

**ADDENDUM #2 TO**

**MARCH 23, 2020 COUNCIL AGENDA**

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/NewarkCityCouncil/march232020>.

Members of the public can also dial in by phone using the following number:

Phone Number: (872) 240-3412

Access Code: 475-002-101

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Public comments may be submitted on the items on the agenda via email to [council@newark.de.us](mailto:council@newark.de.us) by 7:00 p.m. All public comments received will be read into the record at the meeting.

**ADD to Agenda:**

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

- D. [Emergency Ordinance No. 20-03 – An Emergency Ordinance Requiring the April 14, 2020 City Council Election Be Exclusively Vote By Mail](#) (Packet item posted 3/22/20.)
- E. [Emergency Ordinance No. 20-04 – An Emergency Ordinance Permitting District Polling Places to Be Within 0.25 Miles from the Boundary of the District for the April 14, 2020 City Council Election and Permitting City Employees to Work as Poll Workers in Municipal Elections](#) (Packet item posted 3/22/20.)
- F. Additional Emergency Ordinances as Required

/rkb

**Addendum Posted – March 20, 2020**

These items could not be posted seven days prior to the meeting because the changing situation with the COVID-19 virus has necessitated changes be made for City Elections to safely take place. These items could not wait until the next scheduled Council meeting because there are no more meetings prior to the April 14, 2020 City Council election.

**ADDENDUM TO  
MARCH 23, 2020 COUNCIL AGENDA**

**CHANGE Start Time to 6:30 p.m.**

**ADD to Agenda:**

**EXECUTIVE SESSION**

- B. Executive Session pursuant to 29 Del. C. §10004 (b) (2) and (4) for the purposes of preliminary discussions on leases of real property and 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 bargaining or litigation position of the public body

**RETURN TO PUBLIC SESSION**

- A. Potential vote regarding an employee on-the-job injury settlement
- B. Potential vote regarding direction to the City Solicitor and City Manager

**2. APPROVAL OF CONSENT AGENDA:**

- I. [First Reading – Bill 20-14 – An Ordinance Amending Chapter 7, Building; Chapter 21, Peddlers, Vendors and Solicitors; and Chapter 23, Parades and Public Assemblies; Code of the City of Newark, Delaware, By Extending the Provisions of Emergency Ordinance No. 20-01 – Second Reading – April 27, 2020](#) (Packet item posted 3/22/20.)
- J. [First Reading – Bill 20-15 – An Ordinance Amending Chapter 20, Motor Vehicles, By Extending the Provisions of Emergency Ordinance No. 20-02 – Second Reading – April 27, 2020](#) (Packet item posted 3/22/20.)

/rkb

**Addendum Posted – March 18, 2020**

These items could not be posted seven days prior to the meeting for the following reasons: Executive Session B and Return to Public Session B were not provided until March 17, 2020 for the agenda; Return to Public Session A was inadvertently left off of the originally posted agenda; and 2I and 2J were not able to be added until it was known that the emergency ordinances were passed at the March 16, 2020 Council meeting. These items could not wait until the next regularly scheduled Council meeting because the next three meetings are cancelled due to the City election on Tuesday, April 14, 2020. The Executive Session and potential votes are time sensitive matters. 2I and 2J are effective for 60 days from the date of passage and need a first reading by March 23, 2020 in order to be extended by Council within the required timeframe if the Governor's State of Emergency is still in place.

**CITY OF NEWARK  
DELAWARE  
COUNCIL MEETING AGENDA**

**March 23, 2020 – 6:45 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.

*(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 – March 2, 2020](#) (Packet item posted 3/20/20.)
- B. [Approval of Council Meeting Minutes – March 9, 2020](#) (Packet item posted 3/20/20.)
- C. [Receipt of Alderman's Report – March 9, 2020](#)
- D. [Receipt of Conservation Advisory Commission 2019 Annual Report](#)
- E. [Receipt of Green Building Code Work Group Minutes – December 17, 2019](#)
- F. [First Reading – Bill 20-11 – An Ordinance Amending Chapter 27, Subdivisions, and Chapter 32, Zoning, Code of the City of Newark, Delaware to Increase Land Use Application, Plan Review and Public Works and Water Resources Fees – Second Reading – April 27, 2020](#) (Packet item posted 3/20/20.)
- G. [First Reading – Bill 20-12 – An Ordinance Amending the Comprehensive Development Plan by Changing the Designation of Property Located at 734 Paper Mill Road and 5 and 11 Possum Hollow Road – Second Reading – April 27, 2020](#)
- H. [First Reading – Bill 20-13 – An Ordinance Annexing and Zoning to RD \(Single Family Detached Residential\) 4.47 Acres Located at 734 Paper Mill Road and 5 and 11 Possum Hollow Road – Second Reading – April 27, 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:**
  - A. [Reappointment of Kismet Hazelwood to the Conservation Advisory Commission as an At-Large Member for a Three-Year Term to Expire March 15, 2023](#) (5 minutes)
  - B. [Reappointment of Stacy McNatt to the Planning Commission as the District 3 Member for a Three-Year Term to Expire September 15, 2022](#) (5 minutes)
- 4. **ITEMS NOT FINISHED AT PREVIOUS MEETING:** None
- \*5. **SPECIAL DEPARTMENTAL REPORTS:**
  - A. General Assembly Update and Associated Requests for Council Direction – Lobbyist (10 minutes)
  - B. [Resolution No. 20- : A Resolution Supporting an Application for the National Fish and Wildlife Foundation Grant](#) (10 minutes) (Packet item posted 3/20/20.)
- \*6. **RECOMMENDATIONS ON CONTRACTS & BIDS OVER \$75,000:** None
- \*7. **ORDINANCES FOR SECOND READING & PUBLIC HEARING:**
  - A. [Bill 20-08 – An Ordinance Amending the Comprehensive Development Plan by Adding a New Planning Area 7 to Chapter 11: Growth and Annexation](#) (60 minutes)
  - B. [Bill 20-09 – An Ordinance Amending the Comprehensive Development Plan by Changing the Designation of Property Located at 118, 126 and 130 New London Road \(See 8-A\)](#) (45 minutes for 7-B and 8-A)
  - C. [Bill 20-10 – An Ordinance Amending Chapter 2, Administration, Code of the City of Newark, Delaware, By Expanding the Ethics Board to Seven Members, Creating a Staggered Appointment Structure and Increasing the Quorum Requirement](#) (5 minutes)
- \*8. **RECOMMENDATIONS FROM THE PLANNING COMMISSION AND/OR PLANNING & DEVELOPMENT DEPARTMENT:**
  - A. [Request of New London Avenue Associates, LLC for a Minor Subdivision with Site Plan Approval to Connect Three Existing Lots Into One Parcel and Construct Two New Five-Bedroom Units Between the Three Existing Four-Bedroom Homes to Create a Total of Five Townhouse Units with 22 Total Bedrooms and to Expand the Parking Lot to Accommodate the New Units at the Property Located at 118, 126 and 130 New London Road \(Agreement and Resolution Attached\) \(See 7-B\)](#) (Resolution and updated plans posted 3/20/20.) (Presentation posted 3/21/20.)

\*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](http://www.newarkde.gov).

**Agenda Posted – March 16, 2020**

Attest:

Sworn by:

\_\_\_\_\_  
City Secretary

\_\_\_\_\_  
Notary Public (Seal)