

**CITY OF NEWARK
DELAWARE
COUNCIL MEETING AGENDA**

October 14, 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 SESSION

- A. Executive Session pursuant to 29 Del. C. §10004 (b) (4) for the purposes of strategy sessions, 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
- B. Executive Session pursuant to 29 Del. C. §10004 (b) (4) for the purposes of strategy sessions, 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

(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

SILENT MEDITATION & PLEDGE OF ALLEGIANCE

1. ITEMS NOT ON PUBLISHED AGENDA:

- A. Elected Officials who represent City of Newark residents or utility customers (2 minutes)
- B. University
 - (1) Administration (5 minutes per speaker) (3 minutes)
 - (2) Student Body Representative(s) (5 minutes per speaker) (2 minutes)
- C. City Manager (2 minutes)
- D. Council Members (5 minutes)
- E. Public (5 minutes per speaker) (10 minutes)

(PUBLIC COMMENT - Public comment is a time for individuals to speak before Council. Individuals are limited to five minutes each in public comment for items not on the published agenda. Individuals also are limited to five minutes per agenda topic for items on the published agenda that are open to 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. Time may not be ceded to another member of the public. 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.)

2. APPROVAL OF CONSENT AGENDA: (1 minute)

- A. [Approval of Council Meeting Minutes – September 16, 2019](#)
- B. [Approval of Council Meeting Minutes – September 23, 2019](#)
- C. [Receipt of Green Building Code Work Group Minutes – July 23, 2019](#)
- D. [Receipt of Green Building Code Work Group Minutes – August 27, 2019](#)
- E. [Receipt of Planning Commission Minutes – September 4, 2019](#)
- F. [Recommendation to Waive Bid and Award Contract – West Park Place Mill and Hot Mix Overlay](#)

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.

***3. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS:**

- A. [Appointment of Peter Drake to the Vacant At-Large Position on the Planning Commission for a Three-Year Term to Expire September 15, 2022](#) (5 minutes)

4. ITEMS NOT FINISHED AT PREVIOUS MEETING: None

***5. SPECIAL DEPARTMENTAL REPORTS: None**

***6. RECOMMENDATIONS ON CONTRACTS & BIDS OVER \$75,000: None**

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

- A. [Bill 19-24 – An Ordinance Amending Chapter 32, Zoning, Code of the City of Newark, Delaware, By Updating the Permitted Uses in the MI \(General Industrial\) Zone](#) (20 minutes)
- B. [Bill 19-25 – An Ordinance Amending the Comprehensive Development Plan by Changing the Designation of Property Located at 321 Hillside Road \(See Item 8-A\)](#) (130 minutes for Items 7-B and 8-A)

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

- A. Request of College Town Communities for the Major Subdivision of 8.37 Acres in Order to Demolish the Existing Nine Dormitory Buildings and Construct Four Three-Story Apartment Buildings with 45 Apartment Units and 46 Townhouse Apartments for a Total of 91 Apartment Units with 320 Bedrooms with Associated Parking and Amenities at the Property Located at 321 Hillside Road (**Agreement and Resolution Attached**) (**See Item 7-B**) ([Part 1](#) and [Part 2](#)) ([Additional public comments posted 10/14/19.](#))

***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 – October 7, 2019

Attest:

Sworn by:

City Secretary

Notary Public (Seal)