



City of Wilmington

Va'Shun "Vash" Turner
City Council Member, 5th District

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Public Works & Transportation Committee

Va'Shun "Vash" Turner, Chair
Ciro Adams, Vice Chair
Ernest "Trippi" Congo, II
Michelle Harlee
Zanthia Oliver
Loretta Walsh
Dr. Hanifa Shabazz, Ex-Officio Member

➤ REVISED NOTICE

Public Works & Transportation Committee Meeting
September 16, 2019
5:00 p.m.
1st Floor Council Committee Room

Agenda

- **Ord. 19-036** Approve the Removal of Pasture Street from the Official City Map
- **Sub 1. Ord. 19-038** Enact Certain Traffic/ Parking Regulations
- A Resolution to Authorize and Approve a Utility Easement Agreement with Delmarva Power & Light Company Regarding Rodney Square
- Presentation of the AAA Mid-Atlantic's report, "Parking Tickets, Appeals, Booting and Towing Issues in the City of Wilmington (6/3/19)," by Ken Grant, Manager of Public & Government Affairs - Delaware
- Update on the City's Smart Parking Meters by City of Wilmington Department of Public Works
- Update on the City's Parking Ticket Appeals Process by the Mayor's Office of Constituent Services

Posted Rev.1 (9/10/19)

If public comment is permitted during this committee meeting, any member of the public who wishes to speak during the committee meeting will be limited to three minutes per agenda item. If the public's permission to comment is abused, the Chair may exercise greater discretion in limiting public comment.

AN ORDINANCE TO APPROVE THE REMOVAL OF PASTURE STREET FROM THE OFFICIAL CITY MAP

#4689

Sponsor:

Council
Member
Freel

WHEREAS, the City of Wilmington is authorized to establish and revise plans of streets and alleys by the provisions of Sections 1-101, 2-306 and 5-400 of the City Charter, such actions to be done in accordance with applicable provisions of State law and Section 42-11 of the City Code; and

WHEREAS, Union Park Automotive Group (“Applicant”) submitted a request to the City to remove Pasture Street, between Pennsylvania Avenue and West 11th Street, from the Official City Map; and

WHEREAS, Applicant controls all of the properties within the two blocks that directly abut Pasture Street; and

WHEREAS, Pasture Street does not significantly contribute to the surrounding traffic circulation system or serve the community; and

WHEREAS, the Applicant has requested the removal of Pasture Street from the Official City Map, as more particularly illustrated on Exhibit A attached hereto, in order to assume maintenance responsibilities for the street, as well as widen the right-of-way, to better serve customers, staff and members of the general public; and

WHEREAS, the Department of Public Works has advised that: 1) the public water lines within the Pasture Street right-of-way can be abandoned, 2) the Applicant will assume maintenance and operation of sewer and stormwater infrastructure in the Pasture Street right-of-way because that infrastructure only services the Applicant’s parcels abutting Pasture Street and does not service any other parcels, and 3) the Division of Transportation has no issues with the removal of Pasture Street from the Official City Map; and

WHEREAS, the Department of Planning supports the removal of Pasture Street from

the Official City Map because: 1) Pasture Street does not appear to significantly contribute to the general circulation or traffic distribution pattern in the immediate area, 2) the Applicant owns the adjacent businesses, which have their primary access provided through other streets, and 3) there are no findings to suggest that the removal of Pasture Street would create a detriment to the general public or to public safety; and

WHEREAS, the Fire Marshall's Office has no objection to the removal of Pasture Street from the Official City Map on the condition that the Applicant maintain it as an open street to allow access by emergency responders to the adjacent dealership; and

WHEREAS, there is a lack of public interest in Pasture Street; and

WHEREAS, the City Planning Commission has adopted Planning Commission Resolution 07-19, which recommended approval of the Applicant's request to remove Pasture Street, between Pennsylvania Avenue and West 11th Street, from the Official City Map; and

WHEREAS, the City Council deems it necessary and appropriate to approve the removal of Pasture Street, between Pennsylvania Avenue and West 11th Street, from the Official City Map, as illustrated on Exhibit A attached hereto.

**NOW, THEREFORE, THE COUNCIL OF THE CITY OF WILMINGTON
HEREBY ORDAINS:**

SECTION 1. The removal from the Official City Map of Pasture Street, which is illustrated on Exhibit A attached hereto, is hereby approved, and the Official City Map is hereby amended to reflect such removal.

SECTION 2. All City departments are hereby authorized to take any and all necessary actions required for the proposed removal of Pasture Street from the Official City

Map.

SECTION 3. This Ordinance shall become effective immediately upon its date of passage by the City Council and approval by the Mayor.

First Reading.....July 1, 2019
Second Reading.....July 1, 2019
Third Reading.....

Passed by City Council,

President of City Council

ATTEST: _____
City Clerk

Approved this ___ day of _____, 2019.

Mayor

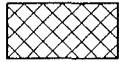
SYNOPSIS: This Ordinance authorizes the removal of Pasture Street, between Pennsylvania Avenue and West 11th Street, from the Official City Map.

W0106540

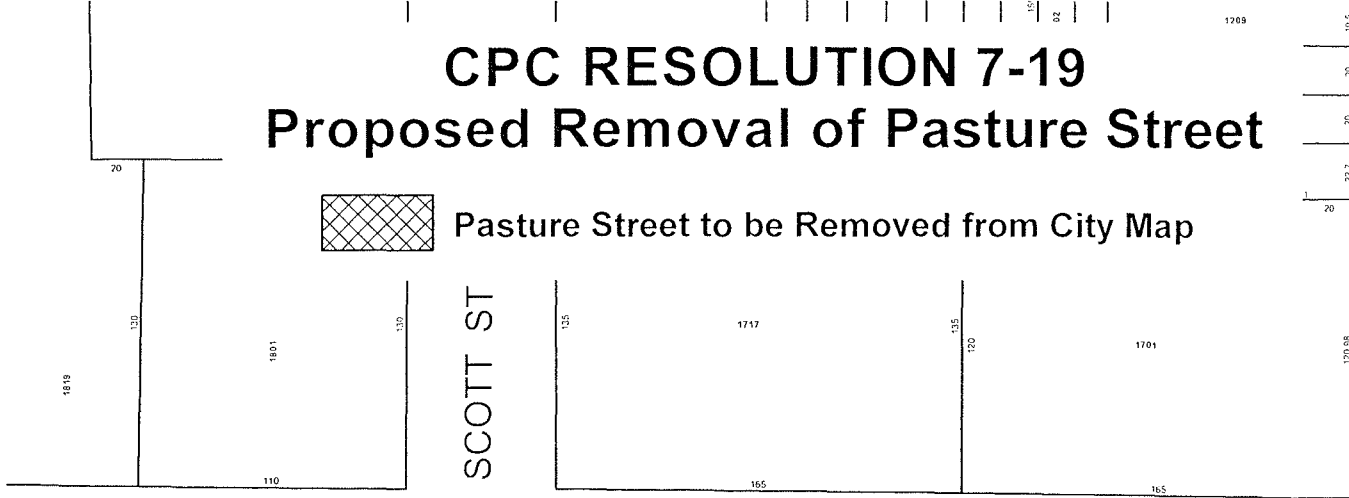
EXHIBIT A

CPC RESOLUTION 7-19

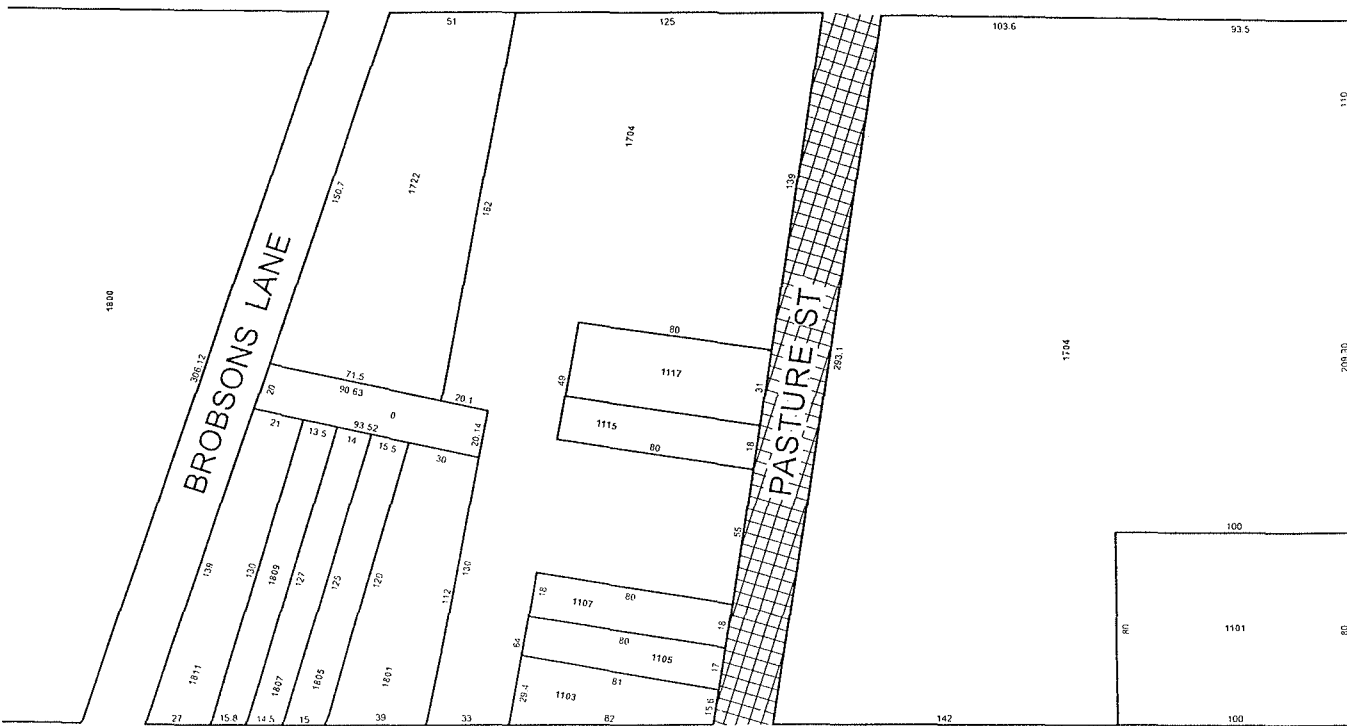
Proposed Removal of Pasture Street



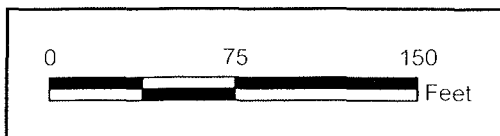
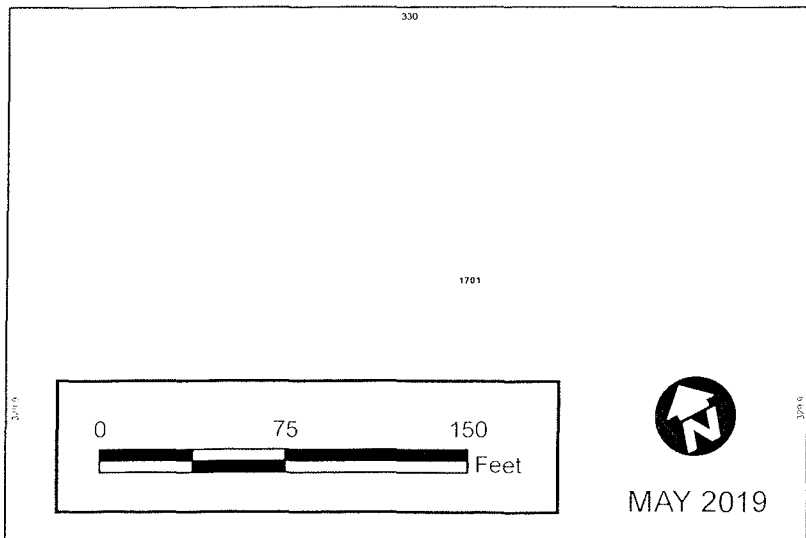
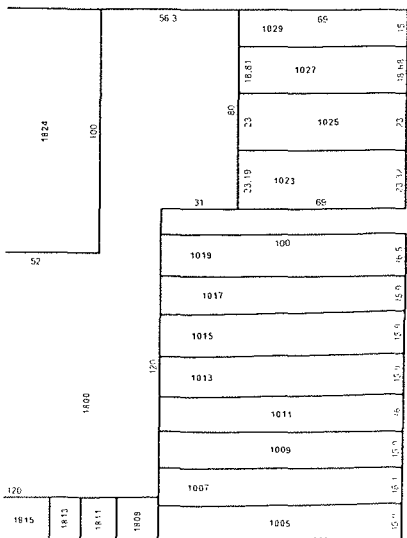
Pasture Street to be Removed from City Map



PENNSYLVANIA AVE



W. 11TH ST



MAY 2019

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DUPONT ST

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SUBSTITUTE NO. 1 TO ORDINANCE NO. 19-038

AN ORDINANCE TO ENACT CERTAIN TRAFFIC/PARKING REGULATIONS

WHEREAS, pursuant to the City Charter and Chapter 37 of the City Code, the Department of Public Works has proposed and the City Council deems it necessary and proper to enact the traffic and parking regulations set forth herein.

**Rev. 1
#4692**

Sponsors:

**Council
Members
McCoy
Congo
Harlee
Oliver
Gray**

Co-Sponsor:

**Council
President
Shabazz**

NOW, THEREFORE, THE COUNCIL OF THE CITY OF WILMINGTON

HEREBY ORDAINS:

SECTION 1. That “**ALL WAY STOP**” signs be installed at the following intersections:

- a. South Madison Street & Harlan Boulevard
- b. West 37th Street & North Tatnall Street
- c. South Rodney Street & Oak Street

SECTION 2. That “**STOP**” signs be added at the following intersections:

- a. New Castle Avenue & Eden Park Entrance

SECTION 3. That “**NO PARKING CHILD DROP OFF/PICK UP 7:00 AM to 9:00 AM, EXCEPT SATURDAYS AND SUNDAYS**” signs be installed on the southside of Vandever Avenue beginning 28 feet from the westerly building line of North Pine Street and extending west 22 feet.

SECTION 4. That “**NO PARKING CHILD DROP OFF/PICK UP 3:00 PM to 6:00 PM, EXCEPT SATURDAYS AND SUNDAYS**” signs be installed on the southside of Vandever Avenue beginning 28 feet from the westerly building line of North Pine Street and extending west 22 feet.

SECTION 5. That “**NO PARKING CHILD DROP OFF/PICK UP 7:00 AM to 6:00 PM, EXCEPT SATURDAYS AND SUNDAYS**” signs be installed on the northside of Concord Avenue beginning 135 feet of the westerly building line of North Washington Street and extending west 40 feet.

SECTION 6. That “**NO PARKING LOADING ZONE 8:00 AM TO 6:00 PM, EXCEPT SATURDAYS AND SUNDAYS**” signs be installed on the eastside of North West Street beginning at the southerly building line of West 18th Street and extending south 100 feet.

SECTION 7. That “**2 HOUR PARKING 8:00 AM TO 6:00 PM, EXCEPT SATURDAYS AND SUNDAYS**” signs be installed at the following locations:

- a. On the westside of Thatcher Street beginning 15 feet north of the northerly building line of East 16th Street and extending north 70 feet.
- b. On the eastside of Webb Street beginning at the northerly building line of West 3rd Street and extending north 95 feet.

SECTION 8. That “**2 HOUR PARKING 5:00 P.M. TO 8:00 P.M., EXCEPT SATURDAYS AND SUNDAYS**” signs be installed on the eastside of Thatcher Street beginning 77 feet from the northerly building line of East 16th Street and extending north 44 feet.

SECTION 9. That the portions of legislation that designate the following be hereby **RESCINDED** to allow for the **REMOVAL** of signs as stated herein:

- a. “**NO PARKING CHILD DROP OFF/PICK UP 7:00 AM to 9:00 AM, EXCEPT SATURDAYS AND SUNDAYS**” signs be removed on the northside of Concord Avenue beginning 135 feet

west of the building line of North Washington Street and extending west 40 feet.

- b. **“NO PARKING CHILD DROP OFF/PICK UP 3:30 PM to 5:00 PM, EXCEPT SATURDAYS AND SUNDAYS”** signs be removed on the northside of Concord Avenue beginning 135 feet west of the building line of North Washington Street and extending west 40 feet.

SECTION 10. This Ordinance shall become effective immediately upon its passage by City Council and approval by the Mayor.

First Reading..... July 11, 2019
Second Reading..... July 11, 2019
Third Reading.....

Passed by City Council,

President of City Council

ATTEST: _____
City Clerk

Approved this ____ day of _____, 2019.

Mayor

SYNOPSIS: This Substitute Ordinance approves various traffic and parking regulations in the City.

W0107403

Wilmington, Delaware
September 19, 2019

#4706

Sponsor:

Council
Member
Harlee

WHEREAS, pursuant to Wilmington Charter Section 8-205, the City may sell or exchange any real estate belonging to the City or grant any license, easement, right-of-way, or other interest over or in such real estate with authority by general ordinance and later resolution from Council to do so; and

WHEREAS, City Code Section 2-626 provides that the Department of Public Works shall have the authority to grant licenses, easements, and/or rights-of-way as shall be necessary for the construction, installation, maintenance, repair, operation, and inspection of utilities, subject to the approval of City Council by resolution; and

WHEREAS, the City desires to provide Delmarva Power & Light Company (“Delmarva”) with a certain utility easement over and across that certain portion of City-owned land known as Rodney Square, having an address of 1000 North Market Street, Wilmington, DE 19801 (being Tax Parcel No. 26-035.20-098), in connection with Delmarva’s installation and maintenance of a new electric line across said land.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that the Council hereby authorizes and approves the granting of a certain utility easement over and across that certain portion of land known Rodney Square, having an address of 1000 North Market Street, Wilmington, DE 19801 (being Tax Parcel No. 26-035.20-098), as in accordance with the “Utility Easement Agreement” between the City of Wilmington and Delmarva Power & Light Company, a copy of which, in substantial form, is attached hereto as Exhibit “A” and incorporated herein.

BE IT FURTHER RESOLVED that the Council authorizes the Department of Public Works to execute any and all documents necessary to effectuate the granting of such utility easement in connection with Delmarva Power & Light Company's installation and maintenance of a new electric line over and across Rodney Square.

Passed by City Council,

ATTEST: _____
City Clerk

SYNOPSIS: This Resolution authorizes the Department of Public Works to grant Delmarva Power & Light Company a certain utility easement in connection with Delmarva's installation and maintenance of a new electric line across 1000 North Market Street, commonly known as Rodney Square.

W0107334

DRAFT

EXHIBIT A

Tax Parcel No.: 26-035.20-098

Prepared By Delmarva Power & Light Company
& Return To: PO Box 9239
401 Eagle Run Road
Newark DE 19714-9239

UTILITY EASEMENT AGREEMENT

THIS EASEMENT AGREEMENT, made this _____ day of September 2019, between CITY OF WILMINGTON ("Grantor") and DELMARVA POWER & LIGHT COMPANY, a corporation of the State of Delaware and the Commonwealth of Virginia ("Delmarva"),

WITNESSETH:

WHEREAS, Grantor is the owner of land located in the State of Delaware, the County of New Castle, which land abuts on 1000 N. Market Street, which is recorded in the Land Records of New Castle County.

For and in consideration of the payment by Delmarva of the sum of one dollar (\$1.00) and other valuable consideration, the receipt of which is hereby acknowledged, Grantor grants to Delmarva a perpetual easement and right of way and agrees as follows:

1. Delmarva shall have the right to install, operate, maintain, add to, extend, relocate and remove its ELECTRIC (X), GAS (____), COMMUNICATION (____), and other appropriate facilities, and accessories and appurtenances thereto to extend Delmarva's systems and to provide services to Delmarva's service areas; including any other cables, conduits, fiber optic cables and wires on, over, under and across Grantor's land which may become necessary to provide such services within the easement area as shown on Plan titled "Easement Exhibit A, Delmarva Power, City of Wilmington, Rodney Square", and further defined on the legal description labeled "Easement Exhibit B" here to attached and made a part hereof.
2. The facilities installed pursuant to this agreement shall remain the property of Delmarva and all maintenance, repairs and removals of said facilities shall be the responsibility of Delmarva.
3. Delmarva shall have the right to trim, remove, and/or otherwise maintain all trees and underbrush located 15 feet on each side of the centerline of Delmarva's facilities.
4. Delmarva shall have the rights of ingress, egress and regress to and over Grantor's land as necessary for the enjoyment of the rights granted herein.
5. Grantor agrees not to place any improvements over or under the utility facilities permitted by this Agreement.
6. Grantor shall have the right to use the land covered by this Agreement for any lawful purpose not inconsistent with or in contravention of the rights of Delmarva.
7. Grantor covenants that it is seized of and has the right to convey the foregoing easement, rights and privileges; agrees that Delmarva shall have quiet and peaceable possession, use and enjoyment of the aforesaid easement, rights and privileges.
8. Grantor hereby certifies that the actual monetary consideration paid for this Agreement is \$1.00.

9. Grantor agrees that this Utility Easement Agreement shall be binding upon and inure to the benefit of Grantor and Delmarva and their respective heirs, personal representatives, administrators, successors and assigns.
10. Delmarva's utility facilities installed hereunder may, without further consideration, be relocated to conform to new or reestablished highway limits.

As agent on behalf of Delmarva, I certify that this document was prepared by Delmarva.

Name: _____
Title: _____

WITNESS our hands and seals the day and year aforesaid.

WITNESS:

Print Name

Title

CITY OF WILMINGTON:

By: _____ (SEAL)

Print Name

Title

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STATE OF DELAWARE

)
) SS
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COUNTY OF NEW CASTLE

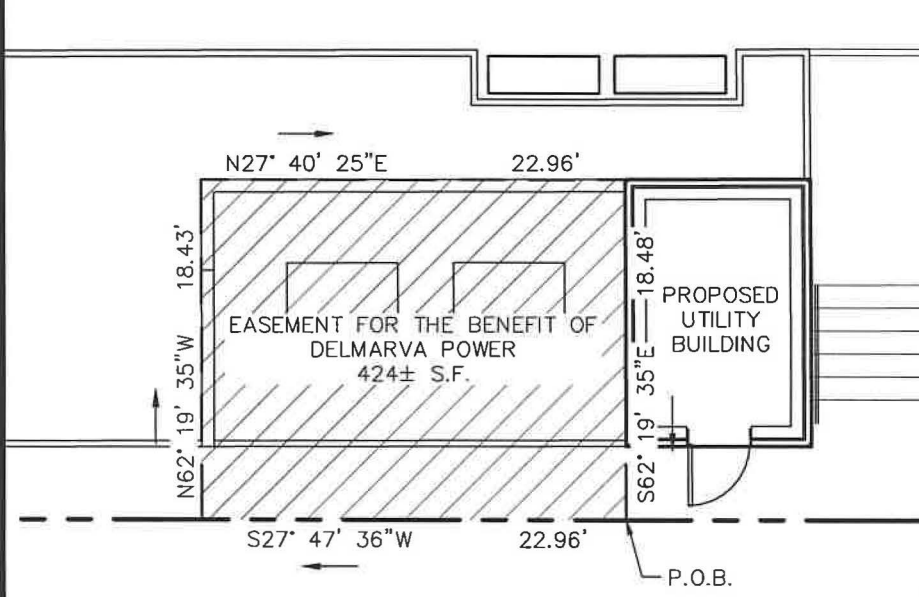
BE IT REMEMBERED, That on the _____ day of _____, _____, personally came before me, a notary public, the within named Grantor, _____ party(ies) to this indenture and known to me personally to be such, and acknowledged said Agreement to be his/her act of said individual(s) or the act and deed of the corporation or partnership for which he/she signed.

My commission expires: _____

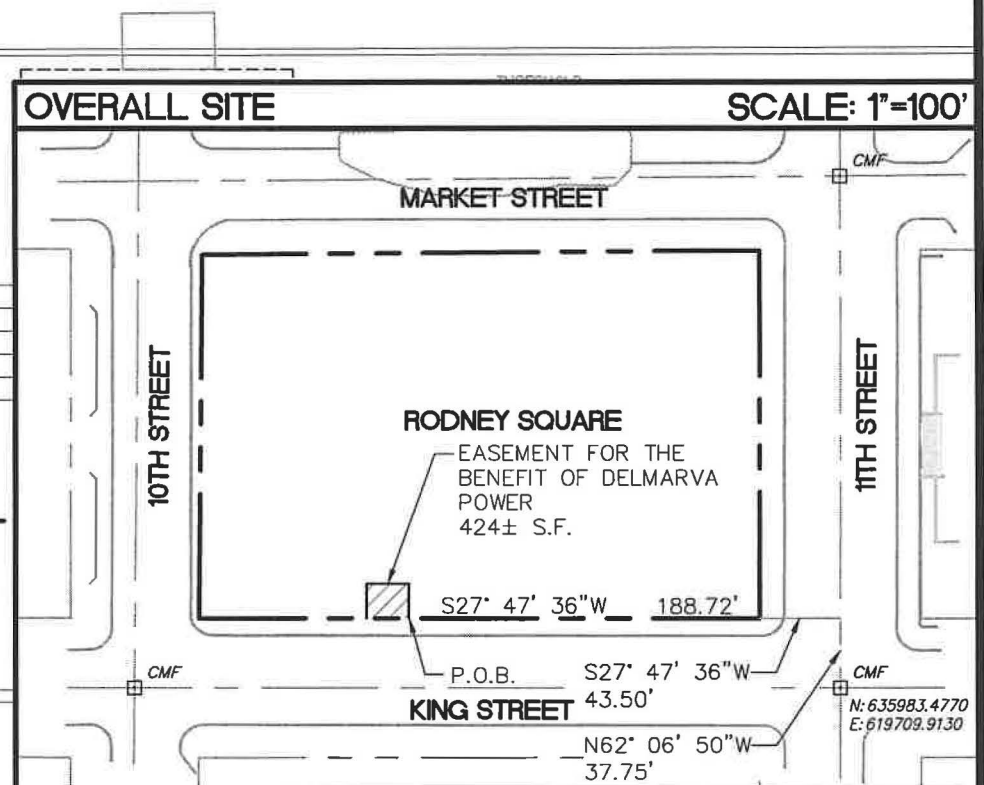
Notary Public

Seal/Stamp Here
Notary

Print Name: _____



NOTE:
 BEARINGS AND COORDINATES REPRESENTED
 ON THIS PLAN ARE IN NAD 83 HORIZONTAL
 DATUM AND ARE NOT RECOGNIZED BY DEED.
 PROPERTY BOUNDARY ESTABLISHED PER
 CITY OF WILMINGTON BLOCK MAP C-5.



APEX ENGINEERING
 INCORPORATED
 27 W. MARKET STREET NEWPORT, DELAWARE 19804
 (302) 994-1900 (302) 994-9099 FAX

EASEMENT EXHIBIT A
DELMARVA POWER
CITY OF WILMINGTON
(RODNEY SQUARE)
 T.P. #26-035.20-098
 10TH STREET AND KING STREET
 CITY OF WILMINGTON - NEW CASTLE COUNTY - DELAWARE

SCALE 1" = 10'	DATE: 9/3/2019	SHEET NO. 1
SURVEYED BY: APEX	DRAWN BY: F.D.S.	OF 1
	CHECKED BY: C.W.O.	REVISION
PROJECT / FILE NUMBER 18133000PLOT-ESMT		

Easement Exhibit "B"

Across the lands of the City of Wilmington (Rodney Square)

To benefit Delmarva Power & Light Co.

Tax Parcel No.: 26-035.20-098

Beginning at a point on the Northwesterly right of way line for King Street (75.5' wide), said point being distant from a found monument located at the point of intersection for the centerlines of the aforementioned King Street and 11th Street (87' wide) the following three (3) courses and distances:

1. along said centerline of 11th Street, North 62 degrees 06 minutes 50 seconds West a distance of 37.75 feet to a point;
2. thence, South 27 degrees 47 minutes 36 seconds West a distance of 43.50 feet to a point at the intersection of the right of way lines for King street and 11th Street;
3. thence along King Street, South 27 degrees 47 minutes 36 seconds West a distance of 188.72 feet to the point of beginning;

thence from said point of beginning continuing along King Street, South 27 degrees 47 minutes 36 seconds West a distance of 22.96 feet to a point;

thence leaving the aforementioned right of way and through lands now or formerly of the City of Wilmington the following three (3) courses and distances:

1. North 62 degrees 19 minutes 35 seconds West a distance of 18.43 feet to a point;
2. North 27 degrees 40 minutes 25 seconds East a distance of 22.96 feet to a point;
3. South 62 degrees 19 minutes 35 seconds East, 18.48 feet to the point and place of beginning.

Containing 423.7 square feet, be the same more or less.