CITY OF NEWARK
DELAWARE

COUNCIL WORKSHOP MEETING MINUTES

February 2, 2015

Those present at 7:30 p.m.:

Presiding:	Mayor Polly Sierer District 1, Mark Morehead District 2, Todd Ruckle District 3, Rob Gifford District 4, Margrit Hadden District 5, Luke Chapman District 6, A. Stuart Markham
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 Planning Commission Chairman Alan Silverman

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1. The special Council meeting began at 7:30 p.m. in the Council chamber.

2. Ms. Sierer gave an overview of the format of the meeting for the evening and opened the floor to Council for comments on Chapter 7 (Environmental Quality & Natural Resources).

Mr. Morehead asked that the words “current and” be added before the word “future” in the last sentence of paragraph two on the first page of Chapter 7.

Mr. Morehead asked that the words “and Healthy” be added after “Sustainable” in the first sentence of paragraph three on the first page of Chapter 7.

Mr. Morehead stated that he did not see anything about noise or smell in the chapter and thought those items were pertinent to environmental quality.

Mr. Morehead asked for an explanation of the “layer” tract reference on page 82. Ms. Feeney Roser noted that it should read “Laird” tract. Ms. Houck explained that the Laird tract was part of the City’s well field located near Christiana Towers which feed some of the City water tanks.

Mr. Morehead noted that he did not find the most recently revised chapters on the website. Ms. Bensley stated that the chapters were attached as packet items for the meeting’s agenda on the website. Mr. Morehead stated that he would like to have seen an indication on the document that it had been revised.

Mr. Morehead asked if developers were responsible for all improvements associated with and made necessary by their project as stated in paragraph four of page 82. Ms. Feeney Roser stated that if there are requirements that have to be made to the system because of a development, that is told to the developer up front. If electric improvements need to be made to serve a development, the developer has to pay for them. Mr. Silverman stated that the developer is 100% responsible for improvements within the subdivision, however, offsite improvements depend on the demand placed on the City’s systems. Mr. Morehead was concerned about the accuracy of the sentence and would like greater clarification across all of the utilities.

Mr. Morehead asked if it was true that the City continuously monitors water supply and quality. Ms. Feeney Roser and Ms. Houck confirmed it was true.

Mr. Morehead asked if the references to the floodplains in the Stream Valley Protection and Preservation section were current given the recent changes adopted by Council, which Mr. Fortner stated that the new terminology included was current.

Mr. Morehead asked about the “from time to time” reference, which Mr. Fortner stated that it referred to wanting to review the section to ensure that the most modern regulations were being used.

Mr. Morehead asked if the program listed under the Green Energy section was current, which Mr. Fortner stated that it was to his knowledge. Mr. Morehead asked that it be checked. Mr. Markham stated that the City changed the program to allow purchases from McKees Solar Park directly and that while the Green Energy block program may come back at a later date that is not the way the program is today. Mr. Fortner stated that he would review the section.

Mr. Morehead asked for clarification under the first paragraph of the Energy Conservation section regarding the phrase “improved cooperation with the private sector.” Mr. Markham asked if the reference was toward energy efficiency and energy audits. Ms. Feeney Roser stated that she interpreted it as encouraging the private sector to also adopt energy efficiency measures but offered that the verbiage could be changed to make that clearer. Mr. Gifford asked if there was a program used by the City. Ms. Feeney Roser stated that the City has LEED-like requirements for new buildings, but that the City would encourage builders to go beyond what is required. This happens at times through the site plan approval process if there are additional energy efficiencies that could be a benefit to the program. She offered to work on the verbiage for that section.

Mr. Morehead asked if the “Green Energy Program” reference was a City or State program. Mr. Markham stated that he thought that the City offered a Green Energy Program before the State did, but that he did not think it was “recently launched”. Ms. Houck said staff would confirm that information.

Mr. Morehead asked for clarification under the third paragraph of the Energy Conservation section on the “land-use changes” reference, which Ms. Feeney Roser said were regarding subdivision regulation changes, but should be more specific as to what those changes were.

Mr. Morehead asked for the LEED references in the “Newark LEED Program” section to be changed to LEED-like.

Mr. Morehead asked for the “past 15 years” reference under the UDon’t Need It? section to be changed to a specific date.

Mr. Gifford asked if completed items should be left in the Plan, which Mr. Fortner stated that he would like to in order to show what has been completed and the City’s track record with the Plan.

Mr. Markham asked for a policy regarding programs for stormwater runoff that residents can do, such as rain gardens and rain barrels, to be included under the policy recommendations in the chapter, which Mr. Fortner said could be included.

Mr. Markham asked if the draining of the reservoir is included in the quota of water removed from the White Clay Creek as referenced in the PLUS Review. Mr. Fortner stated that he could pass the question along to PWWR Director Tom Coleman to be answered. Mr. Markham stated that he would like to see the water drained credited back to the City against its usage from the White Clay Creek.

Mr. Gifford asked which project was being referred to in the second paragraph of page 82 and asked for the language to be updated if the project was completed.

Mr. Gifford asked what the sentence “Currently, the PCS for the Christina River Basin contains only non-regulatory recommendations” meant in the second paragraph under the Stormwater section and asked if Table 7-1 could be explained. Mr. Fortner

stated that the language and the table were from DNREC and that he would need to follow up with an answer on that at a later time.

Mr. Gifford suggested that the third paragraph under the Air section start with the sentence “In addition, the City of Newark reserves the ability to review current and future sources of air pollution.” and show the example of the anti-idling ordinance after that sentence.

Mr. Gifford asked for references within the text to the maps as to why the maps are important to the document.

3. Ms. Sierer opened the floor to public comment on Chapter 7.

Helga Huntley, District 1, felt that completed action items should not be in the Plan as it made the document outdated before it was adopted and should instead be within the background information sections. She stated there was a lot of overlap between the chapters and felt it would benefit the reader if topics were organized so they only appear once in the document. She felt the section on water quality and monitoring was unclear and felt statements about the actual water quality and where water is being tested would be helpful. She stated that the map was difficult to decipher and referenced several examples. Regarding the wetlands, she felt the reference for tidally influenced wetlands should be deleted if Newark did not have any and that wetlands should be referenced on the map. She would like the current state of the air quality to be included and information regarding the effectiveness of the anti-idling ordinance. She would like to see more information regarding the plans to improve the water and air quality and would like the new recycling bins on Main Street referenced. She requested more information be included regarding the plans for the next five years in various categories.

Baharah Barkhoud, District 1, asked for more qualitative and quantitative goals and indicators be included in the Plan to be better able to measure progress over the years and to reference the new floodplain maps that are coming out in February 2015.

Mr. Gifford stated that he felt that measurable goals were important to include in the Plan.

4. Ms. Sierer opened the floor to Council comments on Chapter 8 (Parks, Recreation and Open Space).

Mr. Markham noted two housekeeping changes that had been made in the revised chapters.

Ms. Sierer asked if the Community Garden was included in the document and would like to see it included, which Ms. Houck stated staff would add it.

Mr. Chapman felt that the last sentence of the first paragraph under the “Land-Use Planning for Parks and Open Space” regarding ensuring the supply of open space and parkland keeps pace with development is an overstatement. He would also like to see a goal of the City included to make a point of maintaining open space, particularly large parcels that are currently open space. Mr. Silverman asked for clarification regarding Mr. Chapman’s use of the term “open space,” which Mr. Chapman stated that he does not want to see parking lots where previously open space was located and would like to potentially see a future ordinance strengthening the open space requirements for developments.

Mr. Morehead requested that the paragraph referencing the 2008 Urban Tree Canopy Study be updated to reflect the recently funded 2015 tree inventory and reference what diversity was in the tree canopy.

Ms. Sierer asked for a goal of incorporating native plants to be included.

Mr. Gifford asked for clarification of where the referenced 77.56 acres of open space purchased was located, to which Ms. Feeney Roser said that she would get that information.

Mr. Gifford liked the new table references.

Mr. Gifford questioned whether Action Item #3 should be included when the funds have not been approved. Mr. Fortner stated that since it was an existing plan he wanted to include it and that even if it is not completed in five years, it would still be shown as in the pipeline. Ms. Hadden pointed out that a reference to funding was made earlier in the chapter. Mr. Fortner stated that the language referencing the work being done as funding permits could be included in the action item. Mr. Morehead asked if Curtis Mill Park was completed. Mr. Markham stated that only the first phase of the master plan was done, so the project was not completed.

Mr. Gifford recommended that the text for Action Item #6 be pared down or deleted.

Mr. Gifford liked the goal to better develop the City as a destination for recreational tourism.

Mr. Markham felt the recreation part of “Parks & Recreation” was sold short in the Plan and should be expanded in the Plan.

Mr. Markham asked for line #5 in Table 8-1 to be reviewed for accuracy, which Ms. Houck stated would be checked.

Ms. Houck suggested adding that the master plan for Curtis Mill Park was completed and public input had been obtained for the master plan through several workshops on the revised page 94. Mr. Markham suggested including a map of the master plan in the Plan.

5. Ms. Sierer opened the floor to public comment on Chapter 8.

Helga Huntley, District 1, felt the chapter had many problems, wanted to encourage that the chapter be reviewed more carefully, and cited several instances of conflicting, confusing or duplicative language, areas where more specific information, corrections or clarification were needed and quality issues with the maps. She would like to see more information on the Tree City USA designation. She requested additional information be included regarding plans for the future.

6. Ms. Sierer opened the floor to Council comments on Chapter 9 (Economic Development).

Mr. Gifford asked for a correction to the W.L. Gore reference to include the entire name of the company and remove the GoreTex reference.

Mr. Gifford asked for references to the tables be included in the text.

Mr. Gifford requested the term “luxury” be removed from the Embassy Suites reference on page 108.

Mr. Gifford asked for the GNEDP references to be changed to reflect that the City was no longer working with that group.

Mr. Gifford asked if the City offered discounted electric rates to new companies as referenced in the chapter. Ms. Feeney Roser stated that she knew there were tax incentives previously offered, but would have to check with Electric Director Rick Vitelli to see if that statement was accurate. Mr. Markham stated that he thought something had been done in the past for certain businesses. Mr. Gifford and Mr. Morehead asked that it be checked and, if not factual, removed.

Mr. Gifford asked for clarification of the phrase “low-impact manufacturing,” which Mr. Fortner stated would be light manufacturing uses that have low pollution and low environmental impact. Mr. Gifford asked for specific zoning categories to be referenced and would like to see suggestions for improvement.

Mr. Gifford asked if the *Downtown Newark Economic Enhancement Strategy* and the *Economic Development Strategy and Action Plan* that were referenced were documents that were available, which Ms. Feeney Roser and Mr. Fortner confirmed they were. Mr. Gifford asked for references to be included for where to find the documents. Mr. Gifford asked if the downtown development districts numbered 1 to 6 were still going to be used or if they were going to be updated and pointed out that the district numbers could be confusing since they do not match the Council districts. Ms. Feeney Roser stated that the districts could be reviewed to see if they are still reasonable. Ms. Sierer and Mr. Chapman asked for the names of the districts to be changed as the current names create confusion with the Council districts. Ms. Feeney Roser thought that was a good point and that the descriptions could be revised to reflect the updated vision of what the City wants to see in those areas.

Mr. Gifford asked for “on street” to be removed from the DNP parking reference since that does not match the Code. Ms. Feeney Roser stated that a Code change may be in order to allow the DNP to look at parking as a whole.

Mr. Gifford asked if Main Street was swept daily, which Ms. Houck confirmed that the sidewalks are.

Mr. Gifford asked for the bowling alley reference to be removed.

Mr. Gifford asked for other references to GNEDP to be corrected.

Mr. Gifford asked for clarification regarding Action Item #5 to which Mr. Fortner replied that the City plans to apply for the Downtown Development District designation in future funding rounds.

Mr. Gifford asked for the year to be added to the plan referenced in Action Item #1.

Mr. Gifford asked for the reference to the parking garage in Action Item #3 duplicate the previously changed language in Chapter 6.

Mr. Gifford asked for there to be a greater focus on businesses outside of the downtown district. Mr. Fortner felt that language from Chapter 10 regarding the revitalization of some of the older shopping centers could also be included in this chapter.

Mr. Morehead felt that a reference to first floor parking being permitted in the Downtown Core District should be included to be compliant with what is permitted in the Zoning Code. Ms. Feeney Roser stated that something could be added to state that while first floor parking is permitted, it cannot be frontage on the street and that the Code could be reviewed to ensure that is clear.

Mr. Morehead reiterated Mr. Gifford’s previous request to adjust the language in Action Item #3.

Mr. Morehead stated that Action Item #6 has been completed and Mr. Fortner indicated that it could be marked as such.

Mr. Morehead stated that he would like to see the Vision chapter more fleshed out.

Mr. Fortner spoke regarding the merits of including completed action items as a measure of what has been done since the last Plan was adopted. Ms. Sierer asked for the completed items to be included in a chart at the end of each chapter listed by year. Ms. Houck suggested it be listed as the successes from the Plan.

Mr. Markham asked what was the radius used for the major employers in Newark. Mr. Fortner stated that the chart was from the Reference USA website. Mr. Markham stated that the Chase name and number needed to be updated. Ms. Houck stated that a new resource could be researched that would provide more up-to-date information. Several Council members pointed out other employers that should be included in the list.

Mr. Chapman asked for a reference guide for new businesses to be created for potential businesses to go to in order to help them navigate the City's processes and regulations in understanding how to get through the process to open and maintain businesses in Newark. Ms. Feeney Roser stated that there are different guides, but they are not all together and need to be reviewed. Mr. Chapman stated they would need to be reviewed and updated every few years and should be located in a central database or document online.

7. Ms. Sierer opened the floor to public comment on Chapter 9.

Helga Huntley, District 1, felt the two lists of major employers in the table and the text should be reviewed for consistency and that the numbers in the table should be reviewed. She cited several instances of confusing language, asked for clarification and made recommendations for language changes. She noted an error in Table 9-2. She asked for clarity in the descriptions between the 1998 plan, current policy and the future plan. She requested that the City have plans for economic development and revitalization outside of Main Street. She suggested only including key developments since the last Comprehensive Plan was adopted.

Mr. Gifford wanted to see further distinction between the history of downtown development and the path forward. Messrs. Morehead and Ruckle added that they would like to see more planning for other businesses in town outside of the DNP area.

8. Ms. Sierer asked if Council would like to move forward or adjourn. Council members indicated they would like to end at this time. Ms. Sierer stated that Council would begin with Chapter 10 at the next workshop on March 2, 2015 with a tentative start time of 6:00 p.m.

9. Meeting adjourned at 9:26 p.m.

Renee K. Bensley
Director of Legislative Services
City Secretary