

**ADDENDUM TO
DECEMBER 10, 2018 COUNCIL AGENDA**

ADD to Agenda (after public agenda):

MOTION TO ENTER EXECUTIVE SESSION

ES-C. Executive Session pursuant to 29 *Del. C.* §10004 (b) (6) and (9) for the purposes of discussion of the content of documents, excluded from the definition of "public record" in § 10002 of this title where such discussion may disclose the contents of such documents and discussing personnel matters in which the names, competency and abilities of individual employees are discussed.

RETURN TO PUBLIC SESSION

This item could not be added to the agenda 7 days in advance of the meeting because the City Council did not vote to enter into contract negotiations with Acting City Manager Tom Coleman for the permanent City Manager position until December 4, 2018. This item cannot wait until the January 14, 2019 Council meeting due to the need to provide a response to the initial contract terms requested in a timely manner.

/rkb

Addendum Posted – December 4, 2018

**CITY OF NEWARK
DELAWARE
COUNCIL MEETING AGENDA**

December 10, 2018 – 5:00 P.M. – CC

There may be a vote on each and every agenda item set forth herein.

MOTION TO ENTER EXECUTIVE SESSION

EXECUTIVE SESSION

- A.** Executive Session pursuant to 29 *Del. C.* §10004 (b) (9) for the purpose of discussing personnel matters in which the names, competency and abilities of individual employees are discussed
- B.** Executive Session pursuant to 29 *Del. C.* §10004 (b) (4) and (9) for the purposes of a strategy session, including those involving legal advice or opinion from an attorney-at-law, with respect to potential litigation when an open meeting would have an adverse effect on the litigation position of the public body and discussing personnel matters in which the names, competency and abilities of individual employees are discussed.

(Executive Session to conclude at 7:00 p.m. with Council meeting to resume immediately after. Council may continue Executive Session after the conclusion of the agenda of the regular business meeting.)

RETURN TO PUBLIC SESSION

- A.** Potential vote regarding expenses related to an on-the-job injury

SILENT MEDITATION & PLEDGE OF ALLEGIANCE

***1. PUBLIC PRESENTATIONS (15 minute limit): None**

2. ITEMS NOT ON PUBLISHED AGENDA:

- A.** Elected Officials who represent City of Newark residents or utility customers
- B.** University
 - (1) Administration (5 minutes per speaker)
 - (2) Student Body Representative(s) (5 minutes per speaker)
- C.** City Manager
- D.** Council Members
- E.** Public (3 minutes per speaker)

(PUBLIC COMMENT – Public comment is a time for individuals to speak before Council. Individuals are limited to three minutes each in public comment for items not on the published agenda. Individuals also are limited to three minutes per agenda topic for items on the published agenda that are open to public comment with the exception of public presentations which shall have one minute each for public comment. These time limits may be extended by the chair upon the request of a Council member. Individuals wishing to make public comment in either category should sign in on the list provided at the entrance of the Council chamber prior to the start of the meeting. At the appropriate time, individuals who have signed up for public comment will be called forward to the podium by the chair of the meeting to speak.

Thereafter other members of the public may request to be recognized by the chair. Individuals should approach the podium, state their name and information about their residence (address or council district and/or non City of Newark residents), and commence with their comments. Please be sure to speak into the microphone so your comments are recorded. Once you have completed your comments, please be seated. If you choose to cede your time for public comment to another audience member, you must be present in order to do so. Please be courteous to those who are speaking during public comment by refraining from commenting from the audience while others are speaking. Council may or may not answer questions during public comment.)

3. APPROVAL OF CONSENT AGENDA:

- A. Approval of Council Minutes – November 26, 2018
- B. Receipt of Planning Commission Minutes – November 6, 2018
- C. [First Reading – Bill 18-30 – An Ordinance Amending Chapter 1, General Provisions, Code of the City of Newark, Delaware, By Implementing a Late Fee for Past Due Billings and Invoices – Second Reading – January 14, 2019](#)
- D. [First Reading – Bill 18-31 – An Ordinance Amending the Comprehensive Development Plan by Changing the Designation of Property Located at 209-225 Haines Street – Second Reading – January 14, 2019](#)
- E. [First Reading – Bill 18-32 – An Ordinance Amending the Zoning Map of the City of Newark, Delaware, By Rezoning from RD \(One-Family Semi-Detached Residential\) to RA \(Multi-Family Dwellings – High Rise Apartments\) 0.819 Acres Located at 209-225 Haines Street – Second Reading – January 14, 2019](#)
- F. [First Reading – Bill 18-33 – An Ordinance Amending the Comprehensive Development Plan by Changing the Designation of Property Located at 83-105 New London Road and 40-42 Wilson Street – Second Reading – January 28, 2019](#)

CONSENT AGENDA – Those items on the Consent Agenda are considered routine and non-controversial and will be acted upon by a single vote of the Council. There will be no separate discussion of these items unless a member of Council so requests, in which event the matter shall be removed from the Consent Agenda and considered a separate item.

4. ITEMS NOT FINISHED AT PREVIOUS MEETING: None

***5. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS:** None

***6. SPECIAL DEPARTMENTAL REPORTS:**

- A. [Resolution No. 18- : A Resolution Creating the City of Newark Records Retention Schedule – City Secretary](#)

***7. RECOMMENDATIONS ON CONTRACTS & BIDS:**

- A. [Recommendation to Waive the Bid Process in Accordance with the Code of the City of Newark for the Construction Costs of Preston’s Playground](#)
- B. [Recommendation to Award RFP 18-02—Professional Staff Augmentation for IT Desktop Support Services](#)

***8. FINANCIAL STATEMENT:** [\(Ending October 31, 2018\)](#)

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

- A. [Bill 18-27 – An Ordinance Amending Chapter 25A, Stormwater, Code of the City of Newark, Delaware, By Increasing the Stormwater Fee Effective January 1, 2019](#)
- B. [Bill 18-28 – An Ordinance Amending Chapter 20, Motor Vehicles, Code of the City of Newark, Delaware, By Adding Stop Signs on Hullihen Drive, Cheltenham Road and Wilson Road at the Briar Lane Intersections](#)
- C. [Bill 18-29 – An Ordinance Amending Chapter 20, Motor Vehicles, Code of the City of Newark, Delaware, By Changing the Speed Limit on South College Avenue](#)

***10. RECOMMENDATIONS FROM THE PLANNING COMMISSION AND/OR PLANNING & DEVELOPMENT DEPARTMENT:**

- A. [Recommendation of the Special Use Permit Committee and the Planning and Development Director to Suspend the Special Use Permit of Caffe Gelato to Serve Alcoholic Beverages for 30 Days Due to Points Assessed by the NPD for Underage Drinking Violations at the Property Located at 90 East Main Street](#)

***11. ITEMS SUBMITTED FOR PUBLISHED AGENDA:**

- A. **Council Members:**
 - 1. [Discussion and Request for Direction to Staff on Potential Special Meetings Regarding Student Housing and Setting Priorities for City Staff – Councilman Lawhorn](#)
- B. **Others:** None

***OPEN FOR PUBLIC COMMENT** – The above agenda is intended to be followed, but is subject to changes, deletions, additions, and modifications, as permitted under the Freedom of Information Act of the State of Delaware. The agenda is posted (7) seven days in advance of the scheduled meeting in compliance with 29 Del. C. Section 10004 (e)(2). Copies may be obtained at the City Secretary’s Office, 220 South Main Street, or online at www.newarkde.gov.

Agenda Posted – December 3, 2018

Attest:

Sworn by:

City Secretary

Notary Public (Seal)