



NEW CASTLE COUNTY COUNCIL COUNCIL MEETING

December 14, 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**

AGENDA

A. Call to Order

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

B. Approval of Minutes

November 23, 2021 Council Meeting minutes

C. Announcements

D. Introduction of Ordinances

°21-137: AMEND THE FY2022 APPROVED OPERATING BUDGET: APPROPRIATE \$18,600 IN FUNDING RECEIVED FROM THE NEW CASTLE COUNTY TECHNOLOGY FEE ACCOUNT WITHIN THE OFFICE OF THE RECORDER OF DEEDS TO THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY RESOURCES EQUIPMENT BUDGET LINE ITEM Introduced by: Mr. Hollins, Ms. Diller

°21-138: AMEND THE GRANTS BUDGET: APPROPRIATE \$40,000 FROM THE STATE OF DELAWARE, DEPARTMENT OF TRANSPORTATION TO THE MILL CREEK FIRE COMPANY TRAFFIC SAFETY VEHICLES GRANT FOR THE DEPARTMENT OF PUBLIC SAFETY Introduced by: Mr. Bell, Ms. Hartley-Nagle

°21-139: AMEND THE GRANTS BUDGET: APPROPRIATE FEDERAL FUNDING OF \$121,530.88 TO THE HOLISTIC OFFICER WELLNESS GRANT FOR THE NEW CASTLE COUNTY DEPARTMENT OF PUBLIC SAFETY, DIVISION OF POLICE Introduced by: Mr. Bell, Ms

Hartley-Nagle

°21-140: AMEND THE GRANTS BUDGET: APPROPRIATE FEDERAL FUNDING OF \$198,701 TO THE COPS DE-ESCALATION TRAINING GRANT FOR THE NEW CASTLE COUNTY DEPARTMENT OF PUBLIC SAFETY, DIVISION OF POLICE Introduced by: Mr. Bell, Ms. Hartley-Nagle

21-141: AMEND THE GRANTS BUDGET: APPROPRIATE FEDERAL FUNDING OF \$179,385 TO THE JUSTICE ASSISTANCE GRANT (JAG) 2021 GRANT FOR THE NEW CASTLE COUNTY DEPARTMENT OF PUBLIC SAFETY, DIVISION OF POLICE Introduced by: Mr. Bell, Ms. Hartley-Nagle

°21-142: AMEND THE FY2022 APPROVED OPERATING BUDGET: INCREASE THE AUTHORIZED POSITION COUNT FOR THE DEPARTMENT OF PUBLIC SAFETY BY TEN PARAMEDIC POSITIONS TO ALLOW CONTINUED HIRING OF PRE-CERTIFIED PARAMEDICS WHILE UPCOMING 2022 NEW CASTLE COUNTY PARAMEDIC CLASS IS IN TRAINING Introduced by: Mr. Bell, Ms. Hartley-Nagle

°21-143: AMEND THE FY2022 CAPITAL PROGRAM AND BUDGET: APPROPRIATE \$1,000,000 IN FUNDING FROM THE STATE OF DELAWARE FISCAL YEAR 2022 GRANTS-IN-AID BILL TO THE DEPARTMENT OF PUBLIC SAFETY, EMS REALIGNMENT AND BUILDING CAPITAL PROJECT Introduced by: Mr. Bell, Ms. Hartley-Nagle

°21-144: TO AMEND NEW CASTLE COUNTY CODE TO CREATE A NEW CHAPTER 13 RELATING TO STORMWATER MAINTENANCE DISTRICTS Introduced by: Ms. Kilpatrick, Mr. Sheldon

E. Reports from Select and Special Committees

F. Consent Calendar

R21-223: HONORING THE LIFE OF WILLIAM EARL "BILL" STEVENSON AND EXPRESSING CONDOLENCES TO HIS FAMILY AND FRIENDS Introduced by: Mr. Bell;

R21-224: COMMEMORATING THE 80TH ANNIVERSARY OF THE ATTACK ON PEARL HARBOR AND HONORING THE BRAVE MEN AND WOMEN WHO LOST THEIR LIVES IN SERVICE TO OUR NATION Introduced by: Ms. Hartley-Nagle

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

R21-225: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT WITH UVC EXPERTS LLC TO ASSIST WITH PURCHASE OF VEHICLE DISINFECTING LIGHTS FOR THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF POLICE IN THE AMOUNT OF \$175,000.00 Introduced by: Mr. Smiley, Mr. Cartier, Ms. Hartley-Nagle

R21-226: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT WITH INTERFAITH HOUSING DELAWARE, INC. TO ASSIST WITH DEVELOPMENT OF AFFORDABLE HOUSING ALONG ROUTE 9 CORRIDOR FOR THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING IN THE AMOUNT OF \$25,000.00 Introduced by: Mr. Smiley, Mr. Cartier

R21-227: CONSENTING TO THE APPOINTMENT OF CARRIE SAWYER CASEY FOR THE POSITION OF GENERAL MANAGER OF THE DEPARTMENT OF COMMUNITY SERVICES Introduced by: Mr. Hollins, Ms. Diller

R21-228: URGING THE DELAWARE GENERAL ASSEMBLY TO ENACT ENABLING LEGISLATION AUTHORIZING NEW CASTLE COUNTY TO CREATE NEIGHBORHOOD IMPROVEMENT DISTRICTS Introduced by: Mr. Cartier, Ms. Diller, Ms. Kilpatrick, Mr. Sheldon

R21-229: TO AMEND NEW CASTLE COUNTY COUNCIL TELECOMMUTING PROGRAM POLICY Introduced by: Ms. Kilpatrick

I. Consideration of Ordinances

°21-134: AMEND THE GRANTS BUDGET: APPROPRIATE ANTICIPATED FEDERAL FUNDS OF \$17,539,120 FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO THE SECTION 8 HOUSING CHOICE VOUCHERS – 2022 GRANT, WHICH WILL BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING Introduced by: Mr. Hollins, Ms. Diller

°21-135: AMEND THE GRANTS BUDGET: FOR FY2022, APPROPRIATE FEDERAL FUNDS OF \$3,672,176 FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR THE HOME INVESTMENT PARTNERSHIP PROGRAM (HOME) AMERICAN RESCUE PLAN ACT (ARPA) GRANT, WHICH IS ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING Introduced by: Mr. Hollins, Ms. Diller

°21-136: AMEND THE FY2022 APPROVED OPERATING BUDGET: APPROPRIATE UP TO \$2,100,000 FROM THE GENERAL FUND TAX STABILIZATION RESERVE ACCOUNT TO THE DEPARTMENT OF ADMINISTRATION, OFFICE OF LAW TO FUND ATTORNEY FEES Introduced by: Mr. Smiley, Mr. Cartier

SUBSTITUTE NO. 1 TO °18-129: REVISE ZONING MAP: MILL CREEK HUNDRED, EAST SIDE VALLEY ROAD, 2100' NORTH OF LIMESTONE ROAD; 701 VALLEY ROAD, TAX PARCEL NO. 08-012.00-032, 1.56 ACRES FROM S (SUBURBAN) TO CN (COMMERCIAL NEIGHBORHOOD) (The Exploratory Minor Land Development Plan for Hockessin Commons proposes to rezone the property to CN for development of an approximately 10,342 square foot medical office building on 1.56 acres. 2018-0076-S/Z). Introduced by: Ms. Kilpatrick

SUBSTITUTE NO. 1 TO °21-009: TO AMEND NEW CASTLE COUNTY CODE CHAPTER 40 (ALSO KNOWN AS THE UNIFIED DEVELOPMENT CODE OR "UDC"), REGARDING ARTICLE 4 ("DISTRICT INTENSITY AND BULK STANDARDS"), ARTICLE 5 ("SITE CAPACITY AND CONCURRENCY CALCULATIONS"), ARTICLE 10 ("ENVIRONMENTAL STANDARDS"), ARTICLE 20 ("SUBDIVISION AND LAND DEVELOPMENT DESIGN PRINCIPLES"), ARTICLE 23 ("LANDSCAPING, TREES, PLANT MAINTENANCE, AND EROSION AND SEDIMENT CONTROL"), ARTICLE 26 ("MODIFICATION OF STANDARDS"), ARTICLE 31 ("PROCEDURES AND ADMINISTRATION"), ARTICLE 33 ("GENERAL DEFINITIONS"), APPENDIX 1

("APPLICATION AND PLAN REQUIREMENTS"), AND APPENDIX 3 ("PLANT LISTS AND PLANTING GUIDANCE FOR NEW CASTLE COUNTY") Introduced by: Mr. Tackett, Ms. Kilpatrick

°21-036: (STATUS: TO BE TABLED) TO AMEND THE 2012 COMPREHENSIVE DEVELOPMENT PLAN UPDATE FOR NEW CASTLE COUNTY TO ESTABLISH A NEW COMMUNITY MASTER PLAN ELEMENT AND AMEND THE SEWER SERVICE AREA MAP AND FUTURE LAND USE MAP FOR SPECIFIC COMMUNITY MASTER PLAN AREAS Introduced by: Mr. Cartier, Ms. Durham

°21-084: REVISE PREVIOUSLY APPROVED EXPLORATORY MINOR LAND DEVELOPMENT PLAN WITH REZONING FOR SCARFO, DOMINIC M.; PENCADER HUNDRED; NORTH SIDE OF PULASKI HIGHWAY, 885 FEET EAST OF PLEASANT VALLEY ROAD; TAX PARCEL NO. [11-026.00-002](#) & [11-026.00-003](#) (2787 PULASKI HIGHWAY) (The revised plan for 2787 Pulaski Highway proposes to revise the previously approved design of the exploratory minor land development plan by combining Tax Parcel No. [11-026.00-002](#) and Tax Parcel No. [11-026.00-003](#) to allow for the development of 89,400 square feet of mini warehouse/self-storage Gross Floor Area. This new plan will supersede the previously approved exploratory minor land development plan and rezoning. [Section 40.31.113](#) of the New Castle County Code requires that the submitted record plan be in general conformance with the development on the approved exploratory plan that was relied upon by County Council when it granted the rezoning. County Council adopted [Ordinance 03-022](#) in June 2003. CR (Commercial Regional) zoning district. [App. 2021-0004-S/Z.](#)) Introduced by: Mr. Tackett

°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

J. Time Sensitive Congratulatory/Honorary Resolutions

R21-230: RECOGNIZING AND HONORING STOP THE VIOLENCE PRAYER CHAIN FOUNDATION, INC FOR ITS LIFECHANGING WORK Introduced by: Ms. Hartley-Nagle

K. Introduction/Consideration of Emergency Ordinances

L. Public Comment/Other

M. Motion to Adjourn

AGENDA POSTED: December 7, 2021

*The agenda is 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.

**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.