



NEW CASTLE COUNTY COUNCIL COUNCIL MEETING

October 26, 2021
6:30 PM

VIRTUAL ZOOM WEBINAR MEETING &
LOUIS L. REDDING CITY/COUNTY BUILDING
1ST FLOOR COUNCIL CHAMBERS
800 N. FRENCH STREET, WILMINGTON, DE 19801**

REVISED AGENDA 2

A. Call to Order

- **Moment of Silence**
- **Pledge of Allegiance**
- **Roll Call**

B. Approval of Minutes

10/12/21 Council Meeting Minutes

C. Announcements

D. Introduction of Ordinances

°21-122: REVISE ZONING MAP: APPOQUINIMINK HUNDRED, SOUTH SIDE OF STRAWBERRY LANE, 114 EAST OF ROUTE 301; 323 STRAWBERRY LANE, TAX PARCEL NO. 14-010.00-011; 8.45 ACRES FROM (CR (COMMERCIAL REGIONAL) TO SR (SUBURBAN RESERVE) AND TO AMEND THE COMPREHENSIVE PLAN CONSISTENT THEREWITH (The purpose of this County-initiated rezoning is to change the zoning of parcel 14-010.00-011 from CR to SR. App. No. 2020-0773-Z) Introduced by: Mr. Carter

°21-123: AMEND THE GRANTS BUDGET: REALIGN \$204,802.92 IN FUNDING FROM THE DEPARTMENT OF STATE, DELAWARE DIVISION OF LIBRARIES IN THE FY2021 STATE AID FOR LIBRARIES GRANT, WHICH IS ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF LIBRARIES Introduced by: Mr. Hollins, Ms. Diller

°21-124: AMEND THE GRANTS BUDGET: REALIGN \$122,952 IN THE FY2020 HOME INVESTMENT PARTNERSHIP PROGRAM (HOME) GRANT WHICH IS ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING Introduced by: Mr. Hollins, Ms. Diller

°21-125: AMEND THE GRANTS BUDGET: APPROPRIATE \$511,255.44 FROM THE STATE OF DELAWARE DEPARTMENT OF SAFETY AND HOMELAND SECURITY TO THE FY2022 FUND TO COMBAT VIOLENT CRIME GRANT FOR THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF POLICE Introduced by: Mr. Bell, Ms. Hartley-Nagle

°21-126: AMEND THE FY2022 APPROVED OPERATING BUDGET: APPROPRIATE \$19,870 IN FUNDING RECEIVED FROM THE RECORDER OF DEEDS TECHNOLOGY FEE ACCOUNT TO THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF POLICE EQUIPMENT BUDGET LINE ITEM Introduced by: Mr. Bell, Ms. Hartley-Nagle

°21-127: AMEND THE FY2022 CAPITAL PROGRAM AND BUDGET: APPROPRIATE \$316,834 FROM THE GENERAL FUND TAX STABILIZATION RESERVE ACCOUNT TO THE DEPARTMENT OF ADMINISTRATION, CLOUD BACKUP CAPITAL PROJECT Introduced by: Mr. Smiley, Mr. Cartier

°21-128 : AMEND THE FY2022 CAPITAL PROGRAM AND BUDGET: APPROPRIATE \$200,000 FROM THE GENERAL FUND TAX STABILIZATION RESERVE ACCOUNT TO THE DEPARTMENT OF ADMINISTRATION, CYBER SECURITY CAPITAL PROJECT Introduced by: Mr. Smiley, Mr. Cartier

°21-129: AMEND THE GRANTS BUDGET: APPROPRIATE \$54,265,210 FROM THE UNITED STATES DEPARTMENT OF THE TREASURY TO THE AMERICAN RESCUE PLAN ACT GRANT TO RESPOND TO THE COVID-19 PUBLIC HEALTH EMERGENCY AND ITS ECONOMIC IMPACTS, TO BE ADMINISTERED BY THE DEPARTMENT OF ADMINISTRATION, OFFICE OF FINANCE Introduced by: Mr. Smiley , Mr. Cartier

E. Reports from Select and Special Committees

F. Consent Calendar

R21-196: CONSENTING TO THE APPOINTMENT OF JENNIFER ADKINS TO THE NEW CASTLE COUNTY OPEN SPACE ADVISORY BOARD Introduced by: Mr. Hollins

R21-197: CONSENTING TO THE APPOINTMENT OF BRANDON BRICE TO THE NEW CASTLE COUNTY ETHICS COMMISSION Introduced by: Ms. Hartley-Nagle

R21-198: CONSENTING TO THE APPOINTMENT OF STEWART RAMSEY TO THE NEW CASTLE COUNTY AGRICULTURAL LAND PRESERVATION ADVISORY COMMITTEE Introduced by: Ms. Hartley-Nagle

R21-199: CONSENTING TO THE REAPPOINTMENT OF CHARLES MCALLISTER TO THE NEW CASTLE COUNTY BOARD OF LICENSE INSPECTION AND REVIEW Introduced by: Mr. Woods

R21-200: CONSENTING TO THE REAPPOINTMENT OF SAMUEL R. HARBISON, JR. TO THE NEW CASTLE COUNTY DIVERSITY COMMISSION Introduced by: Ms. Diller

R21-201: CONSENTING TO THE APPOINTMENT OF SIMEON HAHN TO THE NEW CASTLE COUNTY OPEN SPACE ADVISORY BOARD Introduced by: Mr. Cartier

R21-202: NEW CASTLE COUNTY COUNCIL RESPECTFULLY URGES PRESIDENT BIDEN AND THE U.S. CONGRESS TO EXERCISE GLOBAL LEADERSHIP IN PREVENTING NUCLEAR WAR Introduced by: Ms. Durham, Mr. Tackett, Mr. Carter, Mr. Woods

NOTE: If an item on the Consent Calendar is objected to by a Council member, or a member of the public wishes to obtain additional information about the candidate or proposed legislation, or if a Councilmember intends to offer an amendment to a resolution, seek additional information, or state a conflict, it shall be removed from the Consent Calendar and voted upon separately.

G. Presentations

H. Consideration of Resolutions Removed from the Consent Calendar and Other Resolutions

R21-203: PLAN OF PORTER INDUSTRIAL; PENCADER HUNDRED; EAST SIDE OF PORTER ROAD, 2000 FEET NORTH OF WRANGLE HILL ROAD; MAJOR LAND DEVELOPMENT PLAN THAT PROPOSES 111,300 SQUARE FEET OF WAREHOUSE SPACE; I ZONING; [APPLICATION NO. 2020-0554-S](#); COUNCIL DISTRICT 12 Introduced by: Mr. Bell

R21-204: ENCOURAGING COLLECTIVE EFFORTS RELATING TO IMPLEMENTATION OF ELECTRIC VEHICLE TECHNOLOGY AND URGING DEVELOPERS TO OFFER “EV-CAPABLE” AND “EV-READY” TECHNOLOGY Introduced by: Ms. Hartley-Nagle, Ms. Kilpatrick

I. Consideration of Ordinances

°21-117: AMEND THE GRANTS BUDGET: REALIGN \$175,000.00 IN FEDERAL FUNDS WITHIN THE CORONAVIRUS EMERGENCY FUNDS GRANT, WHICH IS ADMINISTERED BY THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF POLICE Introduced by: Mr. Bell, Ms. Hartley-Nagle

°21-118: AMEND THE FY2022 CAPITAL PROGRAM AND BUDGET: APPROPRIATE \$14,845 IN FUNDING FROM THE STATE OF DELAWARE FISCAL YEAR 2022 BOND AND CAPITAL IMPROVEMENTS ACT AND \$14,847 IN FUNDING FROM THE STATE OF DELAWARE, DEPARTMENT OF TRANSPORTATION TO

THE DEPARTMENT OF PUBLIC WORKS, GENERAL PARKLAND IMPROVEMENTS
2021 CAPITAL PROJECT Introduced by: Mr. Sheldon, Mr. Woods

°21-119: TO PROVIDE FOR THE INSTALLATION OF GRANVILLE STREET LIGHTS WITH LIGHT EMITTING DIODE (LED) BULBS IN THE COLUMBIA PLACE SUBDIVISION LOCATED IN THE BRANDYWINE HUNDRED AND FOR A LIGHT TAX BASED ON THE COST OF STREET LIGHTS Introduced by: Ms. Durham

°21-120: AMEND THE GRANTS BUDGET: FOR FY2022, APPROPRIATE \$299,750 FROM THE DEPARTMENT OF STATE, DELAWARE DIVISION OF LIBRARIES AS A FEDERAL PASS-THROUGH GRANT FROM THE INSTITUTE OF MUSEUM AND LIBRARY SERVICES (IMLS) AMERICAN RESCUE PLAN ACT (ARPA) GRANT TO BE DISTRIBUTED EQUALLY TO THE TEN NEW CASTLE COUNTY LIBRARIES WHICH ARE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF LIBRARIES Introduced by: Mr. Hollins, Ms. Diller

°21-121: TO AMEND NEW CASTLE COUNTY CODE CHAPTER 2 ("ADMINISTRATION"), ARTICLE 5 ("DEPARTMENTS AND OFFICES"), SECTION 2.05.402 ("DEPARTMENT OF COMMUNITY SERVICES BOARD") TO DECOMMISSION THE DEPARTMENT OF COMMUNITY SERVICES BOARD; AND TO AMEND NEW CASTLE COUNTY CODE CHAPTER 2 ("ADMINISTRATION"), ARTICLE 5 ("DEPARTMENTS AND OFFICES"), SECTION 2.05.403 ("LIBRARY ADVISORY BOARD") TO REORGANIZE THE LIBRARY ADVISORY BOARD AS A STAND-ALONE BOARD Introduced by: Mr. Hollins, Ms. Diller

°21-035: REVISE ZONING MAP: WHITE CLAY CREEK HUNDRED, SOUTHWESTERLY CORNER OF CHURCHMANS ROAD AND GOODING DRIVE; 665 CHURCHMANS ROAD, [TAX PARCEL NO. 09-019.00-029](#), 0.48 ACRES FROM NC 6.5 (NEIGHBORHOOD CONSERVATION) TO ON (OFFICE NEIGHBORHOOD) AND AMEND THE 2012 COMPREHENSIVE DEVELOPMENT PLAN CONSISTENT THEREWITH (The purpose of the Site Plan and Rezoning for 665 Churchmans Road is to rezone the 0.48 acres to ON (Office Neighborhood) to reflect the historical and existing office use of the parcel. [2020 0712-S/Z.](#)) Introduced by: Mr. Woods

°21-116: (STATUS: TABLED) TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 6 ("BUILDING CODE"), ARTICLE 3 ("ADMINISTRATION") AND ARTICLE 10 ("ENERGY CONSERVATION CODE") RELATING TO NEW RESIDENTIAL CONSTRUCTION, ELECTRIC VEHICLES, AND CHARGING INFRASTRUCTURE. Introduced by: Ms. Durham

°21-091: (STATUS: TABLED) TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 4 ("ANIMALS"), ARTICLE 2 ("ANIMAL CONTROL"), SECTION 4.02.001. ("LICENSES; RESTRAINT; IMPOUNDMENT; DESTRUCTION; NUISANCES; ENFORCEMENT GENERALLY") AND SECTION 4.02.002. ("ENFORCEMENT OF SECTION 4.02.001"), AND *NEW CASTLE COUNTY CODE* CHAPTER 22 ("OFFENSES AND MISCELLANEOUS PROVISIONS"), ARTICLE 2 ("OFFENSES GENERALLY"), SECTION 22.02.008. ("NOISE CONTROL") RELATING TO DOGS AND OTHER ANIMALS. Introduced by: Mr. Smiley, Mr. Carter

SUBSTITUTE NO. 3 TO °21-094: (STATUS: TABLED) TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 6 (“BUILDING CODE”), ARTICLE 3 (“ADMINISTRATION”), SECTION 6.03.013 (“SUBMITTAL DOCUMENTS”), ARTICLE 4 (“THE BUILDING CODE”), SECTION 6.04.002. (“AMENDMENTS TO THE INTERNATIONAL BUILDING CODE”), AND ARTICLE 5 (“THE RESIDENTIAL CODE”), SECTION 6.05.002. (“AMENDMENTS TO THE INTERNATIONAL RESIDENTIAL CODE”) RELATING TO CERTAIN NEW RESIDENTIAL CONSTRUCTION, ELECTRIC VEHICLES, AND CHARGING INFRASTRUCTURE. Introduced by: Ms. Durham, Mr. Carter, Mr. Cartier, Mr. Tackett, Ms. Hartley-Nagle

J. Time Sensitive Congratulatory/Honorary Resolutions

R21-205: CONGRATULATING THE ELSMERE FIRE COMPANY ON THEIR 100TH ANNIVERSARY Introduced by: Mr. Woods, Ms. Durham

R21-206: CELEBRATING NATIONAL DISABILITY EMPLOYMENT AWARENESS MONTH 2021 Introduced by: Mr. Hollins, Ms. Hartley-Nagle

K. Introduction/Consideration of Emergency Ordinances


L. Public Comment/Other

M. Motion to Adjourn

REVISED AGENDA POSTED: October 19, 2021
REVISED AGENDA 2 POSTED: October 20, 2021

*The revised agenda was posted (7) seven days in advance of the scheduled meeting in compliance with 29 *Del. C.* Section 10004(e)(2). The meeting may go into Executive Session to address issues that arise at the time of the meeting.

The revised agenda 2 was posted less than 6 days in advance of the scheduled meeting. The revised agenda 2 fixes an error on the original agenda where the correct resolution (R21-201) was submitted by the deadline, but an incorrect draft was accidentally included.

**Under Title 29, Section 10006A of *Delaware Code*, New Castle County Council is holding this meeting as a telephone and video conference, utilizing  Webinar. In addition, this meeting is open to the public in Council Chambers (800 N. French Street, Wilmington, DE 19801). The link to join the meeting via computer, smart device, or smart phone is: <https://zoom.us/j/377322142> You may also call into the meeting (audio) using the following call in numbers: 1-312-626-6799 or +1-646-558-8656 or +1-346-248-7799 or +1-669-900-9128 or

+1-253-215-8782 or +1-301-715-8592. Then enter the Webinar ID: 377 322 142. If you do not have a good connection with one, please try the others. Additional information regarding phone functionality during the meeting is available at: <https://support.zoom.us/hc/en-us/articles/360029527911-Live-Training-Webinars>

Meeting materials, including a meeting agenda, legislation to be addressed during the meeting, and other materials related to the meeting are electronically accessible at <https://nccde.org/AgendaCenter/County-Council-1>. Members of the public joining the meeting may be provided an opportunity to make comments in real time. A comment period will be administered by a moderator to ensure everyone may have an opportunity to comment.

If permitted to comment, you will not be able to speak until called upon by the moderator. For those appearing virtually, there are functions in the program that allow you to do this. Please see the link in the previous paragraph.