

ADDENDUM #2 TO

January 23, 2023 COUNCIL AGENDA

REMOVE from the Agenda:

10-A. Request of CD Union, LLC., for a Special Use Permit to allow the restaurant to sell alcoholic beverages for the consumption on premises at All Blue Cajun located at 165 East Main Street

/tas

Addendum Posted – January 23, 2023

Attest:

City Secretary

Sworn by:

Notary Public (Seal)

ADDENDUM TO

January 23, 2023 COUNCIL AGENDA

ADD to the Agenda:

31. [Recommendation to Waive the Bid Process in Accordance with the Code of the City of Newark for the Purchase of Replacement Vehicles for the Code Enforcement Division on State of Delaware Contract GSS22561-VEH LDP, and Amend the 2023 to 2027 Capital Improvement Program](#)

/tas

Addendum Posted– January 20, 2023

This item was not posted seven days in advance as staff was not advised that the vendor will not reserve the vehicles until a purchase order is received after the agenda deadline had passed. This item could not wait until the next regularly scheduled Council meeting because due to supply chain shortages and past experience with difficulties procuring vehicles in a timely fashion, there is no guarantee the vehicles still will be available by the February 13, 2023 Council meeting.

Attest:

City Secretary

Sworn by:

Notary Public (Seal)

**CITY OF NEWARK
DELAWARE
COUNCIL MEETING AGENDA**

January 23, 2023 – 6:15 P.M. – Council Chambers/Microsoft Teams

Per the hybrid meeting provisions as provided in 29 Del. C. §10006A, City Council will be meeting in person with remote access via Microsoft Teams at the following link: <https://tinyurl.com/01-23-2023NewarkCityCouncil>

New to Microsoft Teams? Click on the link above and click on “Continue in this Browser” to enter the meeting.

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 using the raise hand function in Microsoft Teams or by submitting their name, district and/or address, and agenda item on which they would like to comment via the Microsoft Teams chat function during the meeting.

As a secondary plan in the event of technical failures, remote access via Facebook live will be at the following link: <https://www.facebook.com/CityOfNewarkDelaware>

here 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 a strategy session, including those involving legal advice or opinion from an attorney-at-law, with respect to potential litigation 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 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

- A. Potential vote to give direction to the City Solicitor

SILENT MEDITATION & PLEDGE OF ALLEGIANCE

***1 PUBLIC PRESENTATION: (15-minute limit):**

- A. [The Newark Partnership](#) – Leann Moore (15 minutes)
B. General Assembly Update – Lobbyist (15 minutes)

2. 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)
(2) Student Body Representative(s) (5 minutes per speaker)
C. City Manager (10 minutes)
D. Council Members (5 minutes)
E. Public (5 minutes per speaker)

3. APPROVAL OF CONSENT AGENDA: (1 minute)

- A. [Approval of Council Meeting Minutes – December 12, 2022](#)
B. [Receipt of Planning Commission Minutes – November 1, 2022](#)
C. [Receipt of Planning Commission Minutes – December 6, 2022](#)
D. [Receipt of Alderman’s Report – January 6, 2023](#)
E. [Receipt of Financial Statement Ending – November 30, 2022](#)
F. [Recommendation to Amend the Budget for the 2023-2028 Capital Improvement Program and Waive the Bid Process in Accordance with the Code of the City of Newark for the Purchase of a Nissan Leaf on State of Delaware Contract GSS22561-VEH LDP – \(Supplemental Documents\)](#)
G. [First Reading – Bill 23-04 – An Ordinance Amending the Comprehensive Development Plan by Changing the Designation of the Property located at 532 and 540 Old Barksdale Road – Second Reading – February 27, 2023](#)
H. [First Reading – Bill 23-05 – An Ordinance Amending the Zoning Map of the City of Newark, Delaware, By Rezoning from BC \(general business\) and BN \(neighborhood shopping\) to BB \(central business district\) 1.33 Acres Located at 532 and 540 Old Barksdale Road – Second Reading – February 27, 2023](#)

CONSENT AGENDA – The Consent Agenda is comprised of proposed ordinances on for First Reading and those items that are considered routine and non-controversial and will be acted upon by a single vote of the Council. There shall be no separate discussion of proposed ordinances on for First Reading. For the remaining items, there will be no separate discussion unless a member of Council so requests, in which event the matter shall be removed from the Consent Agenda and considered a separate item at that Council Meeting.

***4. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS: None**

5. ITEMS NOT FINISHED AT PREVIOUS MEETING: None

***6. SPECIAL DEPARTMENTAL REPORTS: None**

***7. FINANCIAL STATEMENT: None**

***8. RECOMMENDATIONS ON CONTRACTS & BIDS OVER CONSENT AGENDA LIMIT:**

- A. [Recommendation to Amend the 2023 Capital Improvement Program \(CIP\) Budget for Project Q2301 and Waive the Bid Process in Accordance with the Code of the City of Newark for the Purchase of a Backhoe \(CIP HEQSF\) and Mini](#)

[Excavator \(CIP Q2301\) based on Competitively Solicited Purchase Contracts in Association with Sourcewell for CIP HEQSF and Q2301](#) – Public Works & Water Resources Director (10 minutes)

*9. **ORDINANCES FOR SECOND READING & PUBLIC HEARING:** None

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

- A. [Request of CD Union, LLC., for a Special Use Permit to allow the restaurant to sell alcoholic beverages for the consumption on the premises at All Blue Cajun located at 165 East Main Street](#) (20 minutes)
- B. [Request of 96 East Main Street Associates, LLC., for a Special Use Permit to allow the hotel to sell alcoholic beverages for consumption on the premises as an Accessory Use, with Impact, for an eatery/bar within the Hyatt Place Green located at 94 East Main Street](#) (20 minutes)

***OPEN FOR PUBLIC COMMENT**

Agenda Posted – January 13, 2023

Attest:

Sworn by:

City Secretary

Notary Public

(Seal)