

**CITY OF NEWARK
DELAWARE
COUNCIL MEETING MINUTES**

JULY 28, 2025

Those present at 7:00 p.m.:

Presiding:	Mayor Travis McDermott Deputy Mayor, District 2, Corinth Ford District 3, Jay Bancroft District 4, Vacant District 5, Jason Lawhorn District 6, Emile Brown
Absent:	District 1, John Suchanec
Staff Members:	City Manager Tom Coleman Deputy City Secretary Diana Reed City Solicitor Paul Bilodeau Parks & Recreation Director Paula Ennis (<i>Virtual</i>) Planning & Development Director Renee Bensley Planning & Development Deputy Director Jessica Ramos-Velasquez (<i>Virtual</i>) Public Works & Water Resources Deputy Director Ethan Robinson (<i>Virtual</i>) Chief of Community Engagement Jayme Gravell (<i>Virtual</i>) Assistant City Manager – Operations Jeff Martindale Administrative Professional I Jordan Herring

1. Mr. McDermott called the meeting to order at 7:00 p.m.

2. **SILENT MEDITATION & PLEDGE OF ALLEGIANCE**

Mr. McDermott explained the protocol for the hybrid Microsoft Teams meeting platform. For each agenda item, assigned staff will present first. For land use applications, public comments will be invited after the presentation and before Council remarks. For all other items, Council will provide comments after the presentation, followed by comments from the public. Councilmembers wishing to offer additional comments should ask the Chair to be recognized. He noted in-person attendees wishing to comment should sign up by utilizing the sign-in sheet near the entrance to Council Chambers, while virtual attendees should use the hand-raising feature on Teams. Microphones will remain muted until the speaker is called upon. Comments are limited to three minutes with no ceding of time. He requested that speakers state their name and either their Council district or street address before commenting. He noted remote Council members will be polled for audible votes, and visual votes would not be accepted. He asked in-person attendees also present on Microsoft Teams to mute their speakers and microphones. Council members at the dais should mute their microphones unless they are speaking. Public comments must relate to City business or an agenda item. Violations will receive a warning, while repeated violations may result in removal or a muted microphone. However, the City has zero tolerance for hate speech for vulgar language, which will lead to immediate removal or muting of the microphone. He concluded his remarks by thanking all for their cooperation.

He proceeded to ask for a moment of silence and the Pledge of Allegiance.

3. 1. **PUBLIC PRESENTATION: (15-minute limit):** None

4. 2. **ITEMS NOT ON PUBLISHED AGENDA**

A. Elected Officials who represent City of Newark residents or utility customers (2 minutes): None

5. 2-B. **UNIVERSITY**

(1) Administration (5 minutes per speaker) (10 minutes):

2:03

Caitlin Olsen, University of Delaware (UD) Administration, explained new student orientation has concluded. Although graduate student orientation will occur later, it does not have as significant an impact on Main Street as undergraduate orientation. Undergraduate dorm move-in is August 23rd – 25th. However, some students may move in during the prior week. UD staff specifically time how they disseminate keys around campus to mitigate a traffic influx. She noted the UD Community Music School is hosting their Wizard of Oz showing on August 1st – 3rd; tickets can be purchased online until July 31st. Additionally, the Biden School & Center for Community Research is hosting a homelessness symposium on August 14th from 10 a.m. to 4 p.m.

The Mayor opened the table to Council comments.

Ms. Ford noted many student rentals around Newark begin their leases in June, before the end of new student orientation. She asked what guidance new students receive regarding assistance in navigating the Newark rental market.

Ms. Olsen explained first-year students usually live on campus unless they already live within a certain distance of the university. However, this becomes more difficult for transfer students, where second- or third-year students may not be as familiar with the Newark rental market. UD staff will typically try to assist them in finding housing on campus, but they may not prefer to live on campus at all. Staff will provide guidance and attempt to answer questions about off-campus rentals, but this may be less helpful when students make their decision to transfer until late. She stated she would speak with the UD Transfer Team and Student Life Services to get more information. She noted there are web pages that can also guide these students.

Ms. Ford noted Council has recently discussed collaborating with Newark's landlords to publish a list of either those who have agreed to interior inspections or the date of a property's most recent inspection. She wanted to discuss this initiative with Ms. Olsen further to help students avoid poor or substandard rental situations.

Mr. Brown noted he and Ms. Olsen discussed the idea of a leadership meeting or conference where representatives from Council or the Police Department could speak with student organization representatives.

Ms. Olsen noted she has begun outreach for this initiative.

Mr. McDermott supported maintaining a list of properties that have voluntarily allowed the City to conduct routine interior inspections. He noted the City does not have the legal ability to conduct mandatory interior inspections on properties. He believed it would be an excellent resource for students if landlords voluntarily allow the City to inspect their properties, so they are added to a list that is disseminated to student tenants.

Mr. Lawhorn noted a "Gold Star Rental" program was discussed in the past. He asked if this idea was included in any of the City's plans.

Mr. Coleman explained the City's previous licensing system did not differentiate between whether the City conducted an internal or external inspection. Therefore, the City could not compile a list of properties that had received interior inspections. However, he believed this was updated with the new Enterprise Permitting & Licensing (EPL) system.

Renee Bensley, Planning & Development Director, confirmed this to be accurate. When the City conducts an inspection, it is now labeled as interior or exterior. Staff are still cycling through rental permits to add them to the new system, explaining that each month there are rental licenses set to expire. Staff then send renewal instructions on how to register the licenses in EPL to any landlords whose licenses expire that month. Properties will receive new inspections as part of the renewal process. Since EPL went live on October 1, 2024, the City has not yet gone through a full year cycle, therefore not all rentals have been transitioned to EPL. However, staff are diligently collecting that data.

Mr. McDermott anticipated the City would be able to have a list ready by the next school year if staff can complete a full cycle through October.

Ms. Olsen noted rentals stop receiving applications from prospective student tenants by November 1st. She would follow up with the Student Life communications team to see if UD staff make any connections as students go out and start looking for rentals this fall.

Mr. McDermott was concerned that there is a misconception that most of these properties are inspected by the City, despite not being so.

6. **2-B-2. STUDENT BODY REPRESENTATIVE(S) (5 minutes per speaker) (2 minutes):** None

7. **2-C. CITY MANAGER (10 minutes):** None

8. **2-D. COUNCIL MEMBERS (5 minutes):**

10:10

Mr. Lawhorn:

- Noted the affordable housing discussion at the previous Council meeting. He believed it is widely agreed that affordable housing is an issue of supply and demand. While a good portion of the conversation at the July 21st meeting mentioned the University, he noted a study indicating there will be significantly less students graduating high school in the next few years. He expected UD would not likely pursue any new student housing initiatives until their numbers start to increase again. He noted most municipalities that have effectively decreased rents have done so through deregulating the development process. While he understood how this idea sounds daunting to Council, he stated this is more so a matter of changing how they have control rather than abdicating it. He did not believe this problem would be solved if Council votes on every project coming through and refuses a project idea based on a small amount of negative feedback. Council will still be able to exert control through the Code, as seen in their recent changes to regulations on Main Street, which favored the type of buildings they wished to see moving forward. He believed Council deregulating and creating a process that is predictable, streamlined, quick, and cost-effective broadens the kind of developers applying for projects. He agreed with Mr. McDermott that Council rarely receives applications from smaller developers due to the costly process. He disagreed with the sentiment that the public would not be able to provide their opinion if this were the process moving forward. He believed the public would have the opportunity to provide feedback if they do so at the appropriate time. He believed it to be Council's responsibility to ensure their constituents are informed when these projects are brought forward. He noted in previous instances regarding changes to the Zoning Code, public meetings were hosted in every district to get resident feedback. Using this input, Council can create codes and regulations to inform developers on what Council would like them to build without requiring an unpredictable and expensive process. He believed to increase affordable housing supply, the City needs to partner with its developers. He asked Council to be open to controlling the process upfront and making it more predictable and streamlined. Once this is done, the City can pursue other ideas to steer development in a particular direction. He noted that he would disseminate the resources and references he has used to reach this conclusion for others to read.

Ms. Ford:

- Believed the City's current policies have not slowed any development. She noted the consensus during the affordable housing discussion that Council wished to be involved in the development process at an earlier stage. She believed this to be fair for both developers and residents, as she wanted to ensure residents are able to provide comments. She opposed any reduction of Council's power to review land use projects, as they review these projects on behalf of their constituents.

Dr. Bancroft:

- Supported clarifying the City's regulations and streamlining the development process. He believed this fosters local development. However, he agreed with Ms. Ford in opposing the abdication of any Council responsibility. He was unsure whether increasing supply alone would solve the city's affordable housing crisis. He was concerned this would not be a solution if the City did not have clear rules on how to complete the development process. He agreed the City should not be responsible for housing students.
- Supported publicizing community events, such as those held by the University, to encourage public interaction.

Mr. Brown:

- Expressed his opinion that repeating statements from the previous meeting's discussion was not productive.

Mr. McDermott:

- Attended the Food & Brew event the previous weekend, noting it was well-attended. He encouraged Council to participate in and advertise these events within the city to support their success.

9. **2-E. PUBLIC COMMENT (5 minutes per speaker) (10 minutes):** None

10. 3. **APPROVAL OF CONSENT AGENDA: (1 minute)**
- A. Receipt of the June 17, 2025 Parking Advisory Committee Meeting Minutes
 - B. Receipt of the Conservation Advisory Commission Recommendation Regarding Outdoor Lighting Regulation
 - C. Staff Procedure in the Event of Federal Funding Losses
 - D. **First Reading – Bill 25-21** – An Ordinance Amending Chapter 2, Administration, Article IX, Personnel Rules, Code of the City of Newark, Delaware, by Amending the Minimum Standards of a Police Officer – **Second Reading – August 11, 2025**

20:42

Ms. Reed read the consent agenda into the record.

MOTION BY MS. FORD, SECONDED BY MR. LAWHORN: TO APPROVE THE CONSENT AGENDA AS PRESENTED.

MOTION PASSED. VOTE 5 TO 0.

Aye – McDermott, Ford, Bancroft, Lawhorn, Brown.

Nay – 0.

Absent – Suchanec.

11. 4. **APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS:** None

12. 5. **ITEMS NOT FINISHED AT PREVIOUS MEETING:** None

13. 6. **SPECIAL DEPARTMENT REPORTS:**

- A. Request to Reimburse the Property Owner at 262 South College Avenue, Chabad House for three American Holly Trees – Parks and Recreation Director (10 minutes)

21:43

Paula Ennis, Parks & Recreation Director, explained this request is from the Chabad House for the reimbursement of three American Holly trees. She reminded that Council previously agreed to a landscape screening waiver for the Chabad House in February 2025.

The Mayor opened the table to Council comment.

Ms. Ford understood this to be a matter between two neighbors. She asked how this situation escalated to the point of being reviewed by Council.

Ms. Ennis noted this is only a request; the City is not obligated to reimburse the Chabad House. This was initially presented to Council in February for a landscape screening waiver, as the Chabad House was required to plant a landscape screening between their property and their neighbor's. The City was presented with a concern from the neighbor with a request to remove these trees and potentially replant them on City parkland. However, the removal of the trees and noncompliance with the Code required a waiver which required the February request.

Ms. Ford requested clarification that the City did not plant these trees.

Ms. Ennis responded in the affirmative, stating the property owner planted these trees.

Mr. Lawhorn concurred with Ms. Ford and did not support this request. He believed the City should not pay for the result of a dispute between two neighbors.

Mr. McDermott asked why this request was brought forward to Council.

Mr. Coleman explained Council had previously granted a waiver to the Chabad House. The terms they had granted the waiver under, were those that Mr. Coleman and Mr. Bilodeau believed came from a discussion between the Chabad House and their neighbor. However, after the waiver was granted, the Chabad House stated they wished for the City to reimburse them for the trees, which was not what staff understood from previous discussions. If staff had known of this request in February, they would not have brought the waiver to Council at all. Staff does not recommend that the City reimburse for the trees, as this would mean the City is paying a property owner not to comply with the Code.

There was no public comment.

MOTION BY MS. FORD, SECONDED BY MR. LAWHORN: THAT COUNCIL APPROVE THE REIMBURSEMENT OF \$6,950 TO THE CHABAD HOUSE FOR THE REMOVAL OF THREE AMERICAN HOLLY TREES AT 262 SOUTH COLLEGE AVENUE.

MOTION FAILED. VOTE 0 TO 5.

Aye – 0.

Nay – McDermott, Ford, Bancroft, Lawhorn, Brown.

Absent – Suchanec.

14. 7. **FINANCIAL STATEMENT:** None

15. 8. **RECOMMENDATIONS ON CONTRACTS & BIDS OVER CONSENT AGENDA LIMIT:**

- A. Recommendation to Approve a Change Order to a Contract Stemming from Invitation to Bid (ITB) No. 24-03 – Newark Warehouse #2 Expansion (CIP E2202) – Assistant City Manager – Operations (10 minutes)

27:12

Jeff Martindale, Assistant City Manager – Operations, noted this to be a straightforward change order with no associated budget amendment.

There was no Council or public comment.

MOTION BY MR. LAWHORN, SECONDED BY MS. FORD: THAT MAYOR AND CITY COUNCIL APPROVE A CHANGE ORDER TO A CONTRACT STEMMING FROM INVITATION TO BID NO. 24-03 WITH BSS CONTRACTORS, LLC IN THE AMOUNT OF \$53,091.05.

MOTION PASSED. VOTE 5 TO 0.

Aye – McDermott, Ford, Bancroft, Lawhorn, Brown.

Nay – 0.

Absent – Suchanec.

16. 9. **ORDINANCES FOR SECOND READING & PUBLIC HEARING:**

- A. **Bill 25-18** – An Ordinance Amending Chapter 20, Motor Vehicles, Article V, Speed Regulations, Code of the City of Newark, Delaware, By Establishing and Providing an Electronic Speed Monitoring System for the City of Newark – City Manager (20 minutes)

28:20

Ms. Reed read the ordinance into the record.

MOTION BY MS. FORD, SECONDED BY MR. LAWHORN: FOR SECOND READING AND PUBLIC HEARING.

Mr. Coleman explained this to be the final legislative step needed to implement the proposed residential speed camera program. He noted the program has a tentative launch date of October 13th. The City has scheduled another coordination meeting with the contractor later in the week to review the process design work. He noted this ordinance does not authorize the camera on Main Street that was approved as part of this year's bond bill. Due to the lengthy process and several iterations required for the Attorney General (AG) to approve the ordinance, staff believed it to be essential to approve this ordinance and then work with the AG's team as necessary to create an amendment for the Main Street camera installation. He planned to schedule the Main Street camera discussion as an item on a future agenda, as several factors must be considered which require a more extended discussion. He reminded that any revisions to this ordinance which are requested by Council would need to be approved by the AG before Council could approve them locally. He recommended that if Council moves forward with allowing a camera on Main Street, as the City would need to return to the AG anyway, any desired amendments could be requested at that time, allowing this legislation to be amended later.

The Mayor opened the table to Council comment.

Dr. Bancroft was pleased to see this ordinance brought forward.

Ms. Ford encouraged the approval of this ordinance, as the City has waited two years for this program.

There was no public comment.

MOTION BY MS. FORD, SECONDED BY MR. BROWN: THAT COUNCIL APPROVE BILL 25-18 AS PRESENTED.

MOTION PASSED. VOTE 5 TO 0.

Aye – McDermott, Ford, Bancroft, Lawhorn, Brown.

Nay – 0.

Absent – Suchanec.

(ORDINANCE NO. 25-18)

17. 9-B. **BILL 25-19 – AN ORDINANCE AMENDING CHAPTER 13, FINANCE, REVENUE AND TAXATION, BY CREATING A NEW ARTICLE IX, TAX LEVY ON COLLEGES AND UNIVERSITIES WITHIN THE CODE OF THE CITY OF NEWARK, TO CODIFY THE JURISDICTION AND AUTHORITY OF THE CITY OF NEWARK TO LEVY TAXES UPON COLLEGES AND UNIVERSITIES WITHIN THE CITY OF NEWARK PURSUANT TO THE RECENT AMENDMENT OF THE CITY OF NEWARK’S CHARTER SET FORTH IN HOUSE BILL NO. 34, AS AMENDED BY HOUSE AMENDMENT NO. 1 – CITY MANAGER (45 MINUTES)**

31:53

Ms. Reed read the ordinance into the record.

MOTION BY MR. LAWHORN, SECONDED BY MS. FORD: FOR SECOND READING AND PUBLIC HEARING.

Mr. Coleman explained this to be the ordinance which establishes the City’s ability to charge a tax to universities and colleges per the authority granted under HB-35. The City Solicitor has prepared an amendment for Council consideration, which clarifies that the initial rate would be set by a Council resolution for the fall 2025 semester and that subsequent rates would be set during the annual budget process, similar to how the City sets its normal tax rates. The City Solicitor has determined it to be a minor adjustment that does not require another notice and can therefore be approved this evening. He recommended leaving the \$50 amount in this ordinance as it sets the ceiling for the rate. In the future resolution and through the budget process, council could approve a rate at any amount up to \$50.

Mr. McDermott asked for clarification that the City is not setting a rate tonight but are considering an amendment to this bill allowing them to determine the rate during their budget hearings or another future meeting.

Mr. Coleman responded in the affirmative.

The Mayor opened the table to Council comment.

Mr. Brown noted this bill has been long awaited and encouraged its approval.

Dr. Bancroft and Ms. Ford concurred.

Mr. Lawhorn asked if the City would still have time to implement this by the coming fall semester if they set a rate by resolution at a later meeting.

Mr. Coleman noted a resolution does not require a second reading, so it can be scheduled on the next agenda.

Mr. McDermott noted Council has worked on this initiative for two years.

The Mayor opened the floor to public comment.

Tom Price, non-resident and 6-year PhD Candidate of Art History at UD, opposed this bill. He noted the City has a right and responsibility to find new revenue streams to secure its budget; students also need Council to run the city appropriately. He believed the University can afford to pay significantly more to the City than it currently does. He noted the importance of the City and UD to be good neighbors to one another, as they are entwined entities. He believed the City is right to press UD to do more, but he believed this bill to be a red herring, as it is a tax on students, not the University. He believed the bill purposely creates a metric that is per student, targeting both individual students and the group

demographic. He noted that the University will be charged this tax, but the UD Administration has indicated that it will be passed along as a fee to students. He acknowledged an extra \$100 will not be burdensome to many undergraduate students, but it will be burdensome to some graduate students. He noted the fees already faced by students are significant and increasing. He explained that many graduate students live in the City, do not have cars, and need to be near labs, so they already pay taxes through rent or homeownership. He believed that many graduate students feel as if this tax is a penalty for choosing to attend UD and contribute to the local economy. He believed there could be a more favorable way to pursue this initiative and encouraged Council to reach out for negotiations with the new UD administration.

There was no further public comment, and the Mayor returned the discussion to the table.

Mr. Bilodeau read his proposed amendment to Bill 25-19: "...for the fall semester, the City will set the university/college tax rate per student by an upcoming resolution by Council, and for the following semesters, Council will set the university/college tax rate per student as part of the budget adoption process."

MOTION BY MR. LAWHORN, SECONDED BY MR. BROWN: TO AMEND BILL 25-19 AS PRESENTED BY THE CITY SOLICITOR.

MOTION PASSED. VOTE 5 TO 0.

Aye – McDermott, Ford, Bancroft, Lawhorn, Brown.

Nay – 0.

Absent – Suchanec.

MOTION BY MR. LAWHORN, SECONDED BY MS. FORD: THAT COUNCIL APPROVE BILL 25-19 AS AMENDED.

MOTION PASSED. VOTE 5 TO 0.

Aye – McDermott, Ford, Bancroft, Lawhorn, Brown.

Nay – 0.

Absent – Suchanec.

(ORDINANCE NO. 25-19)

18. 10. **RECOMMENDATIONS FROM THE PLANNING COMMISSION AND/OR PLANNING AND DEVELOPMENT DEPARTMENT:** None

19. **Meeting adjourned at 7:40 p.m.**

Tara Schiano
Director of Legislative Services
City Secretary

/jh