

**ADDENDUM TO
AUGUST 10, 2020 COUNCIL AGENDA**

CHANGE Start Time to 5:30 p.m.

ADD to Agenda:

EXECUTIVE SESSION

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

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

C. Emergency Bill No. 20-06 – An Emergency Ordinance Concerning COVID-19 Precautionary Measures

D. Emergency Bill No. 20-07 – An Emergency Ordinance Concerning COVID-19 Precautionary Measures

/rkb

Addendum Posted – August 6, 2020

These items could not be posted seven days prior to the meeting for the following reasons: Executive Session B is in response to correspondence received on August 5, 2020. Items 7C and 7D were not requested to be added to the agenda until August 5, 2020. These items could not wait until the next regularly scheduled Council meeting because Council needs to be updated on pending litigation in a timely manner and because the COVID-19 preventative measures cannot be delayed for the public health, safety and welfare of the residents of the City of Newark.

**CITY OF NEWARK
DELAWARE
COUNCIL MEETING AGENDA**

August 10, 2020 – 6:15 P.M. – GoToMeeting

Per the proclamation issued by Governor Carney and Lieutenant Governor Hall-Long on March 13, 2020, City Council will be meeting remotely via GoToMeeting. The meeting will be available for viewing via GoToMeeting at the following link:
<https://www.gotomeet.me/NewarkDECityCouncil/august102020>

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Public comments may be submitted on the items on the agenda via email to council@newark.de.us by 6:00 p.m. All public comments received will be read into the record at the meeting. Attendees may also alert the City Secretary that they wish to speak at the appropriate time by submitting their name, district and/or address, and agenda item on which they would like to comment via the GoToMeeting chat function during the meeting.

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) and (6) for the purpose 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 and discussion of the content of documents, excluded from the definition of “public record” in 29 *Del. C.* §10002 where such discussion may disclose the contents of such documents.

(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) (10 minutes)

(2) Student Body Representative(s) (5 minutes per speaker) (2 minutes)

- C. City Manager (10 minutes)
- D. Council Members (5 minutes)
- E. Public (5 minutes per speaker) (5 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 – July 6, 2020](#)
- B. [Approval of Council Meeting Minutes – July 13, 2020](#)
- C. [Receipt of Alderman’s Report – July 10, 2020](#)
- D. [Receipt of Green Building Code Work Group Minutes – June 15, 2020](#)
- E. [Receipt of Planning Commission Minutes – July 7, 2020](#) (Packet item posted on 8/5/20.)
- F. [Receipt of Resignation of Kismet Hazelwood from an At-Large Position on the Conservation Advisory Commission](#)
- G. [First Reading – Bill 20-23 – An Ordinance Amending Chapter 2, Administration, Code of the City of Newark, Delaware, By Deleting and Retitling Positions and Adjusting Pay Grades – Second Reading – August 24, 2020](#)

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: None**

4. ITEMS NOT FINISHED AT PREVIOUS MEETING: None

***5. SPECIAL DEPARTMENTAL REPORTS:**

- A. [Discussion and Direction to Staff Regarding Development Impact Fees – Planning and Development Director](#) (60 minutes)
- B. [Budget Amendment for CIP K1705 \(Preston’s Playground\)](#) – Parks and Recreation Director (10 minutes)
- C. [Resolution No. 20- : A Resolution Of The Governing Body Of The City Of Newark, Delaware, Authorizing The Execution And Delivery Of An Equipment Lease/Purchase Agreement With Respect To The Acquisition, Financing And Leasing Of Certain Equipment For The Public Benefit Within The Terms Provided Herein; Authorizing The Execution And Delivery Of Documents Required In Connection Therewith; And Authorizing The Taking Of All Other Actions Necessary To The Consummation Of The Transactions Contemplated By This Resolution](#) (10 minutes)

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

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

- A. [Bill 20-21 – An Ordinance Amending Chapter 25, Sewers, Code of the City of Newark, Delaware, By Setting the Out of Town Rate for City Sewer Service and Clarifying the Effective Date of County Sewer Rate Changes](#) (15 minutes)
- B. [Bill 20-22 – An Ordinance Amending Chapter 20, Motor Vehicles, Code of the City of Newark, Delaware, By Reinstating Parking Fees for On-Street Parking Meters](#) (15 minutes)

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

- A. [Request of the City of Newark for a Special Use Permit to Construct a Pedestrian/Bicycle Bridge in the FEMA Designated Special Flood Hazard Area \(SFHA\) and to Allow an Increase in the Flood Level in the Area Upstream of the Proposed Bridge By 1.2 Inches on the Property of 109 Paper Mill Road](#) (30 minutes)

***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 – August 3, 2020

Attest:

Sworn by:

City Secretary

Notary Public (Seal)