

Mayor and Council,

Below is this week's weekly report. Please don't hesitate to contact me with any questions.

Have a great weekend!

Land Use

1. The Division received complete application submission for a resubdivision for 25 North Chapel Street (the Chapel Street Players property). This plan is for a five-floor mixed use building with parking on the first floor and 28 two-bedroom apartments on the second through fifth floors.
2. Planning issued a Subdivision Advisory Committee comment letter for 65 South Chapel Street with final items to be completed prior to scheduling the project for Council consideration. This rezoning and major subdivision with site plan approval is for a six-story building with 196 apartment units (two-, three- and four-bedroom) and associated parking.
3. Staff created a preliminary list of virtual bus stops for the DART Connect launch to be reviewed with DART and Via at a planning meeting scheduled for next week. In working with the vendor, they have advised that a rollout of stops be in phases to ensure that DART Connect is able to keep up with the scaling of demand. Additional stops can be added as demand increases and data for ride requests is obtained.
4. Staff is planning Bike to Work Day for Friday, May 19 and is hopeful that the City will receive word on the City's Bicycle-Friendly Communities application to be announced at the event.

Public Works

1. The street paving contractor continued curb removal and replacement at Beagle Club Way and is anticipated to be completed within two weeks.
2. Curb work at Dickey Park and Caldwell Place is anticipated to be completed next week. Following the completion of Dickey Park that crew will move to Madison Drive. Notices have been distributed ahead of all planned work.
3. PWWR field staff attended a training session with a motivational type speaker who specializes in workplace communication. The crews really enjoy the discussions and appreciate the different types of training that management offers.

Police

1. During the evening of Wednesday, May 10th, Sgt. Saunders, PO J. Carter and PO R. Parker will be attending West Park Elementary's Fitness Night where they will be participating with the kids in sports and fitness activities at the school.
2. On Thursday, June 8th at 3:00 p.m., NPD will hold a walkout ceremony to honor the retirement of Cpl. Marty LaRue. The ceremony will be held in the police parking lot.

3. NPD will be extending a conditional offer of employment to a Communications Officer applicant. The applicant will undergo a psychological and basic medical examination prior to onboarding. The Communications Division still has one more vacancy to fill.

Parks and Recreation

1. The Memorial Day Parade will be held Sunday, May 21 with the Ceremony beginning at 1:00 on the University of Delaware Green and Memorial Day Parade stepping on to Main Street at 2:00.
2. Mowing continues throughout the park and traffic Island areas.
3. The Food Bank confirmed that they will be providing lunches at Camp R.E.A.L at Alder Creek this summer.
4. The Park Staff continues to respond to tree issues throughout our park and open space areas.

Code Enforcement

1. Director Bensley and Deputy Director Ramos-Velazquez met with incoming Code Enforcement Manager George DeBenedictis, who starts with the City on Monday, May 15.
2. Extensive time was spent on inspections related to the temporary certificate of occupancy for the Hyatt Place (formerly known as the Green Mansion). A TCO to allow training only in the building was issued on Friday. A full temporary certificate of occupancy will be required before the hotel opening.
3. 13 properties are currently in warning status for the nuisance property ordinance. No new warnings were issued this week; however, four of those properties have accrued additional points since their warning letters were issued. Property owners have been reaching out about the nuisance abatement plan process, so staff anticipates applications being submitted to Council in the near future.

Parking

1. Staff began outreach to businesses regarding interest for parking permits for the July to December period. The City will be offering a trial monthly EFT option for businesses to allow them to pay automatically each month instead of having to pay the full six months for the permit up front.

Personnel

1. FMCSA Clearinghouse Training – The City asked a staff member from PMA Companies, the City's risk assessment consultant through DFIT, to provide a presentational overview to both the managers (May 10) and CDL employees (May 11) on the current FMSCA Clearinghouse. Effective in January 2020, the Clearinghouse is a secure online database that gives employers, the Federal Motor Carrier Safety Administration (FMCSA), State Driver Licensing Agencies (SDLAs), and State law enforcement personnel real-time information about commercial driver's license (CDL) and commercial learner's permit (CLP) holders' drug and alcohol program violations. The Clearinghouse contains records of violations of drug and alcohol prohibitions including positive drug or alcohol test results and test refusals. When a driver completes the return-to-duty (RTD)

process and follow-up testing plan, this information is also recorded in the Clearinghouse. When an employee tests positive on a CDL DOT random drug test, post accident or reasonable suspicion then the result is automatically posted to the Federal Clearinghouse. Before they are able to return to work and operate CDL vehicles they must complete a return to work program which could take anywhere from several weeks to several months including seeing a SAP (substance abuse professional). They must also get a negative drug test and be subject to at least 6 random drug tests over the next 12 months. CHRO Hardin is the DER (Designated Employer Representative) for the City of Newark and is responsible for coordinating with employee to get in touch with a SAP and report the RTD status in the Clearinghouse.

2. Drug and Alcohol Policy Update – On Friday, April 21, 2023, Governor John Carney allowed House Bill 1 and House Bill 2 to be enacted into Delaware law without his signature. These two pieces of legislation removed all state-level civil and criminal penalties from simple marijuana possession up to one ounce and created a regulated industry to conduct recreational marijuana sales in Delaware. With the recent passing of this bill, CHRO Hardin reached out to the City's labor attorney to ask for guidance on any policy updates or recommendations to the City's current policy. The response from the attorney stated that no major changes to the existing policy were required as it will be treated the same as alcohol. Marijuana legalization effectively converts it into a legal intoxicant, similar to alcohol. In the same way that employers can prohibit employees from using, possessing, or being under the influence of alcohol on company premises or during working time, they can prohibit marijuana. Employers can also continue to conduct pre-employment, random, post-accident, and reasonable suspicion testing for marijuana. While employers may continue to include marijuana in their drug screening protocols, it is essential to remember that the presence of marijuana metabolites in a blood, saliva, or urine sample does NOT necessarily demonstrate intoxication in the same way that a blood alcohol level of .08 or higher does. Also, marijuana use is still federally prohibited for CDL drivers so they will continue to may be required to test for marijuana use without regard to state law. With all of this said, CHRO Hardin and HR Administrator Marta Pacheco sent a copy of the City's current Drug and Alcohol policy for legal review and met with our attorney earlier this week to discuss specific language. The attorney made recommendations to streamline the policy and provided a draft for HR and City Manager review.