi-Detached Format for the Approved 12 Units in Two Rows of Six Townhouses Each – **Resolution & Agreement Submitted (See Item 6-A)**

(Removed from the Agenda at the request of the developer.)

15. **8. ITEMS SUBMITTED FOR PUBLISHED AGENDA:**

A. **Council Members:**

1. Resolution No. 13-D – Retirement of Linda A. Burns, Secretary

(See Item #3.)

16. **8-B. OTHERS:** *None*

17. **9. SPECIAL DEPARTMENTAL REPORTS:**

A. Special Reports from Management and Staff: *None*

18. Meeting adjourned at 7:09 pm.

Patricia M. Fogg, CMC  
City Secretary