



NEW CASTLE COUNTY COUNCIL COUNCIL MEETING

September 13, 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**

AGENDA

A. Call to Order

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

B. Approval of Minutes

C. Announcements

D. Introduction of Ordinances

°22-112: AMENDING NEW CASTLE COUNTY CODE CHAPTER 40 (THE "UNIFIED DEVELOPMENT CODE") TO ESTABLISH A PROTECTED OPEN SPACE ZONING DISTRICT Introduced by: Mr. Carter, Ms. Durham

°22-113: AMEND THE FY2023 APPROVED OPERATING BUDGET: APPROPRIATE \$60,000 FROM THE GENERAL FUND TAX STABILIZATION RESERVE ACCOUNT TO THE DEPARTMENT OF COUNTY EXECUTIVE TO FUND STRATEGIC ADVISORY SERVICES Introduced by: Mr. Smiley, Mr. Cartier

E. Reports from Select and Special Committees

F. Consent Calendar

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**

R22-174: AUTHORIZING THE COUNTY EXECUTIVE TO SIGN THE SECOND ADDENDUM TO THE ARMY CREEK LANDFILL WESTERN LOBE FIELD INVESTIGATION COST-SHARE LETTER AGREEMENT BETWEEN NEW CASTLE COUNTY AND THE ARMY CREEK LANDFILL PRIVATE SETTLORS Introduced by: Mr. Sheldon, Mr. Woods

R22-175: AUTHORIZING THE EXECUTION OF A SUBAWARD AGREEMENT WITH HEALTH FEDERATION OF PHILADELPHIA FOR THE AMOUNT OF \$242,000.00 Introduced by: Mr. Smiley, Mr. Cartier

R22-176: AUTHORIZING THE EXECUTION OF ONE CONTRACT WITH RAVE WIRELESS INC. FOR CAD-HUD INTEGRATION SOFTWARE FOR THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF EMERGENCY COMMUNICATIONS IN THE AMOUNT OF \$33,000.00 Introduced by: Mr. Smiley, Mr. Cartier

R22-177: TO AMEND NEW CASTLE COUNTY COUNCIL PROCEDURAL RULE 13.1.9 REGARDING COUNCIL GRANT ACCOUNTS Introduced by: Mr. Smiley

I. Consideration of Ordinances

°22-102: AMEND THE GRANTS BUDGET: APPROPRIATE INTEREST IN AN AMOUNT UP TO \$125,000 TO THE CORONAVIRUS RELIEF FUND GRANT TO RESPOND TO THE COVID-19 PUBLIC HEALTH EMERGENCY, TO BE ADMINISTERED BY THE OFFICE OF FINANCE Introduced by: Mr. Smiley

°22-103: 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 COMMUNITY SERVICES, DIVISION OF COMMUNITY RESOURCES TO PROVIDE FUNDING TO ASSIST WITH YOUTH INTERVENTION TEAM FIELD TRIPS Introduced by: Mr. Street, Mr. Smiley

°22-104: AMEND THE GRANTS BUDGET: APPROPRIATE \$50,000 IN FUNDING FROM THE STATE OF DELAWARE DEPARTMENT OF SAFETY AND HOMELAND SECURITY TO THE FY2023 COLD CASE DNA GRANT TO BE ADMINISTERED BY THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF POLICE Introduced by: Mr. Bell, Ms. Hartley-Nagle

°22-105: AMEND THE GRANTS BUDGET: APPROPRIATE \$2,350 IN ADDITIONAL PRIVATE FUNDING FROM THE PUBLIC SERVICE ENTERPRISE GROUP (PSEG) NUCLEAR TO FUND THE OPERATIONS OF THE NEW CASTLE COUNTY OFFICE OF EMERGENCY MANAGEMENT (OEM) FOR FY2023 Introduced by: Mr. Bell, Ms. Harley-Nagle

°22-106: AMEND THE GRANTS BUDGET: APPROPRIATE \$150,000 FROM THE STATE OF DELAWARE FY2023 GRANT-IN-AID BILL TO THE FY2023 POLICE BEHAVIORAL HEALTH GRANT TO BE ADMINISTERED BY THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF POLICE Introduced by: Mr. Bell, Ms. Hartley-Nagle

SUBSTITUTE NO. 1 TO °22-107: TO APPROPRIATE \$9,450,000 IN THE NEW CASTLE COUNTY AFFORDABLE HOUSING FUND TO BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES Introduced by: Mr. Hollins, Ms. Diller

°22-108: AMEND THE PAY PLANS AND RATES OF PAY FOR ALL PARAMEDIC CLASSIFICATIONS Introduced by: Ms. Hartley-Nagle

°22-109: AMEND THE GRANTS BUDGET: APPROPRIATE \$8,299 IN ADDITIONAL STATE OF DELAWARE GRANT-IN-AID FUNDS TO THE ABSALOM JONES SENIOR CENTER FY2023 TO BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY RESOURCES Introduced by: Mr. Hollins, Ms. Diller

°22-110: AMEND THE FY2023 CAPITAL PROGRAM AND BUDGET: APPROPRIATE \$912,089 IN FUNDING RECEIVED FROM THE STATE OF DELAWARE FISCAL YEAR 2023 BOND AND CAPITAL IMPROVEMENTS ACT TO THE DEPARTMENT OF PUBLIC WORKS, COMMUNITY REDEVELOPMENT AND REINVESTMENT 2023 CAPITAL PROJECT Introduced by: Mr. Sheldon, Mr. Woods

°22-111: AMEND THE FY2023 CAPITAL PROGRAM AND BUDGET: TRANSFER \$275,000 FROM THE GOVERNMENT CENTER PARKING LOT CAPITAL PROJECT TO THE ARMY CREEK LANDFILL UPGRADE CAPITAL PROJECT Introduced by: Mr. Sheldon, Mr. Woods

°22-072: (STATUS: TABLED) TO AMEND NEW CASTLE COUNTY CODE CHAPTER 40 (ALSO KNOWN AS THE UNIFIED DEVELOPMENT CODE OR "UDC"), REGARDING ARTICLE 3 ("USE REGULATIONS"), ARTICLE 4 ("DISTRICT INTENSITY AND BULK STANDARDS"), ARTICLE 6 ("SIGN REGULATIONS"), ARTICLE 8 ("NONCONFORMING SITUATIONS"), ARTICLE 20 ("SUBDIVISION AND LAND DEVELOPMENT DESIGN PRINCIPLES"), ARTICLE 22 ("DRAINAGE, UTILITIES, SEPTIC SYSTEMS, PARKING, LOADING, AND LIGHTING"), ARTICLE 23 ("LANDSCAPING, TREES, PLANT MAINTENANCE, AND EROSION AND SEDIMENT CONTROL"), ARTICLE 31 ("PROCEDURES AND ADMINISTRATION"), ARTICLE 33 ("DEFINITIONS"), APPENDIX 1 ("APPLICATION AND PLAN REQUIREMENTS"), APPENDIX 2 ("FEES"), AND TO ESTABLISH ARTICLE 18 ("BYWAY PROTECTION"), AND APPENDIX 8 ("BYWAY AREA RESOURCES") REGARDING BYWAY PROTECTION Introduced by: Ms. Durham, Mr. Carter, Ms. Kilpatrick, Mr. Hollins

J. Time Sensitive Congratulatory/Honorary Resolutions

R22-178: RECOGNIZING THE INDO-AMERICAN ASSOCIATION OF DELAWARE (IAAD) AND CELEBRATING THEIR 38TH ANNIVERSARY Introduced by: Ms. Kilpatrick

K. Introduction/Consideration of Emergency Ordinances


L. Public Comment/Other

M. Motion to Adjourn

AGENDA POSTED: September 6, 2022

*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.