

**CITY OF NEWARK  
DELAWARE  
COUNCIL MEETING AGENDA**

**March 22, 2021 – 6:15 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:

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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 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.**

**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 pending or potential litigation, but only when an open meeting would have an adverse effect on the 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

**RETURN TO PUBLIC SESSION**

- A. Potential vote regarding direction to the City Solicitor

**SILENT MEDITATION & PLEDGE OF ALLEGIANCE**

**PRESENTATION OF STATE LEGISLATIVE TRIBUTES TO STU MARKHAM, JEN WALLACE AND CHRIS HAMILTON FOR SERVICE TO THE CITY OF NEWARK – SENATOR SOKOLA, REPRESENTATIVE BAUMBACH AND REPRESENTATIVE KOWALKO** (10 minutes)

**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 – March 1, 2021](#)
- B. [Approval of Council Meeting Minutes – March 8, 2021](#) (Packet item posted 3/19/21.)
- C. [Receipt of Alderman’s Report – March 8, 2021](#)
- D. [Recommendation on a Change Order for Forest Lane Curb and Sidewalk Replacement for Contract No. 20-03 – Rodney Complex Park and Pond Construction](#)
- E. [Recommendation on a Change Order for Contract No. 20-10 Corrugated Metal Piping \(CMP\) Lining – 2020 and Budget Amendment](#)
- F. [First Reading – Bill 21-10 – An Ordinance Amending Chapter 2, Administration, Code of the City of Newark, Delaware, To Establish a Diversity and Inclusion Commission – Second Reading – April 26, 2021](#)

- G. [First Reading – Bill 21-11 – An Ordinance Amending Chapter 2, Administration, Code of the City of Newark, Delaware, To Change the Required Newspaper Notice for Planning Commission Agendas from 15 Days to 10 Days – Second Reading – April 26, 2021](#)

**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. [Appointment of Beth Chajes to the Vacant District 2 Position on the Conservation Advisory Commission for a Term to Expire March 15, 2023](#) (5 minutes)  
B. [Appointment of Andrew O’Donnell to the District 3 Position on the Conservation Advisory Commission for a Three-Year Term to Expire March 15, 2024](#) (5 minutes)  
C. [Appointment of Jennifer Wallace to the At-Large Position on the Planning Commission for a 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 (20 minutes)  
B. [Resolution No. 21- : A Resolution Authorizing the Application of the City of Newark for the Members of Fraternal Order of Police Lodge #4 to Participate in the Delaware County and Municipal Police/Firefighter Pension Plan](#) (5 minutes)

**\*6. FINANCIAL STATEMENT:** None

**\*7. RECOMMENDATIONS ON CONTRACTS & BIDS OVER \$75,000:** None

**\*8. ORDINANCES FOR SECOND READING & PUBLIC HEARING:**

- A. [Bill 21-04 – An Ordinance Amending Chapter 32, Zoning, Code of the City of Newark, Delaware, By Creating a New RE \(Single Family Detached Residential – Residential Estate\) Zoning District \(See Items 8-B and 8-C\)](#) (45 minutes total for items 8-A, 8-B and 8-C)  
B. [Bill 21-07 – An Ordinance Amending Chapter 5, Animals, Code of the City of Newark, Delaware, To Allow a Partial Exemption from the Chapter for Agricultural and Farm Related Uses for Properties Comprising Ten \(10\) or More Acres \(See Items 8-A and 8-C\)](#)  
C. [Bill 21-08 – An Ordinance Amending Chapter 13, Finance, Revenue and Taxation, Code of the City of Newark, Delaware, To Allow a Partial Agricultural and Farm Taxation as Permitted in New Castle County Pursuant to 9 Del. C. §8328 et seq. for Agricultural and Farm Related Uses for Properties Comprising Ten \(10\) or More Acres \(See Items 8-A and 8-B\)](#)  
D. [Bill 21-05 – An Ordinance Amending the Comprehensive Plan by Changing the Designation of Property Located at 751 Paper Mill Road \(See Items 8-E, 9-A and 9-B\)](#) (40 minutes total for items 8-D, 8-E, 9-A and 9-B)  
E. [Bill 21-06 – An Ordinance Annexing and Zoning to RE \(Single Family Detached Residential – Residential Estate\) 13.49 Acres Located at 751 Paper Mill Road \(See Items 8-D, 9-A and 9-B\)](#)  
F. [Bill 21-09 – An Ordinance Amending Chapter 22, Police Offenses, Code of the City of Newark, Delaware to Extend the Provisions of Emergency Ordinance No. 21-01](#) (10 minutes)

**\*9. RECOMMENDATIONS FROM THE PLANNING COMMISSION AND/OR PLANNING & DEVELOPMENT DEPARTMENT:**

- A. [Request of Mary L. Walton 2016 Trust for the Minor Subdivision of 14.49 +/- Acres in Order to Create One Additional One-Acre Building Lot for a Residential Structure on the Parcel Located at 751 Paper Mill Road \(Agreement and Resolution Attached\) \(See Items 8-D, 8-E and 9-B\)](#)  
B. [Request of Mary L. Walton 2016 Trust for a Special Use Permit for Agricultural Use at the Property Located at 751 Paper Mill Road \(See Items 8-D, 8-E and 9-A\)](#)

**\*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 15, 2021**

Attest:

Sworn by:

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

\_\_\_\_\_  
Notary Public

(Seal)