

**ADDENDUM TO
FEBRUARY 8, 2021 COUNCIL AGENDA**

CHANGE Start Time to 5:45 p.m.

ADD to Agenda:

MOTION TO ENTER EXECUTIVE SESSION

EXECUTIVE SESSION

- A. Executive Session pursuant to 29 Del. C. §10004 (b) (4) and (6) for the purpose of strategy sessions, including those involving legal advice or opinion from an attorney-at-law, with respect to collective bargaining or 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 and the 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 regarding direction to legal counsel

/rkb

Addendum Posted – February 4, 2021

This item could not be posted seven days in advance of the meeting because a response to the City was not provided until February 4, 2021. This item could not wait until the next scheduled Council meeting because of the cancellation of the February 15, 2021 Council meeting due to the Presidents’ Day holiday.

**CITY OF NEWARK
DELAWARE
COUNCIL MEETING AGENDA**

February 8, 2021 – 7:00 P.M. – GoToMeeting

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/NewarkDECityCouncil/february82021>

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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.

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) (10 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 – January 25, 2021](#) (Packet item posted 2/4/21.)
 - B. [Receipt of Planning Commission Minutes – December 1, 2020](#) (Packet item posted 2/4/21.)
 - C. [Approval of Polling Places for the April 13, 2021 City Council Election](#) (Packet item posted 2/4/21.)
 - D. [Recommendation to Waive the Bid Process in Accordance with the Code of the City of Newark for the Leasing of Undercover Vehicles](#)

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. [FY2020 Budget Amendment for the Payment of COVID-related State of Emergency Accruals to AFSCME 3919 Employees – City Manager/Finance Director](#) (10 minutes)
- *6. **FINANCIAL STATEMENT:** None
- *7. **RECOMMENDATIONS ON CONTRACTS & BIDS OVER \$75,000:** None
- *8. **ORDINANCES FOR SECOND READING & PUBLIC HEARING:**
- A. [Bill 21-02 – An Ordinance Amending Chapter 2, Administration, Code of the City of Newark, Delaware, By Removing Council Meeting Overtime Exemptions for the City Secretary and Planning and Development Director](#) (30 minutes)
 - B. [Bill 21-03 – An Ordinance Amending Chapter 10, Elections, Code of the City of Newark, Delaware, By Implementing COVID-19 Safety Measures for the 2021 City Elections](#) (10 minutes)
- *9. **RECOMMENDATIONS FROM THE PLANNING COMMISSION AND/OR PLANNING & DEVELOPMENT DEPARTMENT:**
- A. [Request of George Danneman on Behalf of Danneman & Danneman LLC for the Major Subdivision with Site Plan Approval of 0.6518 Acres in Order to Demolish the Existing Structure at 132 East Main Street and Construct a Five-Story Mixed Use Building Including 5,323 Square Feet of Retail Space Fronting Main Street and 2,000 Square Feet of Commercial Office/Retail Space in the Rear of the Building Abutting the Parking Lot on the First Floor and 28 Apartment Units on the Upper Floors at the Property Located at 132-136 East Main Street \(Agreement and Resolution Attached\) \(See 9-B and 9-C\)](#) (90 minutes for 9-A, 9-B and 9-C combined) ([Presentation posted 2/4/21.](#)) ([Additional information posted 2/5/21.](#))
 - B. [Request of George Danneman on Behalf of Danneman & Danneman LLC for a Special Use Permit for 28 Apartment Units in the BB District at the Property Located at 132-136 East Main Street \(See 9-A and 9-C\)](#)
 - C. [Review of the 67 Space Parking Waiver at 132-136 East Main Street by the Planning Commission for the Major Subdivision Application at 132-136 East Main Street at the Request of the Mayor \(See 9-A and 9-B\)](#)

***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 – January 30, 2021
Revised Agenda and Packet Posted – February 1, 2021

Attest:

Sworn by:

City Secretary

Notary Public (Seal)