

**CITY OF NEWARK
DELAWARE**

COUNCIL WORKSHOP MEETING MINUTES

January 5, 2015

Those present at 6:00 p.m.:

Presiding:	Mayor Polly Sierer District 1, Mark Morehead District 3, Rob Gifford District 4, Margrit Hadden District 5, Luke Chapman District 6, A. Stuart Markham
Absent:	District 2, Todd Ruckle
Staff Members:	City Manager Carol Houck City Secretary Renee Bensley Deputy City Manager Andrew Haines Planning & Development Director Maureen Feeney Roser Development Supervisor Michael Fortner Public Works & Water Resources Director Tom Coleman

1. The special Council meeting began at 6:00 p.m. in the Council chamber.

2. Ms. Sierer gave an overview of the format of the meeting for the evening. Mr. Fortner reviewed 22 *Del. C.* §702 regarding Comprehensive Development Plans and the State of Delaware Comprehensive Plan checklist. Alan Silverman, Planning Commission Chairman, reviewed his research regarding the Comprehensive Plan regarding it having the “force of law” (Comments attached.), and spoke regarding the need of including the State’s suggested comments and the deliberative process in drafting the Comprehensive Plan. Mr. Fortner reviewed the updates from the Preface through Chapter 4, which Council reviewed at the October 20th Council special meeting and asked Council to e-mail him any additional editorial changes and that any changes related to content would be brought back to Council before being incorporated.

Mr. Gifford asked if it was accurate to include the Bloom Energy parcel as part of the STAR Campus, which Ms. Feeney Roser stated that it was. Mr. Markham stated that the University may be trying to maintain the historical manufacturing rights of the property.

Mr. Gifford asked if the PLUS Review comments had been incorporated. Mr. Fortner stated that they had not yet been incorporated.

Mr. Markham asked if there would be time to ask questions regarding specific PLUS comments. Mr. Fortner stated that questions regarding PLUS comments on specific chapters could be asked at that time. Mr. Markham stated he would hold his question until Chapter 7 was reviewed.

3. Mr. Fortner reviewed Chapter 5 (Housing and Community Development) and Chapter 6 (Transportation) of the plan. Ms. Sierer opened the floor to Council for questions regarding Chapter 5.

Mr. Markham stated that he thought a fairer comparison for Newark would be to Dover as another college town, than to Wilmington as a major metropolitan area. Mr. Fortner stated that in terms of density, Newark is more comparable to Wilmington, but that Dover and Middletown were more comparable in some more specific categories. Mr. Markham stated that there are many other departments in the City that use Dover as a comparable and he would like to see more consideration given to that.

Mr. Markham asked where the group homes referenced for individuals with disabilities are located. Mr. Fortner and Ms. Feeney Roser stated that the group homes are spread throughout the City in many different residential developments.

Mr. Markham asked if an action item could be included to support programs within the City to expand the availability of shelter for the homeless. Mr. Fortner stated that could be included in Policy and Program Recommendations. Ms. Sierer pointed out that the Emmaus House is no longer for homeless families, but for incarcerated pregnant women, so references to Emmaus House should be updated in the Plan.

Mr. Markham asked about the reference to housing affordable to lower income households being occupied by higher income households, including how it was determined and how to encourage turnover in order to make lower priced housing available to those with lower incomes. Mr. Fortner said that the statement was pulled from a report. In addition, Newark has a lot of housing that would otherwise be affordable if it was not a college town, resulting in an inflated rental market since there is a high demand for rentals. Mr. Markham stated he would like more information on the topic to be able to work towards policies to encourage greater turnover and asked if this reference was for just rentals or if it included homeownership. Mr. Fortner stated it could include both, but that the intent of this particular section referenced was to discuss the rental market. Mr. Morehead stated that the rents being charged were only what the market would support and that in neighborhoods like College Park, rents could only be so high. Mr. Fortner stated that while that was true for the rental market within the City that a neighborhood such as College Park would not command as high a rent as Main Street or the downtown area, a house in College Park still rented for a higher amount than it would in another area such as unincorporated New Castle County that is not as desirable a location. Mr. Morehead asked where the 341 units referenced as affordable housing were located. Mr. Fortner stated that Victoria Mews and properties owned by the Newark Housing Authority were included. Ms. Houck suggested getting some clarification and additional information from the Delaware State Housing Authority regarding the statistics from its report. Mr. Silverman stated that the document being discussed was one of the documents suggested by the State for inclusion in the Plan, but that a better picture should be provided by the ongoing Rental Housing Needs Assessment. Mr. Silverman agreed that the rental market is distorted in Newark due to being a University town and that it is difficult to draw comparisons with other areas in the state. Mr. Markham stated that he definitely would like more information, possibly including a map.

Mr. Morehead stated that it was his understanding that the State is updating their study and that Newark is not participating. Mr. Fortner stated that Newark is participating and that the State has issued another needs assessment study since the Plan was reviewed by the Planning Commission. The State needs assessment study is completed every five years working with a consultant. Newark is not broken out as a city because it is not its own CDBG group, but is instead part of the larger New Castle County group. However, information for Newark is included in the New Castle County information. Mr. Morehead asked that the Plan be updated with the newly updated State needs assessment information. Mr. Markham stated that he has requests for updates in other chapters, so he would agree with that. Ms. Feeney Roser stated that staff would update any information that Council wanted them to update, but that the version presented to Council was the same version presented to the Planning Commission for consistency. Ms. Sierer stated that she was fine with information being updated in the draft Plan, since it is a living, working document. Mr. Silverman indicated that he supported including the updated information.

Mr. Morehead requested that the section regarding the background of the Newark landlords' lawsuit be removed, which Ms. Sierer also supported. Mr. Markham felt that parts of it led into other discussions about why things are being done and supported leaving the last sentence starting with "The City is reviewing requests..." which Mr. Morehead and Ms. Sierer supported.

Mr. Morehead felt that the stated goal of removing impediments to affordable housing was not being met with the current type of redevelopment occurring in the downtown area and would like to see that change. Mr. Fortner stated that a healthy

community has a wide variety of people of different racial, ethnic and socioeconomic types and that this goal was to promote residents of all different income levels in the City and look at tools that would help the City meet this goal. Mr. Morehead agreed that diversity was important and thought the City was in danger of being too homogenous in some areas. Mr. Fortner cited the example of group homes and that there would be a continued effort to review best practices from other areas.

Ms. Hadden made a correction regarding the Chapter 5 footer and asked for additional clarification regarding the statement on the concern about deteriorating neighborhoods. Mr. Fortner stated that this statement was taken from several resident comments and that it generally referred to the perception that family/owner-occupied units were more likely to be well kept than rental units that may not be maintained as well. Ms. Hadden requested there be rewording to reflect that. Mr. Morehead asked if it was their own neighborhoods versus other neighborhoods. Mr. Fortner stated that many people cited that they liked their neighborhood, but they are concerned about losing it due to deterioration. Ms. Feeney Roser stated that the question was worded to refer to their own neighborhood.

Ms. Hadden asked for Philadelphia statistics to be included in Table 5-4 since Philadelphia was referred to in the text.

Ms. Hadden asked for a year reference for the University population cited.

Ms. Hadden asked if the affordable housing units referenced as being offline were the units being demolished for the Alder Creek project. Mr. Fortner confirmed that they were, but that they had been vacant for some time prior to being demolished. Ms. Sierer asked if the new units could be added, which Ms. Feeney Roser stated it could. Ms. Hadden stated instead of listing what is offline that the Plan should list what is coming.

Ms. Hadden was happy to hear that the City was going to define the term “group home” and its uses.

Mr. Gifford commented on formatting issues and questioned the need to have separate bullets for fair housing and affordable housing. Mr. Fortner stated that they were related but different and provided examples. Ms. Hadden asked if there were any location restrictions on group homes, i.e. distance between two units. Mr. Fortner stated that he was not aware of any such restrictions.

Mr. Gifford asked for clearer references in the text as to why maps are included in the Plan and consistent citations for pictures, maps, figures, etc.

Mr. Gifford questioned the word choice within the Sustainable Community statement, which Mr. Fortner agreed to review.

Mr. Gifford asked how the City is able to provide an adequate supply of inclusive housing. Mr. Fortner stated that through different policies or incentives, the City can encourage various types of development and create a planning environment for a variety of types of housing to be developed. Discussion ensued regarding the wording of the paragraph. Mr. Fortner agreed to try to rework the statement based on the recommendations of Council.

Mr. Gifford commented on the placement of references and ensuring links to websites were active.

Mr. Gifford concurred with Mr. Markham’s earlier comments regarding comparisons to Dover.

Mr. Gifford asked for more clarity of how the densities were calculated in Map 5-1 and for the markers to be reviewed to ensure accuracy.

Mr. Gifford asked where the areas referenced as “older Newark areas” were. Mr. Fortner stated that older Newark was some of the areas towards the center of town that

had narrower lots than some of the more suburban-style design in newer neighborhoods away from the center of town.

Mr. Gifford asked about the increase in 65+ residents and stated that he did not see that reflected in the chart provided. Mr. Fortner stated that the numbers are growing as the overall percentage of the population. Mr. Gifford felt that the statistical significance was not there. Mr. Silverman stated that the student population is removed from the numbers of the population, which affects the overall growth picture. Mr. Fortner stated that this also assumes the aging of the baby boomer population and that college towns are going to continue to be retirement destinations. Mr. Chapman stated that the text is important because the full impact of the baby boom generation aging into the 65+ demographic had not been felt in the most recent census data of 2010 and that the trends are suggesting that there will be fewer 25-40 year old residents looking to establish residency in Newark. Discussion ensued regarding the wording of the paragraph. Mr. Fortner agreed to work to incorporate Council's comments.

Mr. Gifford asked for a punctuation change.

Mr. Gifford asked how well utilized the Live Near Your Work and Home Buyer Assistance Programs were when they were active. Mr. Fortner gave an overview of the Live Near Your Work Program and stated that he thought only four individuals had used it. Mr. Gifford stated that he thought there were a lot of different programs and maybe it would be better to focus on promoting fewer programs instead of reviving programs that may not have been used. Mr. Fortner stated that the program that was most used was the Home Buyer Assistance Program and gave an overview of the program. Mr. Gifford asked how many people used the program, which Mr. Fortner stated about 20 total and 5 to 6 per year during the boom times helping mostly lower income families who were looking for assistance. Mr. Gifford asked how it was funded, which Mr. Fortner stated that it was funded through City funds. Mr. Gifford stated that he would like to see a concise focus on fewer programs. Ms. Hadden and Mr. Chapman voiced support for considering the revival of the Live Near Your Work Program.

Mr. Gifford asked if the LEED program was in the Code. Mr. Fortner stated that the City created a program with similar principles that is in the Building Code. Mr. Gifford asked if it needed to be in the Comp Plan if it is in the Code. Mr. Fortner stated that the Plan was also to highlight achievements of the City and that improvement of the Code was another goal. Mr. Gifford asked for a reference to be added that the LEED-like standards are in the Code.

Mr. Chapman suggested that Mr. Fortner not review the chapters prior to Council comments in order to speed things up.

4. Ms. Sierer opened the floor to Council comments on Chapter 6.

Mr. Chapman made a correction regarding the Chapter 6 footer.

Mr. Chapman stated that he has several suggestions he would like the City Solicitor to review prior to sharing them with Council.

Mr. Chapman asked for New London Road and Corbit Street to be added to the list for traffic calming efforts.

Mr. Chapman would like to see additional redevelopment restrictions added to areas that are classified as traffic congested where any new development could drastically impact the traffic problem areas.

Mr. Gifford suggested deleting the text in parentheses in the first paragraph. Mr. Morehead added he would also delete the words "just plain" from the first paragraph.

Mr. Gifford asked if the information in Table 6.1 could be reordered by percentage, which Mr. Fortner agreed to do.

Mr. Gifford asked if a better quality map and the removal of “DRAFT” could be used for Map 6-1, which Mr. Fortner explained would be done once IPA was informed that the map was final by the City.

Mr. Gifford asked if Table 6-2 could be sorted by 2009 ADT, which Mr. Fortner stated it was a duplicate of a table from the Newark Transportation Plan. Mr. Gifford asked for it to be resorted. Mr. Markham asked that the planning section for the roads be added to the table. Mr. Morehead asked that a column be added for the percentage change between 2001 and 2009. Mr. Gifford felt this was an important chart to show where problems are, so he felt it needed to be as clear as possible. Mr. Silverman added that the 2009 numbers are the most recent surveys, which may not have been done in 2009, but are just the latest numbers available. Mr. Gifford asked that Mr. Silverman’s comments be added as a footnote.

Mr. Gifford and Mr. Morehead noted a grammatical change.

Mr. Gifford asked for text references for Maps 6-2, 6-3 and 6-4, which Ms. Hadden suggested be added to the previous page.

Mr. Gifford asked if Norfolk Southern should be included in the railroad paragraph. There was discussion as to whether Norfolk Southern used CSX or Amtrak rail lines, which Mr. Fortner agreed to research and add additional language as appropriate.

Mr. Gifford asked for the word choice to be revised in recommendation #2.

Mr. Gifford asked for more information on the recommendation to add capacity and asked what type of capacity was being considered. Mr. Fortner stated that it was road capacity, which Mr. Gifford asked to be clarified.

Mr. Gifford asked if recommendation 4C would be able to be accomplished. Mr. Fortner stated that it is from the Newark Transportation Plan. Mr. Markham added that he believed that recommendation was from WILMAPCO. Mr. Silverman stated that the proposal was to reduce Cleveland Avenue to one lane of traffic in each direction with a left turn lane down the center. Several Council members commented negatively regarding that recommendation.

Mr. Gifford suggested reworking the second paragraph under Bicycles and Pedestrians.

Mr. Gifford suggested consistency in the placement of references either within or at the end of chapters.

Mr. Gifford asked if “pedestrian peninsulas” and “bulb-outs” were the same thing, which Ms. Feeney Roser confirmed they were and gave a brief overview. Mr. Gifford asked for consistency in the reference.

Mr. Gifford asked for more discussion of the studies referenced and the research that has been done on parking as he felt there was an opportunity to use the data from the smart parking meters to understand what the true parking usage is and to use a more analytical method to understand parking before coming to a conclusion as to what the best method is to respond to the problem. He would also like to specify where increased parking would go, which Ms. Feeney Roser stated would be Lot #3 for the Morepark system. Ms. Hadden stated she was confused by some of the references as well. Mr. Gifford and Ms. Hadden both requested additional discussion and data be added.

Mr. Gifford asked if the work referenced in #3 had been completed, which Ms. Feeney Roser stated that it was an ongoing project, that way finding signs had been redone two years ago, and that there is continuous review of ways to provide better visibility for the parking lots through location and size of signs. However, there are limits as to what the City can do regarding the design of the signs due to DeIDOT restrictions.

Mr. Gifford requested the text in the parentheses in the transit paragraph on page 71 be deleted and requested a formatting change.

Mr. Gifford suggested that the statements regarding BRAC be reviewed for accuracy. Mr. Fortner felt that there may still be opportunities for Newark in relation to BRAC with the development of the STAR Campus and the potential addition of regional rail access via MARC.

Mr. Gifford noted a spelling correction.

Mr. Gifford requested the timeline for the Newark Train Station be updated.

Mr. Gifford asked if the STAR Campus map needed to be updated. Mr. Fortner stated that the train station has not changed a lot, but that the rest of the STAR Campus has changed. Mr. Gifford requested an updated map and reference.

Mr. Gifford asked if Table 6-3 needed the level of detail it has and if the information is accurate with the changes proposed to the STAR Campus. Mr. Fortner stated that the table was from the Newark Transportation Plan.

Mr. Gifford asked for a punctuation change in Action Item #3 and a grammatical correction in Goal #3.

Mr. Gifford suggested that Action Item #5 be changed to using a data driven approach to managing downtown parking, which could link to earlier discussions regarding surveys that have been done and better understanding the parking issues and provided suggested wording. Mr. Gifford felt that the parking garage was a very concrete solution to a perceived parking problem and that the City should completely understand the parking problem first, which he felt the City was not at that point yet. Mr. Gifford was hesitant to include the specific solution of a parking garage in a document that has the force of law and looked to others for suggestions on wording.

Mr. Gifford asked for updated information to be included regarding the smart parking meters.

Mr. Gifford requested "carbon-based fuels" be removed from Goal #4.

Mr. Gifford requested that Map 6-6 be removed or updated to reflect that the Chrysler Industrial Center is no longer there. Mr. Fortner did not have an updated map. Ms. Sierer liked the map and wanted to keep it in the Plan. Mr. Gifford asked if the area could be cut and pasted over, which Mr. Fortner stated could be done.

Ms. Hadden asked for clarification on Map 6-5 as to what the district being referenced is. Mr. Fortner stated that the blue lines are the arterial roads that are being looked at, but that in talking to the State, there is likely going to have to be a smaller, more focused area considered. Ms. Hadden agreed that it was a large area and that most Transportation Improvement Districts (TID) are defined areas that may need that designation to spur economic development. She was not comfortable with the TID being that large. Mr. Fortner stated that his inclination would be to take the TID map out. Ms. Hadden stated that the TID can be positive, but thought the map should be taken out. Mr. Fortner stated that language could be added stating that Newark was working to create a TID, which Mr. Gifford stated was covered by Action Item #1.

Mr. Morehead asked if the data regarding walking to work in Table 6-1 was accurate. Mr. Fortner stated that he believed that data included students and that it was census data. Mr. Morehead asked for that information to be added to the table reference. Mr. Fortner clarified that this included students walking to a job, but not to class.

Mr. Morehead requested a higher quality version of Map 6-1 to be included.

Mr. Morehead commented on the chokepoints in Map 6-2.

Mr. Morehead asked that Barksdale Road, Casho Mill Road and Nottingham Road be added to recommendation #4. Ms. Feeney Roser suggested adding a separate paragraph with Council's requests in addition to those listed in the Newark Transportation Plan, which Mr. Fortner agreed to do. Mr. Chapman stated that his list also included Country Club Drive originally, but the traffic calming efforts implemented there were outdated, so he cautioned adding definitive language.

Mr. Morehead stated he had additional minor changes he would address offline.

Mr. Morehead requested standardization in the countdown timers at pedestrian crosswalks. Mr. Chapman did not think that drivers should be using pedestrian crosswalk timers as references instead of street lights.

Mr. Morehead requested that the language in the second item under Strategic Issues be changed to "...in or near Downtown..."

Mr. Morehead felt that the Newark Bicycle Plan should be included as an addendum to the Plan instead of as an Action Item.

Mr. Morehead requested that the language in Goal #3 be changed to "...in or near downtown..."

Mr. Markham requested that Mr. Fortner ask the University if they provided any of the walking information in Table 6-1 as he believed that they fill out the census forms for the dorms or if it is coming from the apartments.

Mr. Markham asked for an update to include the pedestrian crosswalk signal that is being installed on Main Street to show that some of the issues in Map 6-2 are being addressed.

Mr. Markham felt that restricting lanes on Cleveland Avenue would contradict the goal regarding corridor optimization and would be extremely unpopular.

Mr. Markham requested that items from the Newark Transportation Plan that have been completed be marked as such.

Ms. Hadden stated that with the elimination of the TID map, Action Item #1 needed to be amended to reflect that.

5. Ms. Sierer opened the floor to public comment on Chapters 5 and 6.

Anne Maring, District 1, asked for the number of University owned homes to be included and hoped the City could work with the University to convert some of the smaller homes to affordable housing with possible rent-to-own options. She agreed with Councilman Gifford's assessment of the density map and would like to see the density of units that have been approved be included. Regarding transportation, she expressed concern regarding a lack of analytics and statistics to drive decision making. There may also be issues with the grant related to moving the train station so that may need to be updated. Regarding the deterioration of homes, there are several homes in her neighborhood that are vacant, poorly maintained and attracting animals, so deterioration is not just not mowing the grass. She felt community engagement was needed to tackle that problem so the homes can be rehabbed and put on the market.

Helga Huntley, District 1, suggested additional goals to add to the sustainable community vision, had issues with the discussion of the data regarding references to median and average, asked for clarification on the percentage of housing costs, asked for an updated reference to the ongoing Rental Housing Needs Assessment, asked for clarity regarding the LIPH program eligibility, asked for information regarding the usage of current home ownership and repair programs, requested study of the UNICITY bus program and review of its effectiveness, asked for a definition of "ADT," recommended updating language under the Walking in Newark section to reflect DeIDOT recommendations, and recommended collaborative effort to improve public transit

connectivity between major metropolitan areas. Ms. Huntley agreed to submit her remaining comments in writing to Ms. Feeney Roser and Mr. Fortner.

6. Ms. Sierer asked if Council wanted to move forward with Chapter 7. There was a consensus of Council to stop for the evening. Ms. Sierer announced that Council would convene on February 2nd for the next Comprehensive Plan workshop and begin with Chapter 7.

Ms. Sierer asked for Council's thoughts regarding Mr. Chapman's suggestion of eliminating Mr. Fortner's overview presentations of each chapter. It was the consensus of Council and Mr. Fortner that the overview presentations should be eliminated in future workshops.

7. Meeting adjourned at 9:06 p.m.

Renee K. Bensley
Director of Legislative Services
City Secretary