

**CITY OF NEWARK  
DELAWARE  
COUNCIL MEETING AGENDA**

**February 11, 2019 – 6:00 P.M. – CC**

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

**MOTION TO ENTER EXECUTIVE SESSION**

**EXECUTIVE SESSIONS**

- A. 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 pending or potential litigation, but only 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.
- 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 pending or potential litigation, but only 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.
- C. Executive Session pursuant to 29 Del. C. §10004 (b) (4) and (6) for the purposes of a strategy session, including those involving legal advice or opinion from an attorney-at-law, with respect to pending or potential litigation, but only when an open meeting would have an adverse effect on the litigation position of the public body and 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

***(Executive Sessions 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 on Hiring Special Counsel
- B. Potential Vote on Disability Pension

**SILENT MEDITATION & PLEDGE OF ALLEGIANCE**

**\*1. PUBLIC PRESENTATIONS (15 minute limit):**

- A. Government Finance Officers Association Award Presentation – Finance Department
- B. [The Newark Partnership Update – Dr. Daniel Rich](#)

**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 – January 28, 2019
- B. Receipt of Planning Commission Minutes – January 2, 2019
- C. Receipt of Green Building Code Work Group Minutes – November 27, 2018
- D. Receipt of Green Building Code Work Group Minutes – December 18, 2018
- E. [Approval of Polling Places for the April 9, 2019 City Election](#) (Packet item posted 2/8/19.)
- F. [First Reading – Bill 19-03 – An Ordinance Amending Chapter 2, Administration, Code of the City of Newark, Delaware, By Amending Management Positions, Titles and Pay Grades Related to Communications and Human Resources – Second Reading – February 25, 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:**

- A. [Reappointment of Sydney Goldberg to the At-Large Position on the Election Board for a Three-Year Term to Expire January 15, 2022](#)
- B. [Appointment of Nikki Lane to the Newark Housing Authority Position on the Community Development/Revenue Sharing Advisory Committee for a Three-Year Term to Expire March 15, 2022](#)
- C. [Appointment of Marcia Halio to an At-Large Position on the Community Development/Revenue Sharing Advisory Committee for a Three-Year Term to Expire March 15, 2022](#)

**\*6. SPECIAL DEPARTMENTAL REPORTS:**

- A. General Assembly Update and Associated Requests for Council Direction – Lobbyist
- B. [Year-End Pension/OPEB Report – Finance Director/Vanguard](#)

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

- A. [Recommendation to Waive the Bid Process in Accordance with the Code of the City of Newark for the Purchase of a Pair of Redundant SonicWALL Firewalls](#)

**\*8. FINANCIAL STATEMENT:** None

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

- A. [Bill 19-01– An Ordinance Amending the Zoning Map of the City of Newark, Delaware, By Rezoning from BL \(Business Limited\) to BB \(Central Business District\) 0.471 Acres Located at 62 North Chapel Street \(See Items 10-A and 10-B\)](#)

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

- A. [Request of Chapel North, LLC for the Major Subdivision with Site Plan Approval of 0.471 Acres in Order to Demolish the Existing Structure and Construct One Four-Story Apartment Building with Parking on the First Floor and 18 Two-Bedroom Apartments on the Remaining Floors at the Property Located at 62 North Chapel Street \(Agreement and Resolution Attached\) \(See Items 9-A and 10-B\)](#)
- B. [Request of Chapel North, LLC for a Special Use Permit for 18 Apartments in the BB Zone at the Property Located at 62 North Chapel Street \(See Items 9-A and 10-A\)](#)

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

- A. **Council Members:** None
- 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](http://www.newarkde.gov).

**Agenda Posted – February 4, 2019**  
**Packet Items Posted – February 5, 2019**

Attest:

Sworn by:

\_\_\_\_\_  
City Secretary

\_\_\_\_\_  
Notary Public (Seal)