

**City of New Castle Delaware
City Council Public Hearing
201 Delaware Street, New Castle
Monday, July 31, 2017
7:00 p.m.**

Roll call:

Councilperson Valarie W. Leary
Councilperson Michael J. Quaranta
Council President Linda Ratchford
Councilperson Michael M. Platt
Councilperson John A. Di Mondì

Also present:

William Barthel, City Administrator
Janet Carlin, City Treasurer
Daniel Losco, City Solicitor

City Council President Linda Ratchford called the meeting in session at 7:00 PM.

Council President Linda Ratchford opened the meeting stating the purpose of the meeting, concerning Ordinance 510. Council President Ratchford made reference to the issue being looked at for at least fifty years including a Comprehensive Plan in 2009 including proposed new or expanded lot locations, the Planning Commission forming a parking sub-committee in 2012 and five potential locations being approved in 2014 by the Council. Council President Ratchford outlined the purpose of the meeting to discuss an approval process for parking lots, consistent with other approval processes, including Planning Commission review, Historic Area Commission review if within that district and a decision by the Board of Adjustment. Council President Ratchford noted there have been many comments since the Ordinance was read at the June regular council meeting and at this point opened the floor to public input.

Jeanne Marie Camac spoke to oppose the passage of the Ordinance, believing it to be based on unreliable data. Ms. Camac referenced the Planning Commission Parking Sub-Committee report of April 2015, raising issue with the description regarding M&T Bank and whether this site is also referenced as the "Bowling Alley parking lot". Ms. Camac also raised the Parking Inventory Study, stating that reliable data highlights available parking at all times, either optimal or low usage, but some locations were not surveyed with adequate data to draw conclusions.

Ms. Camac made reference to the University of Delaware students' study, questioning the sample size at "at least five business owners" and "over ten residents" and what exactly this meant. Ms. Camac went on to recount that she had carried out her own survey of four out-of-town visitors, all of whom had stated they had no difficulty parking.

Finally, Ms. Camac took issue with the then two-year old data provided by the Planning Commission used by AECOM in its October 2015 report, stating that the data was labelled as current despite being collected in 2012. Ms. Camac recounted that 75% of residents surveyed had rated city parking as fair to very good and inquired as to whether this supported conclusions about the need for more parking. In closing, Ms. Camac asked the council to be

specific on the issue of site locations, to collect current data and to gather input from the citizens of the city.

Glenn Rill raised concerns over creating parking in the historic area and its effect on property values. Mr. Rill recommended that an amendment should be made to the Ordinance, requiring majority approval from the entire council for any new lot creation or expansion. Secondly, Mr. Rill also recommended that the motion for Ordinance 510 be dropped by the council and a one-off motion to build a parking lot behind the bank be used instead. Mr. Rill finally requested that a new requirement for approval be added, that professional property assessments be made on surrounding houses, taking into consideration the potential impact of the lot and that the city reimburse homeowners whose property values would be impacted.

Councilperson Quaranta asked for clarification on Mr. Rill's first point regarding majority council approval of any project individually, which Mr. Rill gave.

Dorsey Fiske concurred with Ms. Camac and Mr. Rill that the AECOM report did not support the Ordinance and posited that the Ordinance as written is deeply flawed and the vote should therefore be delayed. Ms. Fiske stated she believes the Ordinance may allow development which could harm the historic value of the city based on a vote from the Board of Adjustment, two of whom are appointed and that the Planning Commission chairman had suggested that parking lots should be dealt with in the comprehensive plan to be amended in two years' time. Ms. Fiske posited that the council is rushing the Ordinance and questioned why, adding that it is the responsibility of the council to protect the historic quality of the town. Ms. Fiske inquired who on the council is rushing the Ordinance and why.

Suzanne Souder firstly inquired why the Ordinance is needed now, adding that she has observed no lack of parking spaces on Delaware Street. Secondly, Ms. Souder inquired which other - less destructive - options have been investigated, including employees of the town hall and local businesses to be given tags allowing them to part in the M&T bank parking lot and for the lot to be opened to the public after banking hours, with the city sharing in maintaining and insuring the lot. Ms. Souder inquired whether spaces in front of the courthouse could be designated for handicapped parking, with others being directed to park in the lot on Chestnut Street. Ms. Souder stressed that she believed less destructive options should be considered first and only then should paving green space be considered.

Karen Whalen posited that the AECOM study does not support the need for more parking and that claims of a parking shortage as a foundation for Ordinance 510 are incorrect. Ms. Whalen stated that the project is therefore unnecessary and that the money could be better spent elsewhere and that the council should not be voting on the Ordinance based on the data and that doing otherwise would be dishonest. Further, Ms. Whalen stated that the building of parking lots is harmful to the areas they built in and referenced studies that support this conclusion, listing the negative impacts upon the surrounding area: traffic congestion, delayed emergency service responses due to traffic, unwanted aesthetics, potential unwanted activity on the lot including drug deals.

At this point, a member of the public began shouting, causing disruption and discussion was suspended briefly.

Ms. Whalen continued by stating drug deals already occur on the parking lots on South Street and Chestnut Street and that nineteen homes will be directly impacted visually by the building of a new lot. Ms. Whalen also suggested that a lot on West Third Street would change water flow in the area, redirecting water towards homes on the street. Further, Ms. Whalen added that homeowners would lose property value and that Ordinance 510 is in contradiction to Ordinance 509 to minimise pollution via run-off. Ms. Whalen concluded by stating that representation on this matter was very important, considering the large turnout to the meeting.

Josephine Moore stated that Ordinance 510 would increase drug trafficking and other unlawful behaviours in the town and expose the residents to those behaviours. Ms. Moore also stated that the University study had been carried out by undergraduate students who had spent only one day collecting data.

Betsy McNamara stated that the Ordinance was alarming due to its allowing of the development of numerous lots of any size at any location. Ms. McNamara quoted from the introduction of the Comprehensive Plan, then stated that the plan only covers lots on West Third Street and Chestnut Street being improved and not expanded, and that the plan encourages existing parking spaces to be used differently, not for more to be built. Ms. McNamara raised that the size of lots, the number of them and their locations are not covered in the Ordinance but that they are referred to in the plural and that no location is off limits for a lot.

Ms. McNamara posited that the Ordinance would allow for the expansion of the wharf parking lot and voiced her concern over the decision making being solely in the hands of the Board of Adjustment, with no powers for citizens or the council to veto. Finally, Ms. McNamara stated she believed that the Ordinance is unhealthy for the city code and the goal of the Comprehensive Plan.

Sandy Beale stated that the residents of the city are drawn by its historical integrity and that it is the council's responsibility to protect the land. Ms. Beale stated that Ordinance 510 threatens to damage the heritage of the area.

Roger Clark stated that he wanted to raise the benefits of the Ordinance, then was finished speaking.

Bill Emory raised the rebuilding of the town over a hundred years ago and the direction taken at that time which preserved the historical nature of the city. Mr. Emory stated that because the city is dependent on tourism, development of parking lots is necessary to facilitate tourism.

Jim Workman stated that four of his cars have been damaged by collisions while parked on Third Street and that he did not want this continue, referencing a Federal Highway Administration study into accident rates on narrow streets. Mr. Workman also stated that the parking lots at the park draw unwanted crowds who leave litter and questioned whether more parking lots would draw more of that activity.

Mr. Workman stated that his father would visit New Castle in the 1940s and 1950s, he would stay at Hotel Louise and never had issues with parking despite the thriving business in the city. Mr. Workman lamented the building of the bridge, allowing bypassing of downtown New Castle and the impact on business it caused and stated that Ordinance 510 leaves too many open questions about the future of the city. Further, Mr. Workman suggested that businesses left unoccupied should be fined to encourage business in the city.

Mr. Victor Bryson asked as to who owns the land the memorial at Shawtown is on – he was told that it does not belong to the city - and inquired why the monument had not been built in the field behind St. Anthony's where it could be viewed by people on the new trail. Mr. Bryson suggested a parking lot should have been built where the monument stands, preventing vehicles from needing to enter the city to park.

Robert Parker read out an email he encouraged two regular visitors to the city to write to the council. The correspondence - from Mr. William and Mrs. Linda Russell - states their concern over Ordinance 510, that they have never had problems parking even at special events and concerts and when dining and shopping in the city. The couple state that walking through the city is not a problem and that additional parking lots may be detrimental to the city.

Richard Day inquired who he may speak to regarding the benefits of the Ordinance being passed, noting the lack of support among the public speakers.

Marianne Cavin stated her strong opposition to the Ordinance, citing numerous vacant parking spaces counted at all times of the day and stating there has been no determination that more parking is required. Ms. Cavin also voiced her concern at redirecting traffic along one-way streets, the impact on property values, safety issues and the visual impact of any new lots. Ms. Cavin recalled that no visitors she had spoken to supported the Ordinance. The University of Delaware study was referenced by Ms. Cavin, who noted that the students involved had counted the number of free spaces and not the total number of spaces and that no further study had occurred. Ms. Cavin called for mindfulness of the city's green spaces, the environment, residents' quality of life and tourism.

Dr. Soma Sunderam Padmalingam stated he has lived in the city since 1980, owning a business in the city since then and that none of his patients have ever complained about parking. Dr. Padmalingam stated his support for those residents potentially negatively affected and asked the council to vote against the Ordinance.

Janet Wurtzel voiced her concern over the process Ordinance 510 would put in place and the speed with which it was being considered and then voted upon. Janet Wurtzel asked Mr. Losco how the position of Mayor being vacant impacts the passing of an Ordinance, considering the Mayor's power of veto and the Council President acting as Mayor having seconded the motion for consideration. Mr. Losco stated that at the August 8 council meeting there would be deliberations on appointing a new Mayor and that the lack of a Mayor does not impact the legality of the Ordinance, which would likely be upheld in court.

Gene Dempsey expressed disbelief that the Ordinance was being considered by the council, stating that he had never had complaints about parking from customers and that the motion should be tabled. Mr. Dempsey stated that Third Street is too narrow and inquired if cars would be taken off the street after the building of a lot.

Joseph Day raised the issue of illegal parking at the end of West Third Street on private property owned by the progressive club.

Marie Gatter handed over a petition of 53 signatures opposing the Ordinance.

The petition is attached to the meeting minutes.

Robert Sigmund stated that while working with the National Park Service he often speaks to visitors from abroad who love visiting the city.

Tayah Skamser thanked all the public speakers of the meeting for representing the community and inquired what will happen to free residential overflow parking if the parking lots are turned into pay lots.

The Motion to adjourn was made by Councilperson Leary, seconded by Councilperson Platt and passed unanimously. Council adjourned at 8:05 pm.

Respectfully submitted,

Brian G. Whitaker
Clerk of the City of New Castle