

**CITY OF NEWARK
DELAWARE
COUNCIL MEETING AGENDA**

November 11, 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) (9) for the purposes of personnel matters in which the names, competency and abilities of individual employees are discussed, unless the employee requests that such a meeting be open.
- B. Executive Session pursuant to 29 Del. C. §10004 (b) (4) for the purposes of strategy sessions with respect to collective bargaining, but only when an open meeting would have an adverse effect on the bargaining position of the public body.

RETURN TO PUBLIC SESSION

- A. Potential vote regarding direction to the City Manager

(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 – October 21, 2019](#)
- B. [Approval of Council Meeting Minutes – October 28, 2019](#) (Link posted 11/8/19.)
- C. [Receipt of Green Building Code Workgroup Minutes – September 24, 2019](#)
- D. [Receipt of Planning Commission Minutes – October 1, 2019](#) (Link posted 11/8/19.)
- E. [First Reading – Bill 19-31 – An Ordinance Amending Chapter 19, Minors, and Chapter 22, Police Offenses, Code of the City of Newark, Delaware, to Update Alcohol and Marijuana Citations for Individuals Under the Age of 21 to Civil Citations for the First Two Offenses to Match Delaware State Code – Second Reading – November 25, 2019](#)

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. [Newark Community Sustainability Plan – Planning and Development](#) (90 minutes)

***6. RECOMMENDATIONS ON CONTRACTS & BIDS OVER \$75,000:**

- A. [Recommendation to Amend the Budget to Transfer Funds from the Operating Budget to CIP N1801 \(and Change Order for Contract 18-09\) for the Finalization of Municipal Center Rear Concrete Deck and Stair Repairs](#) (10 minutes)
- B. [Recommendation to Amend the Budget to Appropriate Funds from a Delaware Valley Health Trust \(DVHT\) Grant and Waive the Bid Process in Accordance with City Code for the Procurement of Active Lifestyle Equipment](#) (10 minutes)

- C. [Recommendation to Amend the Budget to Move Funds Designated for Capital Improvement Project N1702 \(Council Chamber Renovations\) from 2020 to 2019](#) (15 minutes)

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

- A. [Bill 19-27 – An Ordinance Amending Chapter 11, Electricity, Code of the City of Newark, Delaware, By Amending the Requirements for Electric Deposits](#) (10 minutes)

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

- A. [Request of Hardbat CrossFit for a Special Use Permit for a Commercial Indoor Recreation Facility Located at 1325 Old Coochs Bridge Road, Suite 201](#) (15 minutes)
- B. [Request of Campus Life & Style to Rename Retreat at Newark Located at 501 Hamlet Way to The Waverly](#) (**Resolution Attached**) (5 minutes)

(Secretary’s Note: The previously advertised Special Use Permit applications for Monster Mode Athletics and Cruz Hitting & Fielding have been withdrawn by the applicants.)

***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 – November 4, 2019

Attest:

Sworn by:

City Secretary

Notary Public (Seal)