



NEW CASTLE COUNTY COUNCIL COUNCIL MEETING

July 26, 2022
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

A. Call to Order

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

B. Approval of Minutes

C. Announcements

D. Introduction of Ordinances

°22-098: AMEND THE FY2023 CAPITAL PROGRAM AND BUDGET: APPROPRIATE \$822,800 IN FUNDING FROM THE U.S. DEPARTMENT OF COMMERCE TO THE DEPARTMENT OF PUBLIC WORKS, GREENWAY SYSTEMS CAPITAL PROJECT Introduced by: Mr. Sheldon, Mr. Woods

°22-099: AMEND THE FY2023 APPROVED OPERATING BUDGET: TRANSFER FUNDING FROM THE GRANTS AND FIXED CHARGES BUDGET LINE ITEM OF COUNTY COUNCIL TO THE CONTRACTUAL SERVICES BUDGET LINE ITEM OF THE DEPARTMENT OF LAND USE, DIVISION OF CUSTOMER RELATIONS AND ENFORCEMENT TO PROVIDE FUNDING TO ASSIST WITH RODENT CONTROL IN VACANT PROPERTIES Introduced by: Mr. Smiley

°22-100: TO AMEND THE PAY PLAN AND RATES OF PAY FOR CLASSIFIED SERVICE EMPLOYEES REPRESENTED BY AFSCME LOCAL 459 AND AFSCME LOCAL 1607 Introduced by: Ms. Hartley-Nagle

°22-101: AMENDING NEW CASTLE COUNTY CODE CHAPTER 40 ("UNIFIED DEVELOPMENT CODE"), ARTICLE 5 ("SITE CAPACITY AND CONCURRENCY CALCULATIONS") AND ARTICLE 10 ("ENVIRONMENTAL STANDARDS") RELATING TO CRITICAL NATURAL AREAS Introduced by: Mr. Carter, Ms. Durham, Mr. Tackett, Mr. Cartier

E. Reports from Select and Special Committees**F. Consent Calendar**

R22-131: CONSENTING TO THE REAPPOINTMENT OF RENEE SPRUIEL TO THE NEW CASTLE COUNTY HOUSING ADVISORY BOARD Introduced by: Ms. Diller

R22-132: CONSENTING TO THE REAPPOINTMENT OF CHRISTIAN WILLAUER TO THE NEW CASTLE COUNTY HOUSING ADVISORY BOARD Introduced by: Mr. Hollins

R22-133: CONSENTING TO THE REAPPOINTMENT OF MARGARET ANN RYAN TO THE NEW CASTLE COUNTY LIBRARY ADVISORY BOARD Introduced by: Mr. Bell

R22-134: IN MEMORY OF THE LIFE OF FRANKLIN THOMAS "TOM" UNRUH AND EXPRESSING CONDOLENCES TO HIS FRIENDS AND FAMILY Introduced by: Mr. Carter

R22-135: CONGRATULATING AND COMMENDING SENIOR SERGEANT SONIA TRUDEAU ON HER RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT Introduced by: Mr. Bell, Ms. Hartley-Nagle, Mr. Carter, Mr. Cartier, Ms. Diller, Ms. Durham, Mr. Hollins, Ms. Kilpatrick, Mr. Sheldon, Mr. Smiley, Mr. Street, Mr. Tackett, Mr. Woods

R22-136: CONGRATULATING AND COMMENDING PARAMEDIC CAPTAIN DAWN GULEZIAN ON HER RETIREMENT FROM THE NEW CASTLE COUNTY EMERGENCY MEDICAL SERVICES DIVISION Introduced by: Mr. Bell, Ms. Hartley-Nagle

R22-137: CONGRATULATING AND COMMENDING PARAMEDIC SENIOR SERGEANT BETH BRATTON-HECK ON HER RETIREMENT FROM THE NEW CASTLE COUNTY EMERGENCY MEDICAL SERVICES DIVISION Introduced by: Mr. Bell, 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**

R22-138: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT WITH THE CORBIT CALLOWAY MEMORIAL LIBRARY TO PROVIDE LIBRARY SERVICES FOR THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF LIBRARIES IN THE AMOUNT OF \$201,593.00 Introduced by: Mr. Smiley, Mr. Cartier

R22-139: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT WITH THE DELAWARE CITY LIBRARY TO PROVIDE LIBRARY SERVICES FOR THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF LIBRARIES IN THE AMOUNT OF \$234,291.00 Introduced by: Mr. Smiley, Mr. Cartier

R22-140: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT WITH THE NEW CASTLE PUBLIC LIBRARY TO PROVIDE LIBRARY SERVICES FOR THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF LIBRARIES IN THE AMOUNT OF \$391,743.00 Introduced by: Mr. Smiley, Mr. Cartier

R22-141: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT WITH AXON ENTERPRISE INC. TO PURCHASE EQUIPMENT FOR THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF POLICE IN THE AMOUNT OF \$641,301.87 Introduced by: Mr. Smiley, Mr. Cartier

R22-142: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT FOR THE STATE OF DELAWARE, DEPARTMENT OF HEALTH AND SOCIAL SERVICES FOR ANIMAL CONTROL SERVICES AS MANDATED BY THE STATE OF DELAWARE FOR THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF POLICE IN THE AMOUNT OF \$1,691,263.00 Introduced by: Mr. Smiley, Mr. Cartier

R22-143: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT WITH RAVE WIRELESS INC. TO RENEW THE RAVE PANIC BUTTON APPLICATION ANNUAL LICENSE AND SERVICE CONTRACT FOR THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF EMERGENCY COMMUNICATIONS IN THE AMOUNT OF \$133,000.00 Introduced by: Mr. Smiley, Mr. Cartier

R22-144: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT FOR N. HARRIS CORPORATION FOR THE RENEWAL OF ANNUAL MAINTENANCE OF CASHIERING SOFTWARE FOR THE DEPARTMENT OF ADMINISTRATION, OFFICE OF TECHNOLOGY AND ADMINISTRATIVE SERVICES IN THE AMOUNT OF \$62,345.72 Introduced by: Mr. Smiley, Mr. Cartier

R22-145: APPROVING THE RECREATIONAL PROPERTY TAX-EXEMPT STATUS FOR THE PORTION OF FAIRFIELD CREST CIVIC ASSOCIATION PROPERTY LEASED TO FAIRFIELD-FAIRFIELD CREST SWIM CLUB LOCATED AT 1 FREMONT ROAD, NEWARK, DELAWARE 19711, TAX PARCEL NO. 18-007.00-046 Introduced by: Ms. Kilpatrick

R22-146: TO RENAME THE APARTMENT COMPLEX RECORDED AS "LINDEN GREEN II," TAX PARCEL NUMBER 08-042.20-034, AN APARTMENT COMPLEX LOCATED ON THE EAST SIDE OF FAIRMONT DRIVE, 1,100 FEET SOUTH OF SKYLINE DRIVE, TO "PIKE CREEK VILLAGE APARTMENTS;" APPLICATION NO. 2021-0463; COUNCIL DISTRICT 3 Introduced by: Ms. Kilpatrick

R22-147: AUTHORIZING THE EXECUTION OF A SUBAWARD AGREEMENT WITH L.E.E.P. (LABOR, ECONOMIC, EDUCATION, EMPOWERMENT), INC., FOR THE AMOUNT OF \$75,000 Introduced by: Mr. Smiley

R22-148: AUTHORIZING THE EXECUTION OF A SUBAWARD AGREEMENT WITH RED CLAY CONSOLIDATED SCHOOL DISTRICT FOR THE AMOUNT OF \$86,760 Introduced by: Mr. Smiley

R22-149: AUTHORIZING THE EXECUTION OF A SUBAWARD AGREEMENT WITH UNITED WAY OF DELAWARE, INC., FOR THE AMOUNT OF \$250,000 Introduced by: Mr. Smiley

I. Consideration of Ordinances

SUBSTITUTE NO. 1 TO °22-096: AMEND THE FY2022 APPROVED OPERATING BUDGET: APPROPRIATE STATE OF DELAWARE FUNDING RECEIVED FOR THE NEW CASTLE COUNTY POLICE EMPLOYEE'S RETIREMENT SYSTEM TO THE DEPARTMENT OF PUBLIC SAFETY EMPLOYEE BENEFITS BUDGETARY LINE ITEM Introduced by: Mr. Smiley, Mr. Cartier

°22-097: AMEND THE GRANTS BUDGET: APPROPRIATE AN ADDITIONAL \$54,266,010 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 NEGATIVE ECONOMIC IMPACTS, TO BE ADMINISTERED BY THE DEPARTMENT OF ADMINISTRATION, OFFICE OF FINANCE Introduced by: Mr. Smiley

SUBSTITUTE NO. 2 TO °22-024: TO AMEND NEW CASTLE COUNTY CODE CHAPTER 28 ("PLANNING") AND CHAPTER 40 ("UNIFIED DEVELOPMENT CODE OR UDC") REGARDING COMPREHENSIVE PLANNING Introduced by: Mr. Tackett, Ms. Kilpatrick


°22-091: (STATUS: TABLED) TO AMEND NEW CASTLE COUNTY CODE CHAPTER 6 ("BUILDING CODE"), ARTICLE 10 ("ENERGY CONSERVATION CODE") RELATING TO NEW COMMERCIAL CONSTRUCTION AND THE FUTURE INSTALLATION OF ROOFTOP SOLAR POWER Introduced by: Ms. Durham, Mr. Carter, Mr. Cartier, Mr. Tackett

- J. Time Sensitive Congratulatory/Honorary Resolutions**
- K. Introduction/Consideration of Emergency Ordinances**
- L. Public Comment/Other**
- M. Motion to Adjourn**

REVISED AGENDA POSTED: July 20, 2022
AGENDA POSTED: July 19, 2022

*The revised agenda was posted less than (7) seven days in advance of the scheduled meeting to ensure the inclusion of 22-024, which was legally noticed for consideration at the meeting, but was inadvertently left off the printed agenda. 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://www.nccde.org/2351/Agendas-and-Minutes> 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.