

**CITY OF NEWARK
DELAWARE
COUNCIL MEETING AGENDA**

October 25, 2021 – 6:15 P.M. – GoToMeeting

Per the Declaration of a Public Health Emergency issued by Governor Carney on July 13, 2021 and the virtual meeting provisions as provided in Senate Bill 94, 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/october252021>

You can also dial in using your phone.

United States: [+1 \(408\) 650-3123](tel:+14086503123) Access Code: 306-645-157

New to GoToMeeting? Get the app and be ready when your first meeting starts: <https://global.gotomeeting.com/install/306645157>

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 (2) for the purpose of preliminary discussions on leases of real property

(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) (5 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 – October 4, 2021](#) (Packet item posted 10/22/21.)
- B. [Approval of Council Meeting Minutes – October 11, 2021](#) (Packet item posted 10/22/21.)
- C. [Receipt of Alderman’s Report – October 8, 2021](#)
- D. [Receipt of Planning Commission 2021 Annual Report and 2022 Work Plan](#)
- E. [Receipt of Financial Statement Ending August 31, 2021](#)
- F. [Approval of 2021-2025 Capital Improvement Program Budget Amendment for the Appropriation of Funds from the United States Department of Justice Federal Equitable Sharing Program and Approval to Utilize These Funds to Purchase Equipment Per Contract No. 21-07 – Police Vehicle Equipment Procurement and Upfitting](#)
- G. [First Reading – Bill 21-30 – An Ordinance Amending Chapter 18, Junk and Secondhand Dealers, Code of the City of Newark, Delaware, By Changing the Holding Time Period of Goods For Police Inspection, Adding Language Regulating Automatic Kiosks and Adding Additional Language to Comply with Delaware Code – Second Reading – November 8, 2021](#)
- H. [First Reading – Bill 21-31 – An Ordinance Amending Chapter 20, Motor Vehicles, Code of the City of Newark, Delaware, to Designate the West Side of Casho Mill Road from Church Road to Timber Creek Lane as “No Parking Anytime” – Second Reading – November 8, 2021](#)

- I. [First Reading – Bill 21-32 – An Ordinance Amending Chapter 20, Motor Vehicles, Code of the City of Newark, Delaware, to Designate the South Side of Forest Lane for 144 Feet East from Hillside Road as “No Parking Anytime” and Designate the South Side of Forest Lane 144 Feet from Hillside Road East to Thompson Lane as “Two-Hour Parking” – Second Reading – November 8, 2021](#)

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 Robert Kennedy to the District 1 Position on the Board of Ethics for a Term to Expire February 15, 2024 (5 minutes)
B. Reappointment of Susan Poley to the At-Large Resident Position of the Pension Committee for a Term to Expire June 30, 2023 (5 minutes)

4. ITEMS NOT FINISHED AT PREVIOUS MEETING: None

***5. SPECIAL DEPARTMENTAL REPORTS:**

- A. [Recommendation for Approval of a Permanent Maintenance and Access Agreement to Facilitate Construction and Maintenance of New Storm Sewer Culverts Across Valley Road and Partially Located on Coleman Park at 42 Country Hills Drive – Public Works and Water Resources](#) (10 minutes)

***6. FINANCIAL STATEMENT:** None

***7. RECOMMENDATIONS ON CONTRACTS & BIDS OVER CONSENT AGENDA LIMIT:** None

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

- A. [Bill 21-29 – An Ordinance Amending Chapter 2, Administration, Code of the City of Newark, Delaware, By Creating a New Pay Grade and Updating Pay Scale Assignments](#) (20 minutes)

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

- A. [Request of Cellco Partnership d/b/a Verizon Wireless for a Special Use Permit to Install a 125-Foot Telecommunications Monopole Tower and Cell Phone Antenna Equipment at the Property Located at 1325 Old Coochs Bridge Road](#) (25 minutes) (Rescheduled from September 27, 2021 cancelled Council meeting)
B. [Request of George and Carla Probst for a Special Use Permit to Grade Land in the Floodplain to Protect the Home from Periodic Flooding at the Property Located at 49 North Fawn Drive](#) (15 minutes)
C. [Request of Delta Eta Corporation for a Special Use Permit for the Pi Kappa Alpha Fraternity to Operate and Reside at the Property Located at 34 Continental Avenue](#) (45 minutes)
D. [Request of Danneman and Danneman LLC for Council to Allow a New Application to be Considered by Either Council or the Planning Commission per Section 32-45 \(b\)\(8\) at a Future Meeting, for the Land Use Project Located at 132-136 East Main Street, Which the Parking Waiver of 67 Spaces Was Denied by Council on February 8, 2021](#) (60 minutes) (60 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 – October 18, 2021

Attest:

Sworn by:

City Secretary

Notary Public (Seal)