

# City Manager's Weekly Report

Friday, August 12, 2016

**Department:**

Administration - City Manager

**Notable Notes:**

Mayor and Council - Please find a noise waiver letter for work to take place next week along East, West and South Main Street associated with CCTV Inspection. Additionally, please find the customary letter of request from UD Police associated with student move in and move out and its associated unloading.

Attached below you will find the most recent revisions to the Draft ordinance amending Chapter 17, Housing and Property Maintenance that was previously shared with Council and the Newark Landlords Association.

Update - Main Street Pedestrian Signal at the Green - I have gotten confirmation from DeIDOT that the signal will be activated in flash mode next Thursday, August 18 and will be fully online on Monday, August 22. We will have officers there at the beginning issuing warnings once the students get back.

I held my quarterly mid-level managers meeting this week and received good feedback related to our DVHT health insurance experience as well as information staff shared related to welcomed team work among departments and upcoming work load.

We have been approached by Delaware Solid Waste Authority (DSWA) regarding its intention to open manned sites within the State and there is strong interest in placing one here in Newark in relationship to our citizen participation and location. Additional information will be shared as it becomes available.

Staff from PW&WR and Finance and I participated in another detailed/information gathering session with Black and Veatch related to the ongoing Water Rate Study.

Reminder: The 3rd Annual Hot Rod Palooza will take place tomorrow from 8:00 a.m. to 1:00 p.m. in the Newark Shopping Center and along Main Street including:

Enjoy fun for the whole family at Newark's 3rd Annual Hot Rod Palooza!

FREE Parking

FREE Admittance

FREE Games and Fun!

- Car show

- Basketball Blow-up

- Blow-up Slides

- Pit Stop Tire Change Challenge

- Kids can take photos in a race car!

**Activity or Project:**

PWWR - Correction of Inaccurate Information

**Description:**

Press release of August 11, 2016 - for reference - was previously shared with Council. The City of

Newark Responds to Recent Harvard Study Report on Water Quality Newark, DE - City Manager Carol Houck issued the following statement in response to a published report indicating unsafe levels of toxic Chemicals in the City's water supply: "The City of Newark is committed to ensuring the safety and well-being of its residents and visitors. A recent Harvard study publication indicated unsafe levels of specific industrial chemicals had been detected in Newark's drinking water - but the information is inaccurate and misleading. The samples referenced in the study were taken from a well located in close proximity to the New Castle Airport and is in no way associated with the City of Newark's water system. The association with Newark identified in the study was due to a limitation of the available location data within the testing database. The City of Newark did participate in the EPA's unregulated contaminant study, but none of the contaminants in question were detected in the City's water source. We are confident our water quality meets or exceeds quality standards and does not pose any risk to those who consume it." The City discussed the limitations of location data with the study's authors who agreed to edit their press release and publication, offering the following response: "We appreciate that our press release may cause undue concern to the water consumers of Newark, DE. Therefore we have removed from the Harvard press release the reference to your town. In addition, we have added additional information to the description of the map to help readers better understand what the map represents. "Here is a link to the updated press release: [https://www.hsph.harvard.edu/news/press-releases/toxic-chemicals-drinking-water/.](https://www.hsph.harvard.edu/news/press-releases/toxic-chemicals-drinking-water/)"

Status:	Completed
Expected Completion:	8/11/2016
Execution Status:	Completed

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**Activity or Project:**

DelDOT Response/Update Chapel Street Bridge

**Description:**

We are working on plans for enhanced warning devices at this location, as well as at Casho Mill Road (which along with Chapel Street has historically been our worst low-clearance problem), and James Street in Newport (which has had a huge spike in truck hits this summer). I don't think a field meeting at this time is needed. We will share our draft plans before implementing. We are also reaching out to the Delaware Motor Transport Association and Google to try to find better ways to inform drivers of large vehicles about these low-clearance underpasses. Mark Luszcz, P.E., PTOE Chief Traffic Engineer Delaware Department of Transportation

Status:	In-Progress
Expected Completion:	8/12/2016
Execution Status:	On Track

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**Activity or Project:**

DEMEC Annual Dinner Meeting Invitation

**Description:**

You are cordially invited to DEMEC's 22nd Annual Dinner Meeting on Wednesday, September 21st

at the Dover Downs Hotel and Conference Center (invitation attached). Please promptly distribute this invitation to your elected officials, utility committee members, involved staff and key account representatives. In keeping with years past, the agenda for the day is as follows: 4:00 pm DEMEC Board Meeting (Diamond Room 3) 5:30 pm Social Hour 6:30 pm Dinner and Presentations (Please let me know if you require a special diet) Please provide me with the names and titles of the people attending this event no later than Friday, September 9th. We look forward to seeing you there.

Status:

Expected Completion:

Execution Status:

**Department:**

**Notable Notes:**

**Activity or Project:**

**Description:**

Status:

Expected Completion:

Execution Status:

**Activity or Project:**

**Description:**

Status:

Expected Completion:

Execution Status:

**Activity or Project:**

Description:

Status:

Expected Completion:

Execution Status:

**Department:**

City Secretary and City Solicitor's Office

**Notable Notes:**

Paul was in the office August 5 for Court, August 8 for Council and August 11.

Paul, Renee and Alice staffed the August 8 Council meeting. Follow up was completed on August 9.

Alice participated in a bid opening on August 9.

Alice attended the staff meeting on August 11 where the August 22 Council agenda was discussed.

Renee drafted the agenda for the August 22 Council meeting. So far, that agenda tentatively includes the following:

- Executive session starting at 6:30 p.m.;
- Two retirement resolutions;
- Municipal broadband recommendation presentation;
- One board appointment (Board of Building, Fire, Property Maintenance and Sidewalk Appeals);
- Four contracts/purchases (rewind/overhaul of a substation, waive bid for purchase of a Dragon Millings Machine, waive bid for purchase of water main condition assessment services, fiber installation services for connecting City owned assets for IT);
- Public hearing for the following projects:
  - Annexation and rezoning of 1 Georgian Circle (Bill 16-20);
  - Comprehensive Plan amendment, rezoning, major subdivision and site plan approval for Barksdale Green (Bills 16-21 and 16-22 and resolution);
  - Designation of remaining blocks of Sunset Road as no parking anytime and a special residential parking district (Bill 16-23 and resolution)
  - Special use permit for an indoor theater serving alcohol for Main Street Movies 5.
- Consent agenda items (August 8 Council minutes, Alderman's Report, July 5 Planning Commission minutes).

Renee received comments from staff, revised accordingly and sent the developer the subdivision agreement for Barksdale Green (Comprehensive Plan amendment/rezoning/major subdivision/site plan approval for 14 condominium townhouses). This plan is scheduled for public hearing at the August 22 Council meeting.

Renee received comments back from Board of Adjustment members, completed and circulated to staff for

review the background materials for the August 23 Boards and Commissions Review Committee meeting. The Committee will be reviewing the Board of Adjustment. Renee also made the final edits to the final draft of the Boards and Commissions Review Committee report on the Planning Commission, which will be considered on August 23, and drafted the agenda for the chair's review of the August 23 meeting.

Renee and Alice spent time researching various items this week including Planning Commission applications and minutes from appointment for current Commission members (Councilwoman Wallace) and sewer minimum charges (Public Works & Water Resources).

FOIA requests took some time this week. The following action was taken on requests:

- Confirmed desire of requestor not to move forward and closed a July 5 FOIA request from JMS Recovery Services, LLC regarding unclaimed check information.
- Received documents from staff, sent documents to requestor and closed a July 22 FOIA request from Legal Services Corporation of Delaware regarding 97 Madison Drive.

The August 11 Downtown Newark Partnership agenda was forwarded to Council.

Regarding minutes, staff time was spent on the June 28 Boards and Commissions Review Committee (Tara drafting; Renee editing - complete), July 12 Conservation Advisory Commission (Tara drafting), August 2 Downtown Newark Partnership Strategic Development Subcommittee (Alice drafting; Renee editing - complete) and August 8 Council (Alice drafting) minutes. The July 21 Board of Adjustment and July 25 Council Executive Session minutes are currently in the queue.

Teressa prepared and sent direct mail notices for the designation of the two remaining blocks of Sunset Road as no parking anytime and a special residential parking district to the residents on or with property adjacent to Sunset Road. The ordinance and resolution are scheduled for public hearing at the August 22 Council meeting.

The office received and Alice and Teressa fulfilled 12 discovery requests for upcoming Alderman's Court cases. Alice also fulfilled two plea by mail requests.

The office received 8 new lien certificate requests this week, which were sent to Finance for processing. 8 lien certificate requests were completed and sent to the requestor this week. So far, 315 lien certificate requests have been processed for 2016.

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**Activity or Project:**

No progress to report

**Description:**

There is no progress to report on long-term projects this week.

Status:

Expected Completion:

Execution Status:

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**Activity or Project:**

Description:

Status:

Expected Completion:

Execution Status:

**Activity or Project:**

Description:

Status:

Expected Completion:

Execution Status:

**Department:**

Electric Department

**Notable Notes:**

The line crews have been working on Dallas Avenue changing the lines from spacer cable configuration to flat cross arms for a future voltage upgrade. They also moved poles and power lines behind the Phillips Avenue garage to make room for a salt shed and took down the old primary metering point at the Main Street Towers as the new service has been complete for several weeks.

A contractor has been working on Marrows Road changing poles to make room for a fiber cable installation for a private company and the city hired a different contractor to reconductor and change poles where necessary along Nottingham Road for a voltage upgrade.

The electricians ran ethernet for IT at the Police Department and wired up the new cooling tower installed at the Municipal Building.

The meter technician installed metering at 52 North Chapel Street, the CardioKinetics building.

Engineering has been working on the new pole line designs for Elkton Road and the new train station. Both locations involve moving existing facilities to make room for the changes that DeIDOT has designed.

**Activity or Project:**

West Main Substation Reconfiguration

Description:

Installing a new circuit and poles and reconfiguring other circuits and poles at the West Main Substation to prepare for a new substation transformer currently being built and to be delivered

later this year.

Status: In-Progress

Expected Completion: 10/31/2016

Execution Status: On Track

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**Activity or Project:**

Description:

Status:

Expected Completion:

Execution Status:

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**Activity or Project:**

Description:

Status:

Expected Completion:

Execution Status:

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**Department:**

Finance - Accounting Department

**Notable Notes:**

All of the property tax bills that were mailed out the end of July were produced with one correct due date of 09/30/2016 and one incorrect due date of 07/31/2016. Due to the deadline on getting the bills out, the erroneous date was stricken, and a note was added at the bottom stating that the actual due date is September 30, 2016. While we acknowledge that the bills did not look as professional as we are accustomed to printing, we felt that reprinting the bills would have delayed the tax bills even further. With our billing system migrating to Munis we are confident that this issue will not occur again in the future. Residents can contact the Finance Department if they would like another bill reprinted for them.

PUBS staff was severely understaffed due to illness, vacations, and a death in the family. We reached out to our temp agency to staff the Welcome Center for the week.

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**Activity or Project:**

## 2017 Budget

### Description:

The timeline for the budget process can be found on Budget Central via this link: <http://cityofnewarkde.us/DocumentCenter/View/6648>. Finance staff and the management team met with each department July 26th to July 28th. Finance staff is currently working with departments on revisions from our initial budget meetings.

Status: In-Progress

Expected Completion: 9/30/2016

Execution Status: On Track

### Activity or Project:

License Audit Review

### Description:

The City has engaged MetroRev of New Castle, Delaware to perform a license compliance review. MetroRev will be focusing on unlicensed businesses that are subject to City Code. The Kickoff meeting with MetroRev occurred on July 20th.

Status: In-Progress

Expected Completion: 5/17/2017

Execution Status: On Track

### Activity or Project:

### Description:

Status:

Expected Completion:

Execution Status:

### Department:

Parks and Recreation Department

### Notable Notes:

Director: Completed park inspection at Karpinski Parks and upper trail of the reservoir, attended Sculpture Park meeting with the City Manager and Joe Charma from the Design Committee, met with Nic DeCaire from the Preston's Playground Committee about a possible fundraiser for the playground at the Reservoir, reviewed and edited two contracts that will be going out to bid, developing cost estimates for Capital Budget projects, conducted a parks maintenance meeting to discuss upcoming work orders and projects,

reviewed the landscape plan submitted by developer, visited several parks with Parks Superintendent to evaluate upcoming projects.

Recreation Superintendent: Conducted feedback sessions with all three Recreation Supervisors which included comments and observations and goals; worked on completing data entry forms for programs that are confirmed for the fall brochure and set final deadline for all fall brochure information with staff to ensure it is ready to go live on August 22, conducted staff meeting with recreation and administrative staff, researched artificial Christmas tree information, worked on Community Development Block Grant application, communicated with Public Health Department regarding the Thanksgiving Day Breakfast.

Recreation Supervisor of Athletics: Continued to finalize details for fall program information; made regular visits to the following camps this week: tennis and Rittenhouse which started the fourth and final session of camp for this summer; continued preparing for the start of our youth soccer program including holding the coaches meeting on Tuesday; met with Recreation Superintendent for feedback session about recent staff transition; sent out letters and confirmed trip details for Rittenhouse Rocks camp scheduled August 15-19; submitted information for after school gymnastics and tennis programs for Downes Elementary Shark Bites newsletter; delivered tennis equipment to Camp REAL for the Mayor's visit; continued to recruit staff and prepare for the start of the before and after school care programs, staff training is scheduled August 25-26 and school starts August 29.

Coordinator of GWC and Volunteers: Camp GWC had a total of 63 participants; GWC visited Launch Trampoline Park on Wednesday, August 3; the GWC Pool and Dickey Pool were open from Tuesday-Saturday with a total of 120 attendants at George Wilson Center Pool and 115 attendants at Dickey Pool; 2 volunteers devoted **30** hours assisting with Camp REAL, 5 Volunteers devoted **200** hours assisting with Rittenhouse Camp, 2 volunteers devoted **48** hours assisting with Camp GWC, 2 Volunteers devoted **70** Hours with Simply Delicious Cake Decorating Camp; 1 Volunteer devoted **17.5** hours assisting with Tennis Camp. Total Volunteer Hours for the week of 8/1-8/5: **365.5** Hours.

Recreation Supervisor of Community Events: Worked on items related to several upcoming and ongoing programs including Camp R.E.A.L., Safe Kids Camp, specialty camps and fitness programs, as well as fall programs and activities. Camp R.E.A.L. had another great week with special guests visiting from Knitting in Love, who taught the campers how to finger knit and helped them yarn bomb one of the trees at Dickey Park. Kate, Lacey and Victoria did a great job with the children and even surprised them with some yarn bombing of their own. The trees will remain decorated throughout the month of August for the campers and residents to enjoy. Josh, from the Newark Post covered the event, which can be found here: [http://www.newarkpostonline.com/news/article\\_cc758e74-4f7a-5e1b-8dc3-cd01bec3fa19.html](http://www.newarkpostonline.com/news/article_cc758e74-4f7a-5e1b-8dc3-cd01bec3fa19.html). The Camp R.E.A.L. campers loved being able to participation in another session of tennis with the Mayor this week and celebrated the start of the Olympics with Olympic Day on Friday. Campers and staff had a great time dressing for the occasion in their favorite team colors and participated in several track and field events in the park. The Newark Bike Project generously donated several bicycles with lights and locks to the Camp R.E.A.L. campers that did not have bicycles. The campers and parents are so excited that they now have bikes to ride. Many of the children are now riding their bikes to and from camp.

Parks Superintendent: Completed first draft of mowing contract and gave to Secretary for typing and distribution, started working on redesign of bed area at City Hall along Veteran's Lane, met with Code Enforcement Division to evaluate several trees for removal, met with contractor to get estimate for converting Kershaw tennis courts over to tennis courts, took samples of plant material to the University to ID the issue and get control recommendations, contacted Pennoni about scheduling the "Wetlands Report" mandated by Corps of Engineers for the Pomeroy Trail (this is the 4th of 5 years the report is required), researched pricing on "Dog Leashing/Waste" signs, and continued monitoring mowing contract.

Parks Supervisor: Continued giving daily assignments to field staff, assisted with work orders as needed, and scheduled projects for next week.

Parks and Horticulture Staff: Continued mowing operations, continued on bed maintenance operations (weeding/herbicide applications, deadheading perennials, insecticide application for insect issues on plant materials, and mulching bed areas), dragged/scarified ball fields, raked off all horseshoe pit areas, did tree pruning/removal as assigned, and did interior bed maintenance at City Hall.

**Activity or Project:**

Pavilion at Folk Park

Description:

The contract was awarded for the construction of a new pavilion and ADA accessible sidewalk at Folk Park. Construction should be completed by the end of October.

Status: Not Started

Expected Completion: 10/28/2016

Execution Status: On Track

**Activity or Project:**

Description:

Status:

Expected Completion:

Execution Status:

**Activity or Project:**

Description:

Status:

Expected Completion:

Execution Status:

**Department:**

Planning and Development Department

**Notable Notes:**

## Building Maintenance

- This week Facilities Maintenance performed the following:
  - Visited DNREC with a FOIA request to get information on the City's underground storage tanks;
  - Completed work on Police Department holding cells;
  - Coordinated repair of leaking sprinkler pipe in Municipal Building lobby;
  - Repaired toilet in first floor ladies room in Municipal Building;
  - Replaced various light bulbs;
  - Coordinated repair of wheelchair lift by service contractor (power supply went bad in unit).

## Code Enforcement

- The new cooling tower for the Municipal Building was installed on Tuesday morning and is operational. Air-conditioning was only off until noon for this installation.
- The final piping inspection was completed in University of Delaware's Brown Laboratory.
- Met with representatives from Delle Donne to discuss possible construction at Star Campus.
- The wall installation is ongoing at University of Delaware's South Academy Street dormitory.
- Work is ongoing at 60 North College Avenue and 52 North Chapel Street.
- Astra Plaza on Main Street should be completed and occupied by next week.
- Work is continuing at the Washington House Condominiums located at 113 East Main Street.

## Parking

- Some time was spent this week reviewing options and pricing for Lot Full signs.
- On Tuesday at 2:00 p.m., Requests for Proposals (RFPs) were received for consideration of a public-private partnership to create a mixed-use downtown parking garage.
- On Wednesday Parking Manager Marvin Howard and Parking Supervisor Courtney Mulvanity attended a mid-level manager meeting.
- Also this week, Marvin and Courtney spoke with Sean Sheeran from T2 Solutions regarding license plate recognition (LPR) and Newark's residential parking permit needs. The Parking Division is scheduled to take over administration of residential parking permits in June 2017.

## Planning/Land Use

- This week follow up work was performed following the Planning Commission meeting to prepare 6 Annabelle Street and Briarcreek North for City Council review. Pending projects were also reviewed for suitability for Planning Commission consideration in September.
- Some time was spent on website review for the upcoming CivicPlus revisions.
- Some time was spent reviewing historic records on Emily Bell Lane.
- This week the department received a sketch plan for the rezoning and major subdivisions of properties located at 30 Benny Street and 155 South Chapel Street. The sketch plan has been distributed to operating departments for review and comment.
- Over the recent past, the Planning and Development Department has received requests from potential business owners to open micro-breweries in the City, with an assortment of accessory uses, which vary from one another based on their business plans, and which are not permitted under the current Zoning Code. The Department has requested a Council

decision of the policy issue regarding permitting the production of beer, wine and spirits, along with associated sales in some zoning districts with a special use permit and conditions, to determine if Code amendments are appropriate.

- Development Manager Mike Fortner completed a report to New Castle County on demographic and income data for the City's Community Development Block Grant (CDBG) Program.
- Tabulations have been completed for the 2016 Newark Resident Survey. The Planning and Development Department anticipates the final report to be forwarded to Council in September.
- At its regularly scheduled meeting on Monday night, Council approved amendments to the Zoning Code regarding height of buildings and building setback lines. In addition, Council authorized additional expenditures for Unicity to provide a temporary solution to DART's discontinuation of Route 16 service to Fairfield.
- This week Planner Tom Fruehstorfer spent some time analyzing DART Routes 16 and 16A while preparing potential revisions to the Unicity bus route, based on Council action.
- The following was also completed this week:
  - 8 Deed Transfer Affidavits
  - 42 Building Permit Reviews

**Activity or Project:**

Planning Commission Workshop

Description:

On Tuesday, Planning and Development Director Maureen Feeney Roser and Development Manager Mike Fortner met with Planning Commission Chairman Alan Silverman to discuss the upcoming Planning Commission workshop on Zoning Code based parking requirements and the parking waiver option for BB zoned properties to be held on Monday, September 19, 2016 at 7:00 p.m. in the City Council Chamber. The Chairman and staff anticipate this workshop being one of several to tackle the complex issues surrounding both subjects.

Status: Started

Expected Completion: 9/19/2016

Execution Status: On Track

**Activity or Project:**

Promoting Owner Occupancy of Homes (POOH) Program

Description:

The Planning and Development Department has approved another application for the Promoting Owner Occupancy of Homes (POOH) Program. This program promotes and encourages the owner occupancy of homes by providing deferred payment, shared equity loans of up to \$30,000 towards the purchase of any single family homes in the City with a valid rental permit. This is the third POOH Program recipient in 2016. To date, the City of Newark has provided 20 POOH Program loans since the program's inception in 2005.

Status: In-Progress

Expected Completion: 8/12/2016

Execution Status: On Track

**Activity or Project:**

Main Street Movies 5

**Description:**

The Planning and Development Department has completed its report on the application for a Special Use Permit from Main Street Movies 5 to operate an indoor theater and to sell alcoholic beverages for consumption on premise. The application is scheduled to be on the City Council agenda for August 22.

Status: In-Progress

Expected Completion: 8/22/2016

Execution Status: On Track

**Department:**

Police Department

**Notable Notes:**

Last week, Detective Bill Anderson arrested two of three suspects for an armed robbery that occurred on May 27<sup>th</sup> on Matthew Flocco Drive. At that time, a 15-year-old male was robbed at gunpoint while attempting to purchase an X-Box and games. The investigation led to the identification of two suspects. A search warrant was executed at their apartment in Brookside. Large quantities of marijuana was discovered along with other drug paraphernalia and several cell phones. A black handgun was recovered along with three pellet guns. The third suspect has been identified.

At the August 10<sup>th</sup> police roll call, Chief Paul Tiernan presented Corporal Joseph Kendrick a letter of commendation for his role in dismantling one of the largest heroin distribution operations in Delaware history. Last fall, Corporal Kendrick observed two suspicious individuals in a parking lot. His investigation led to an arrest for an illegally made firearm and led to information regarding the sale of heroin in the Newark area. A Task Force was mobilized and at the end of the investigation, officers made the largest seizure of pre-packaged heroin ever seen in this area.

At the same roll call, Chief Tiernan presented Platoon B with a unit citation for their role in tracking and finding an 11-year-old male diagnosed with autism. The boy had run away during the winter while the temperature was 8 degrees. Platoon officers and K-9 Kody tracked the boy and found him laying by a bridge. If the officers had not located the boy, it was expected that he would begin to suffer frostbite within the hour.

The final stages of the police recruitment process is nearing completion. Chief Tiernan and Deputy Chief Farrall interviewed five (5) candidates and recommended to the City Manager that all five be offered conditional offers of employment. Pending the successful completion of the medical and psychological, the group will be eligible to attend the police academy next month. The candidates consisted of two (2) females and three (3) males.

Mayor Sierer recently alerted the police department to possible quality of life and criminal activities in a specific location in Newark. Since then, our Patrol, Special Operations, and Street Crime Officers have been

proactively patrolling the area. As a result, several arrests have been made. On August 4<sup>th</sup>, the latest prostitution arrest was made at the location. The prostitute told officers that the "word was out" to stay out of Newark because of the aggressive enforcement. This was great information from the Mayor and a great job by our officers.

**Activity or Project:**

N/A

Description:

N/A

Status: Completed

Expected Completion: 8/11/2016

Execution Status: Completed

**Activity or Project:**

Description:

Status:

Expected Completion:

Execution Status:

**Activity or Project:**

Description:

Status:

Expected Completion:

Execution Status:

8/7/2016 to 8/13/2016



**CITY MANAGER'S OFFICE**  
**CITY OF NEWARK**

220 South Main Street · Newark, Delaware 19711  
302.366.7000 · Fax 302.366.7035 · www.cityofnewarkde.us

August 12, 2016

Mr. Christopher R. Brendza, P.E.  
Associate  
Johnson, Mirmiran & Thompson, Inc.  
Water Engineering Group  
121 Continental Drive, Suite 300  
Newark, DE 19713

**Via Email:** [cbrendza@jmt.com](mailto:cbrendza@jmt.com)

Dear Mr. Brendza:

Re: Night Work on East, West & South Main Street, New London Road, North & South College Avenue and Academy Street

As requested, I will authorize an extension of the 9 p.m. stop time normally enforced on weekdays and weekends for our City Noise Ordinance regulations. The location of this work is as noted on the attached map.

Specifically, you have approval subject to the following conditions:

1. The purpose of the extended work is to complete approximately 3,900 linear feet of CCTV inspection along the various streets as noted on the attached map.
2. The dates for this work are **Monday, August 15, 2016** through **Wednesday, August 17, 2016**. Work will begin each day at **8:00 p.m.** and end at **6:30 a.m.** Work will continue daily for the same hours.
3. The City of Newark Public Works & Water Resources Department will notify the residents in the vicinity of this work.
4. Traffic will be maintained in at least one lane.

Mr. Christopher R. Brendza  
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August 12, 2016

5. If we receive any complaints related to noise on this project during the extended hours, the Police Department will still respond according to our City Code.
6. If any other changes, such as an unexpected road closure, are necessary as a result of this work, you should immediately contact the Newark Police Department and the Aetna Hose, Hook & Ladder Company so as to alert the appropriate public safety agencies. State and city highway traffic controls will be used during any lane shut down.

Please note this represents a temporary waiver to the City Noise Ordinance. By copy of this letter, I am notifying the Police Department and Fire Board of your planned operations. Remember that any further variations from the above conditions must be approved by the City Manager.

Do not hesitate to contact me if you have any additional questions.

Sincerely,



Carol S. Houck  
City Manager

CSH/mp

c: Mayor & City Council  
Paul M. Tiernan, Chief of Police  
Thomas Coleman, Director of Public Works & Water Resources  
AHHL Fire Company

# ATTACHMENT 1

## MAIN STREET CCTV

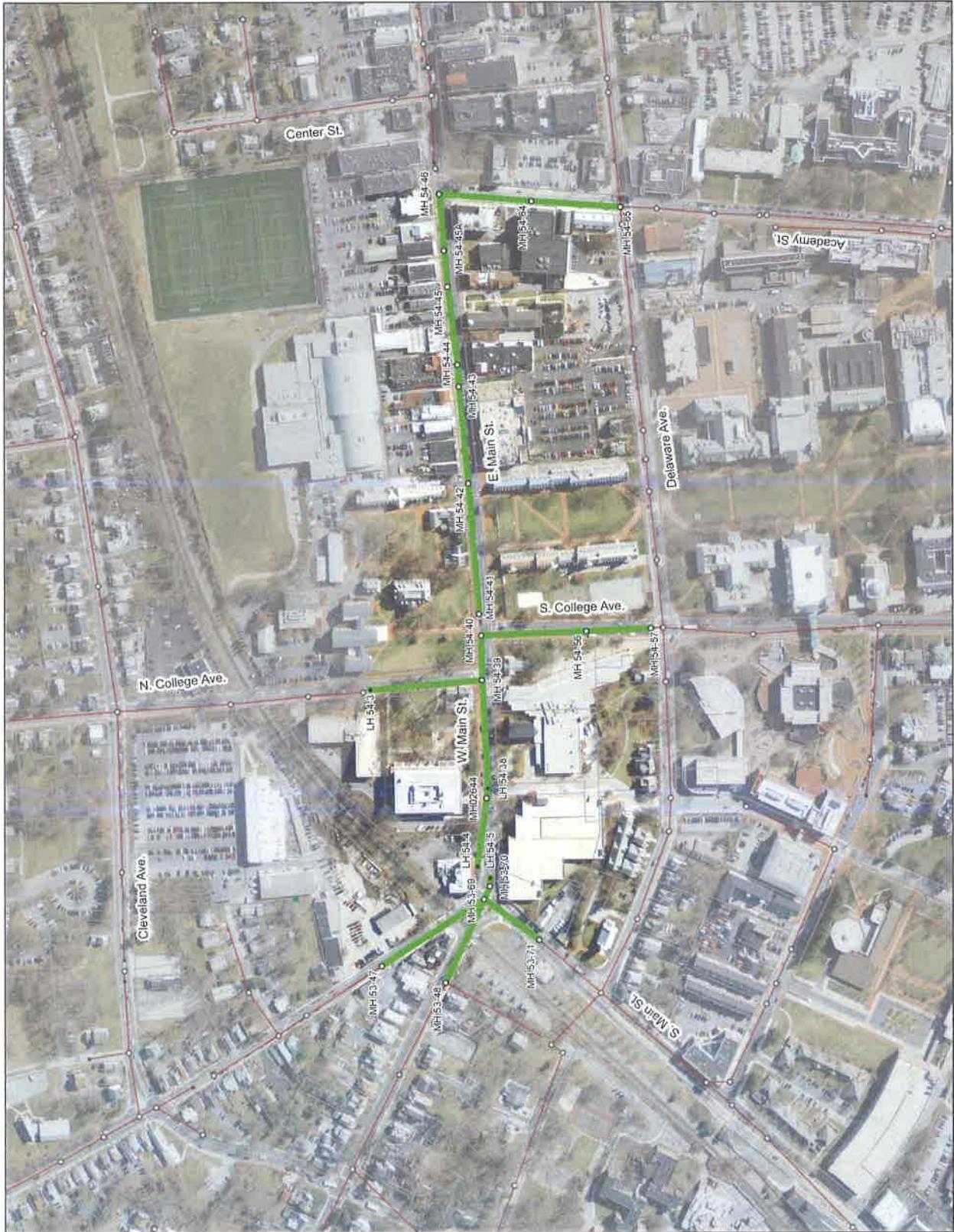
**Legend**

- CCTV
- Sanitary Sewer
- Manhole
- Lamp Pole
- Pumping Station
- Gravity Main
- Force Main
- Other
- Parcels
- Incorporated City Limits
- Main St. Mark



0 250 500 Feet

1 inch = 250 feet





## University of Delaware Police

University of Delaware  
Newark, DE 19716  
Department of Public Safety  
Phone: 302-831-2224  
Fax: 302-831-6871

August 03, 2016

Chief P. Tiernan  
City of Newark Police Department  
Newark, DE 19711

Dear Chief,

This annual request comes to you in preparation for the return of University of Delaware students to the campus beginning Wednesday, August 24, 2016 through Monday, August 29, 2016. At this time we are requesting that parking regulations in the identified areas around campus during the times students move in to their respective residence halls be suspended. As you are well aware the city limits are inundated with visitors to campus that assist with students who are returning for the beginning of the fall semester. By allowing vehicles to park closer to the residence halls this "move in" process will be expedited. For this reason the University requests the parking exemptions. The move in process begins on Wednesday, August 24<sup>th</sup>, continues Thursday, August 25<sup>th</sup>, Saturday, August 26<sup>th</sup>, Sunday, August 27<sup>th</sup> and ends Monday, August 29<sup>th</sup>.

The majority of the students will be moving back on campus Saturday, August 29<sup>th</sup> and Sunday, August 30<sup>th</sup>. The times for the waived restrictions on these days are from 0700 – 1700 hours. There will be no need to close off any streets on Wednesday (8.24), Thursday (8.25), or Monday (8.28). Below are the areas which will need to be restricted to allow students to move into the residence halls:

- Haines Street from Lovett Avenue south to Benny Street
- Wyoming Road west from South Chapel Street to Gilbert Hall
- Benny and Chambers Streets
- Academy Street between Courtney Street and Lovett Avenue
- Ray Street between N. College Avenue and Rose Street

There will be unloading of property on both sides of the streets in the requested areas with signs posted to restrict the unloading areas. In addition, UD's Parking Services Division will be responsible for alerting the local residents in the area regarding this event.

The University Police thank you and your department in advance for your cooperation in this endeavor. If you have any questions or concerns please let me know as soon as possible.

Respectfully,

Lt. Michael Maier  
University of Delaware Police  
Special Operations Commander  
302.831.4138 (office)  
302.831.6871 (fax)  
michaelm@udel.edu

1st Reading: \_\_\_\_\_

2nd Reading: \_\_\_\_\_

**CITY OF NEWARK DELAWARE ORDINANCE NO. 16-\_\_**

**An Ordinance amending Chapter 17, Housing and Property Maintenance, by updating code sections to allow private certified rental property maintenance inspectors, to allow financial credits if such inspectors are used, and to clarify certain aspects of the City of Newark’s annual rental inspection program.**

\*\*\*\*

**Section 1.** Having found that the proposed Code amendments below are in the best interest of the residents and are in the best interest of the welfare of the City as a whole, THE COUNCIL OF THE CITY OF NEWARK HEREBY ORDAINS to amend Chapter 17, Housing and Property Maintenance, of the City Code in the following respects:

**Amendment No. 1** - Amend Section 17-2, Definitions, by adding the highlighted text and deleting provisions as follows:

Sec. 17-2. – Definitions:

(a) Code official.

As used herein, code official shall mean the planning and development department director or his or her designee of the City of Newark and/or any of the authorized officers or inspectors of the code enforcement division.

**(b) Private certified rental property maintenance inspector.**

A private certified rental property maintenance inspector shall mean a person that is: (1) not employed by the City; and (2) approved and licensed by the City to perform inspections for properties for which a rental license is issued.

**Amendment No. 2** – Add a new section 17.2.1, which shall read as follows:

**Sec. 17.2.1. Requirements for and responsibilities of a private certified rental property maintenance inspector.**

(a) Minimum Qualifications. All private certified rental property maintenance inspectors shall have at least the following minimum qualifications:

1. Maintain a current certification as a Certified Property Maintenance and Housing Inspector by the American Association of Code Enforcement; or

2. Maintain a current certification by the International Code Council as a Property Maintenance and Housing Inspector; or

3. Is a licensed home inspector pursuant to regulations and rules promulgated by the Board of Home Inspectors as more fully outlined in Title 24, Chapter 41 of the Delaware Code.

(b) Annual City Certification Application. Each private certified rental property maintenance inspector shall apply for a license from the City to perform rental property maintenance inspections and certifications. The applicant shall at minimum demonstrate, on a form promulgated by the City, that the applicant has the minimum qualifications, maintains general liability insurance in the amount of at least one (1) million per incident and two (2) million in the aggregate, has named the City of Newark as an additional insured on such general liability policies, maintains applicable State and City business licenses, and, following the first year of licensure, that the inspector has performed at least two (2) inspections in the previous year accompanied by a code official. The applicant shall also be required to disclose all present and prior complaints and/or regulatory proceedings relating to the provision of inspection services. Upon receipt of the Annual City Certification Application, the City may investigate the qualifications of the applicant and confirm the accuracy of the application prior to issuance of the license.

(c) Annual Fee. The annual license fee for each person applying to be a private certified rental property maintenance inspector is **(to be determined)**.

(d) Supervisory Inspections. Each licensed private certified rental property maintenance inspector shall be required to schedule and conduct at least two (2) inspections per year accompanied by a code official. It shall be the private certified rental property maintenance inspector's

responsibility to schedule such inspections. The code official may, at no additional charge and with the advance consent of the tenant or occupant, also conduct a reinspection at any property inspected by any licensed private certified rental property maintenance inspector to assure the sufficiency and accuracy of the private certified rental property maintenance inspector's inspection.

- (e) Inspection reports. For each inspection performed by a private certified rental property maintenance inspector, the inspector shall provide to the City, within twenty (20) days of the initial inspection, a completed copy of the City's rental inspection checklist and a certification that the property meets all applicable code requirements. If, with twenty (20) calendar days of the initial inspection, property violations identified by the inspector are not remedied, or if no reinspection of the property occurs within twenty (20) calendar days of the initial inspection, the private certified rental property maintenance inspector shall report such violations to the City. If any inspection performed by a private certified rental property maintenance inspector reveals a condition that imposes an imminent danger to property or life safety, the condition shall be immediately reported to the City for remedial action. Failure to make such reports to the City shall be grounds for revocation of the private certified rental property maintenance inspector's license.
- (f) Landlord's Failure to Remedy. Upon the City's receipt of a notice of ongoing violations issued by a private certified rental property maintenance inspector pursuant to section (e) above, the City may issue a violation notice or, in the case of notice of a condition that imposes an imminent danger to property or life safety, take necessary an appropriate emergency action according to law. If a violation notice is issued by the City pursuant to a private certified rental property maintenance inspector's report, if the violation(s) are not remedied within twenty (20) calendar days of the City's violation notice to the satisfaction of the code official or the private certified rental property maintenance inspector initially performing the inspection, the City shall revoke the rental permit.
- (g) License Approval/Revocation. If the City: (1) determines that the information contained in the private certified rental property maintenance inspector's license application is inaccurate; (2) has reasonable cause to believe that prior inspections performed by the

private certified rental property maintenance inspector have been substandard; (3) determines required notifications have not been provided to the City; or (4) determines that the private certified rental property maintenance inspector has not adhered to code based requirements, the City may deny any license application or revoke any license previously issued. The denial or revocation of any license may be appealed to the Board of Building, Fire, Property Maintenance, and Sidewalk Appeals within twenty (20) days of notice of revocation to the license holder.

(h) Certification List. The City shall publish a list of all private certified rental property maintenance inspectors on the City's website.

(i) Duration. All private certified rental property maintenance inspector licenses shall expire on (date TBD) of each year.

(j) Self Dealing Prohibited. A private certified rental property maintenance inspector shall not inspect or certify any property or premise for which the inspector or the inspector's family has any financial or ownership interest.

**Amendment No. 3** - Amend Section 17-4, titled "Amendments made to the 2009 International PM Code with Supplements," subsection (c) "Right of Entry" by adding the highlighted text and deleting provisions as follows:

(c) 104.3 Right of entry. Delete the last sentence and insert in lieu thereof the following:

"If entry is refused or not obtained, the code official is authorized to apply to a court of competent jurisdiction for issuance of an appropriate warrant to verify compliance with Chapters 7, 17 and 32 of the City of Newark Municipal Code."

**Amendment No. 4** - Amend Section 17-4, titled "Amendments made to the 2009 International PM Code with Supplements," subsection (x) "404.8.1 Rental license requirements" by adding the highlighted text and deleting provisions as follows:

(x) *404.8.1 Rental license requirements*: The following shall be required as part of the rental license:

...

3. Inspection – The owner or landlord shall be required to have the interior and exterior of the premises inspected and certified by the code official for code compliance prior to the issuance of the initial rental license. The owner or landlord shall be required to have the interior and exterior of the premises inspected annually by the code official or by a private certified rental property maintenance inspector for code compliance prior to the renewal of any rental license. Inspections shall be conducted pursuant to, and the premises must satisfy, all requirements set forth in the property maintenance inspection checklist promulgated by the City. The owner or landlord shall be solely responsible for causing the inspections or necessary reinspections to occur, and shall be solely responsible for providing the code official or a private certified rental property maintenance inspector access to the premises for inspection via Title 25, Section 5509 of the Delaware Code or otherwise. The owner or landlord must provide a certification from the code official or a private certified rental property maintenance inspector that the property is code compliant before a rental license may be renewed.

...

**Amendment No. 5** - Amend Section 17-4, titled “Amendments made to the 2009 International PM Code with Supplements,” subsection (x.1) “404.8.2 License Fees” by adding the highlighted text and deleting provisions as follows:

(x.1) *404.8.2 License Fees*: The annual license fee shall be as follows:

1. Two hundred dollars (\$200.00) per dwelling unit for single-family or two-family dwellings. A (to be determined) credit per dwelling unit shall be provided to the applicant upon renewal if the property is inspected and certified by a private certified rental property maintenance inspector.

2. Fifty-five dollars (\$55.00) per dwelling or rooming unit in any other residential occupancy with 14 or fewer dwelling or rooming units including mixed-use occupancies except fraternities or sororities. A (to be determined) credit per dwelling or rooming unit shall be provided to the owner upon renewal if the property is inspected and certified by a private certified rental property maintenance inspector.

3. Forty-five dollars (\$45.00) per dwelling or rooming unit in any other residential occupancy with 15 or more dwelling or rooming units including mixed-

use occupancies except fraternities or sororities. The common area inspections for these units shall be inspected by the code official and shall not be inspected by a private certified rental property maintenance inspector.

4. Fraternities and sororities are based on the following table:

Fee	\$300.00	\$600.00	\$900.00	\$1200.00	\$1500.00	\$1800.00	\$2100.00
<p>These fees are based on the maximum occupancy of the building as established by the code official. These fees shall be reduced by one third (1/3) if the written lease or recorded deed for the property prohibits the use of alcohol by the tenants or occupants of the fraternity or sorority. Where a fraternity or sorority occupies more than one building, each building shall have a separate rental license. Fraternities and sororities shall be inspected by the code official and shall not be inspected by a private certified rental property maintenance inspector.</p>							
Number of occupants	1-8	9-18	19-30	31-44	45-60	61-78	79-98

5. A late fee of fifty dollars (\$50.00) shall be due for each unit, if paid after the due date. If the annual license fee and any applicable late fees are not paid, or if the property is not inspected or fails to pass annual inspection and obtain a code compliance certification within thirty (30) days after the renewal date for any reason, the rental license shall be automatically revoked. The revocation of any rental license may be appealed to the Board of Building, Fire, Property Maintenance, and Sidewalk Appeals within twenty (20) days notice of the revocation to the owner or landlord.

...

**Amendment No. 6** - Amend Section 17-4, titled “Amendments made to the 2009 International PM Code with Supplements,” subsection (x.4) “404.8.5 Enforcement” by adding the highlighted text and deleting provisions as follows:

(x.4) *404.8.5 Enforcement:* Pursuant to the procedures herein, the Code official is hereby empowered to deny issuance of or revoke any rental license applied for or issued as described herein if its discovered either that the applicant, owner or holder has misrepresented himself or the state of his property, or any time subsequent to the issuance of said permit, becomes violative of this Chapter

or applicable City code provisions. The revocation of or failure to issue any license may be appealed to the Board of Building, Fire, Property Maintenance, and Sidewalk Appeals within twenty (20) days of the City providing notice to the license holder or applicant.

**Section 2.**

This Ordinance shall be effective upon adoption.

**Section 3.**

The provisions of this Ordinance shall be severable. If any provisions of this Ordinance are found by any court of competent jurisdiction to be unconstitutional or void, the remaining provisions of this Ordinance shall remain valid, unless the court finds that the valid provisions of this Ordinance are so essentially and inseparably connected with, and so dependent upon, the unconstitutional or void provision that it cannot be presumed that City Council would have enacted the remaining valid provisions without the unconstitutional or void provision; or unless the court finds that the remaining valid provisions, standing alone, are incomplete and incapable of being executed in accordance with City Council's intent.

MOTION for Acceptance as First Reading on \_\_\_\_\_, 2016.

by Council Member \_\_\_\_\_.

Second Reading and Final Passage on \_\_\_\_\_, 2016.

VOTE: \_\_\_ to \_\_\_.

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_

City Secretary

Approved as to Legality & Form:

\_\_\_\_\_

City Solicitor

DRAFT



The Board of Directors of the  
Delaware Municipal Electric Corporation  
cordially invite you to their  
**Twenty-second Annual Dinner**

**Challenges and Opportunities for Public Power**  
Speaker: Patrick E. McCullar, DEMEC President & CEO

**Municipal Retail Rate Design**  
Speaker: Dawn Lund, Utility Financial Solutions VP

Wednesday, September 21, 2016

Social Hour	5:30pm
Dinner	6:30pm

Dover Downs Hotel  
1131 North DuPont Highway  
Dover, Delaware 19901

***R.S.V.P. by September 9, 2016***  
***To: Crystal Nagyiski at (302) 653-2733 or***  
***CNAGYISKI@DEMECINC.NET***

NEWARK POLICE DEPARTMENT

WEEK 07/31/16-08/06/16

INVESTIGATIONS

CRIMINAL CHARGES

	2015 TO <u>DATE</u>	2016 TO <u>DATE</u>	THIS WEEK <u>2016</u>	2015 TO <u>DATE</u>	2016 TO <u>DATE</u>	THIS WEEK <u>2016</u>
<u>PART I OFFENSES</u>						
a)Murder/Manslaughter	0	0	0	0	0	0
b)Attempt	0	0	0	0	0	0
Kidnap	4	6	0	1	4	0
Rape	4	2	0	1	3	0
Unlaw. Sexual Contact	6	5	0	2	1	0
Robbery	21	30	0	27	11	0
- Commercial Robberies	9	11	0	10	0	0
- Robberies with Known Suspects	1	2	0	1	0	0
- Attempted Robberies	2	5	0	7	2	0
- Other Robberies	9	12	0	9	9	0
Assault/Aggravated	2	16	1	17	22	0
Burglary	31	55	1	17	27	0
- Commercial Burglaries	4	10	0	2	4	0
- Residential Burglaries	25	38	1	14	21	0
- Other Burglaries	2	7	0	1	2	0
Theft	273	399	20	107	108	1
Theft/Auto	22	31	1	7	9	0
Arson	1	2	0	1	0	0
All Other	44	67	3	38	58	4
<b>TOTAL PART I</b>	<b>408</b>	<b>613</b>	<b>26</b>	<b>218</b>	<b>243</b>	<b>5</b>
<u>PART II OFFENSES</u>						
Other Assaults	178	198	7	110	81	0
Rec. Stolen Property	2	0	0	15	18	0
Criminal Mischief	108	112	2	90	41	0
Weapons	7	7	0	51	24	0
Other Sex Offenses	1	0	0	2	0	0
Alcohol	124	125	4	205	210	4
Drugs	57	86	1	152	121	4
Noise/Disorderly Premise	241	346	3	105	143	0
Disorderly Conduct	106	96	1	54	62	1
Trespass	108	110	0	48	39	0
All Other	265	290	9	182	186	6
<b>TOTAL PART II</b>	<b>1197</b>	<b>1370</b>	<b>27</b>	<b>1014</b>	<b>925</b>	<b>15</b>
<u>MISCELLANEOUS:</u>						
Alarm	561	444	22	0	0	0
Animal Control	304	357	9	2	2	0
Recovered Property	156	168	5	0	0	0
Service	18688	20517	612	0	0	0
Suspicious Per/Veh	315	347	9	0	0	0
<b>TOTAL MISC.</b>	<b>20024</b>	<b>21833</b>	<b>657</b>	<b>2</b>	<b>2</b>	<b>0</b>

	THIS WEEK <u>2015</u>	2015 TO <u>DATE</u>	THIS WEEK <u>2016</u>	2016 TO <u>DATE</u>
TOTAL CALLS	862	25,825	821	27,471



Newark Police Department  
Weekly Traffic Report  
07/31/16-08/06/16



TRAFFIC SUMMONSES	2015 YTD	2016 YTD	THIS WEEK 2015	THIS WEEK 2016
Moving/Non-Moving	5,528	6,575	179	171
DUI	119	105	1	4
<b>TOTAL</b>	5,647	6,680	180	175

TRAFFIC ACCIDENTS				
<b>Fatal</b>	2	0	0	0
Personal Injury	110	142	2	3
Property Damage <b>(Reportable)</b>	310	459	7	10
Property Damage <b>(Non-Reportable)</b>	200	108	2	3
Hit and Run	173	156	5	3
<b>TOTAL</b>	795	865	16	19