

**CITY OF NEWARK
DELAWARE
COUNCIL MEETING AGENDA**

February 25, 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. [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. [Receipt of Alderman's Report – February 7, 2019](#)
- F. [Approval of Polling Places for the April 9, 2019 City Election](#)
- G. [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 – March 11, 2019](#)

- H. [First Reading – Bill 19-04 – An Ordinance Amending Chapter 20, Motor Vehicles, Code of the City of Newark, Delaware, By Permitting Right Turn on Red Traffic Signal from East Cleveland Avenue to Capital Trail and Removing References to the Chrysler Facility – Second Reading – March 11, 2019](#)
- I. [First Reading – Bill 19-05 – An Ordinance Amending Chapter 22, Police Offenses, Code of the City of Newark, Delaware, By Creating a Civil Violation for Unruly Social Gatherings – Second Reading – March 11, 2019](#)
- J. [First Reading – Bill 19-06 – An Ordinance Amending Chapter 31, Weapons, Code of the City of Newark, Delaware, By Amending the Code Sections Regarding Switchblades to Comply with Delaware Code – Second Reading – March 11, 2019](#)
- K. [First Reading – Bill 19-07 – An Ordinance Amending the Comprehensive Development Plan By Changing the Designation of Property at 924 Barksdale Road – Second Reading – March 25, 2019 \(Part 1, Part 2, Part 3\)](#)
- L. [First Reading – Bill 19-08 – An Ordinance Amending the Zoning Map of the City of Newark, Delaware, By Rezoning from BL \(Business Limited\) to AC \(Adult Community\) 6.95 Acres Located at 924 Barksdale Road – Second Reading – March 25, 2019](#)
- M. [First Reading – Bill 19-09 – An Ordinance Amending the Comprehensive Development Plan By Changing the Designation of Property Located at 100, 115, 121 College Square – Second Reading – March 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. [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](#)
- B. [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](#)
- C. [Reappointment of Katherine Sheedy to an At-Large Position on the Conservation Advisory Commission for a Three-Year Term to Expire March 15, 2022](#)
- D. [Appointment of Mary Kay Ferraro to the District 1 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](#)

***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](#)
- B. [Recommendation to Award Contract No. 19-01 – Furnishing Labor and Equipment for Tree Pruning, Removal and Creek Clearance Operations](#)
- C. [Recommendation to Award Contract No. 19-02 – Purchase of One Current Model Year 25 Passenger Commercial Bus 2 Wheelchair Positions 2 Foldaway Seats](#)

***8. FINANCIAL STATEMENT:** None

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

- A. [Bill 19-02– An Ordinance Amending Chapter 2, Administration, Chapter 27, Subdivisions, and Chapter 32, Zoning, Code of the City of Newark, Delaware, By Sunsetting the Downtown Newark Partnership and Forming the Design Committee](#)

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

- A. [Request Of Rashid, Inc. for a Special Use Permit for a Used Car Lot at the Property Located at 804 South College Avenue, Newark, Delaware, with Accessory Parking at the Property Located at 810 South College Avenue, Newark, Delaware](#)

***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.

Agenda Posted – February 15, 2019

Attest:

Sworn by:

City Secretary

Notary Public

(Seal)