

*"A Historic Past"*



*"A Bright Future"*

**CITY OF DELAWARE CITY**

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**MINUTES  
REGULAR MEETING OF THE PLANNING COMMISSION  
CITY OF DELAWARE CITY  
Monday, December 3, 2018 – 6:30 p.m.  
City Council Chamber  
407 Clinton Street**

**CALL TO ORDER**

Commissioner Snow called the regular meeting of the Planning Commission (PC) to order at 6:30 p.m. Present were Commissioners Wilkinson, Dilliplane, Starrett, Renoll and Saunders. Also present was City Manager Houck, Finance Manager McGinn and City Secretary Hanna.

**ACTION ON THE PREVIOUS MINUTES**

Commissioner Dilliplane made the motion to accept the minutes from the November 5, 2018 meeting as written. Commissioner Starrett seconded the motion. A vote was taken, all ayes, minutes were accepted.

After reading through the minutes, Commissioner Dilliplane commented the penalty for banks holding vacant historical properties should be much higher. A discussion began on the number of vacant homes and if they were periodically being checked for leaks, vagrancies, and vandalism. City Manager Houck said there are nine (9) vacant homes and ten (10) historic homes plus a number of mobile homes in the DCMHP. As for the penalty fees they cannot be raised until November of 2019.

**ELECTION OF CO-CHAIR PERSON**

Commissioner Renoll nominated Commissioner Dilliplane. It was seconded by Commissioner Starrett. All were in favor. Commissioner Dilliplane is Co-Chair.

## **UPDATE**

Before beginning, Commissioner Snow expressed her appreciation for how well organized City Manager Houck has planned out the work on the Comp Plan update. She said it has made it so easy.

City Manager Houck gave an update on the zone mapping. Commissioner Dilliplane asked if the commercial area of Clinton Street (1<sup>st</sup> block) map could be enlarged. He also asked about the mapping of the Fort. City Manager explained the Fort was an amendment to the 2016 plan which caused some confusion between the term amendment and update. The Fort's amendment will be included in this 2019 update.

## **CHAPTER 2.8 Environment Protection & Natural Features**

Commissioner Dilliplane asks about the sinking areas around the point. This led to discussing the various places along the sea wall that have caved in and the temporary repairs Cutting Edge has made. Commissioner Dilliplane said it should be included in the next Comp Plan to do the correct repairs. It was discussed that the reason for the failure is the outer plates have rusted; the tide comes in and erodes the dirt.

Commissioner Dilliplane believes the bladder valve is buried in sand blocking the valve. City Manager Houck said she tried to address the issue with Outfall #2 while the work was going on with Washington Street but was not able to get the waiver to add it on to that project's permitting.

Strict maintenance needs to be adhered to on the outfalls. Cutting Edge will be trained to do the maintenance. Commissioner Saunders asked if the maintenance on Washington Street was included with in the project's scope. It is not but at the time of official start-up in January instructions will be given.

Discussion about the change in weather patterns and 100-year and 500-year floods are becoming the norm. Because of this, rules and regulations will also be changing in the future.

## **2-8 Environmental Protection & Natural Features**

- Soil – ...“these types of soil limited both density and types of development. Some cases development is not possible”.

Commissioner Saunders asked if there was a map showing the where the various types of soil are? City Manager said she has not seen one but will look back into the history for one. City Manager will check with the Delaware Geological Society. Commissioner Saunders also noted that he sees soil being brought in and asked if that is to raise the elevation above the flood plain because of the type of soil? Commissioner Dilliplane answered it's a little of both because of the proximity of the River the area at the Fort almost never drains.

Commissioner Snow asked if the area on the far side of the 5<sup>th</sup> Street Bridge belonged to the Corp or Wiso's. Her concern is there is no seawall there to give protection against flood waters coming in from the Chesapeake Bay and Delaware River in event of certain paths of hurricanes. City Manager Houck will look into that as well.

- Total Maximum Daily Load (TMDL)

Commissioner Saunders asked if we know what the TMDL's are for the Red Lion Creek and Dragon Run watersheds. City Manager said she will find it and add it to page 35.

- Climate Change & Hazard Mitigation

Commissioner Saunders asked if the five (5) strategies listed on page 36 are in effect. City Manager Houck said no, except for #1 will be addressed when the Washington Street Flood Mitigation Project is completed. As for the other bullet points, they have not been addressed since she has been here.

City Manager explains that over the summer Danielle Metcalf did research to find anything new. Delaware City has done a lot of studies but there hasn't been any follow through in the past. It's the City Manager's responsibility to get it moved on. The probability of funding may have been the reason some were not finished. Some will be able to be returned to as the city, the budget and capital planning evolves.

Commissioner Saunders made the suggestion if something cannot be addressed at the time, prioritize, and make notations on it as to why so you can go back to it and know where you left off when the opportunity becomes available to move forward.

City Manager would like to see the Planning Commission become more active in capital planning and set goals to achieve them.

It was noted that 2.8 Goals are missing. City Manager will find them and have them sent to the Commissioners.

## 2.9 Transportation

- Streets & Highways

Commissioner Dilliplane asked how far south the City limits go on Route 9. His concern is the low portion on Port Penn Road that floods so easily and it would make evacuation impossible. He suggests taking this up with DelDot because it is a public safety issue. The second area is Dragon Run Creek. The only way out would be Cox Neck Road and at high tide that is almost at the level with the road to start with. City Manager said there needs to be a better plan to alert and

redirect traffic than what is happening now. City Manager will make the contact with DelDot and note it in the comp plan (noted #4 of strategies).

#### Parking: Pedestrian & Bicycle Movement

City Manager Houck mentioned the paving company had returned to pave the small areas that were ponding. The access covers for electric had been capped and now waiting for Delmarva to cap the access for gas. Commissioner Dilliplane said there is still one in front of his house that needed to be capped.

Commissioner Snow questioned the boundaries of Fort DuPont and does it go all the way to the canal. City Manager Houck will look into it. She added that when Corp of Engineers gives the update it will show everything.

Commissioner Dilliplane asked if the Refinery was still considering giving the property behind Washington Street Municipal Parking to Delaware City. Questions were asked if it had already been given to Delaware City. City Manager Houck said there had been conversations but having talked with Ms. Lindsey she said not yet but they may still be willing and comes down to a matter of funding for paving. It was suggested to stone it as overflow parking. Commissioner Saunders added stripping the lot would help. City Manager Houck added signage with directions to the trails would also be useful.

Commissioner Dilliplane asked if perpendicular or diagonal parking was considered on Washington Street after it's striped. City Manager Houck said Washington Street would not be striped because it wasn't before. Discussion of what is safer diagonal, forward facing parking. It should be studied and do what gives the most space and is safer.

Commissioner Saunders suggested adding the Mike Castle Trail to the portion of the Comp Plan under Streets and Highways as also adding to a good portion of traffic through town.

The Commissioners and City Manager Houck discussed parking for the bikers coming in to use the trail and trail head marker locations directing them to the trail. It was suggested to use the parking lot by the library on Franklin Street. It would need paving and Commissioner Dilliplane suggested adding a macadam path off it to the trail so bikers would not have to go onto the street.

City Manager Houck suggested three (3) areas the trail head markers could be placed: at Washington Street parking lot; by the information board in Battery Park; and at the Library lot on Franklin Street. Commissioner Dilliplane cautioned from directing them off Washington Street using the area between the post office and the bank kiosk because of potential hazards to pedestrians when the bikers come through. His suggestion is to map the route around Crabby Dick's.

Discussion on funding for street work followed. City Manager Houck explained how Senator Poore and Representative Longhurst assisted in the additional funds to be added to the Municipal Street Aid to be able to do the current paving work. City Manager Houck said it is necessary to prioritize the worse areas and have them paved first and plan the funds. This will enable the city to keep up with proper maintenance on the streets and adding the cost to the yearly budget. City Manager Houck also suggested in the future reaching out to towns nearby to see if Delaware City could be an option on their road work projects for a savings.

The Commissioners discussed traffic calming features; what they are and if Delaware City needs them. It was suggested asking Chief Baylor his opinion and statistics. If this is not a necessary point, it can be removed from the Comp Plan.

Commissioner Saunders brought up snow removal along Canal Street and in Battery Park and the trail. The issue there is snow is plowed onto the sidewalk making pedestrian traffic difficult. Cutting Edge is responsible for clearing the snow from the streets but City Manager Houck does not know if they have ever been asked to do the walkways. City Manager Houck did reach out to Sean at Cutting Edge in an email dated December 6<sup>th</sup>. The response was Cutting Edge has never been asked to do it. City Manager Houck will reach out to Chief Baylor and Finance Manager McGinn to be advised if this can fit into the FY20 budget and about this winter.

### Strategies

- #9 – Encourage developers to provide sidewalk, curb, drainage, and parking infrastructure where deemed appropriate at time of developing property in Delaware City.

Commissioner Saunders asked if this wasn't already required. City Manager Houck answered it has not happened yet but if sidewalks are there already the builder would have to. This was a point to start thinking ahead as development happens. She said she will rewrite this point to make it clearer.

City Manager said the sidewalks in town are in need of repair. Residents are responsible for the sidewalks that are along their property therefore, City Manager Houck thought it would be beneficial to contract the repair for bulk pricing to have the work done at one time and allow residents to pay over a period of time added on to their taxes. If resident(s) preferred having brick walks they could pay the difference.

Commissioner Saunders pointed out a problem with sidewalks breaking up can come from tree roots. City Manager Houck said the Tree Commission Ordinance needs to be rewritten as to who is responsible for trees because as it is now the City is responsible for all street trees. This adds a lot of risk to the city. The budget cannot support that cost. Residents are not allowed to trim or remove any tree without the permission from the Tree Commission. However with the

exception of low hanging branches that becomes dangerous to property and pedestrians. The Power Company and Cutting Edge does the trimming in these cases. A goal is to rewrite the tree ordinance. Commissioner Saunders added the trees should be fixed at the time the sidewalks are repaired.

City Manager Houck asked City Secretary Hanna to add a message in January's City News about residents being responsible for their sidewalks according to City Code and also on snow removal.

### **Bus Transportation**

Commissioner Dilliplane said a loop on the Route 25 route to go to Governor's Square in Bear is needed. City Manager Houck said a Park & Ride at Fort DuPont has been mentioned. There has been no decision yet but also they have not said no. Bus shelters are planned for Washington Street at the municipal parking lot and on 5<sup>th</sup> Street across from the firehouse.

Commissioner Wilkinson mentioned seeing two (2) buses in town at the same time. Commissioner Dilliplane said a driver had explained this as one bus's schedule getting off because of heavy traffic. City Manager Houck asked if this happens again to please note day and time and let her know. It was also mentioned that as the Fort grows the bus service should as well. It was asked why there was no Sunday service. City Manager Houck will reach out to DART.

### **Paper Streets**

The question about the ownership of paper streets was discussed. Commissioner Dilliplane wondered about the alley way behind his house and if it belongs to the city he would like to have it stoned since its sinking and turning into a mud hole. Commissioner Snow and Commissioner Saunders added that some of the paper streets around them had been absorbed by the owners of properties along them. City Manager said she will look into paper streets and fine tune that section.

### **Update on Water Utility**

Before adjournment Commissioner Dilliplane asked if a decision has been made regarding selling or keeping the water utility. City Manager Houck said the RFP is being reviewed by legal now and will be sent out by December 10<sup>th</sup> with the hopes the responses will be back by February so it will be budget relevant to have the information for decisions in time for the budget.

City Manager Houck said there are three (3) options: (1). to sell; (2). long term lease and (3). keep it and outsource the operation. Numbers (2) and (3) will include capital improvements amortized over the cost of the contract. The necessary improvements will be included in the proposal from any interest party.

City Manager Houck said the response is unknown but as they come in staff will evaluate and present to Council what will be in the best interest to the community. It will be heard in public hearings, etc.

Commissioner Snow expressed her gratitude to City Manager Houck for the work she has accomplished during her time here. She said the loss to us is very huge and Ocean View is very fortunate to have her there. The other Commissioners joined in giving City Manager Houck their best wishes.

**ADJOURNMENT**

Commissioner Wilkinson made a motion to adjourn the meeting. Commissioner Dilliplane seconded the motion. A vote was taken, all ayes. Meeting adjourned at 8:07 pm.

Respectfully submitted,

*Bonnie Lynn Hanna*

City Secretary