



# NEW CASTLE COUNTY COUNCIL COUNCIL MEETING

April 25, 2023  
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**

°23-047: TO AMEND THE PAY PLAN AND RATES OF PAY FOR CLASSIFIED SERVICE EMPLOYEES REPRESENTED BY THE DELAWARE PUBLIC EMPLOYEES COUNCIL 81, AFSCME, AFL-CIO, AFFILIATE LOCAL 1607, TO ADOPT THE CLASS SPECIFICATION FOR THE POSITION TITLE OF PAYROLL ASSISTANT II AND UPDATE THE CLASS SPECIFICATION FOR PAYROLL SUPERVISOR Introduced by: Ms. Hartley-Nagle

°23-048: TO AMEND NEW CASTLE COUNTY CODE CHAPTER 2 ("ADMINISTRATION"), SECTION 2.03.004 ("FEES FOR RECORDER OF DEEDS") RELATING TO CERTAIN CHANGES TO FEES OF THE OFFICE OF THE RECORDER OF DEEDS Introduced by: Mr. Smiley, Mr. Cartier

°23-049: AMEND THE GRANTS BUDGET: APPROPRIATE \$94,727.52 IN FUNDING FROM THE STATE OF DELAWARE, DEPARTMENT OF LABOR WITH FUNDS PROVIDED BY THE DELAWARE WORKFORCE INVESTMENT BOARD TO THE 2023/2024 STATE YEAR-ROUND YOUTH EMPLOYMENT PROGRAM GRANT, TO BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY RESOURCES Introduced by: Mr. Hollins, Mr. Street

°23-050: AMEND THE GRANTS BUDGET: APPROPRIATE \$107,945.00 FROM THE STATE OF DELAWARE, DEPARTMENT OF LABOR – DIVISION OF EMPLOYMENT AND TRAINING, TO THE 2023 STATE SUMMER YOUTH EMPLOYMENT PROGRAM – CITY OF WILMINGTON; THE GRANT WILL BE ADMINISTERED BY THE DEPARTMENT OF

COMMUNITY SERVICES, DIVISION OF COMMUNITY RESOURCES Introduced by: Mr. Hollins, Mr. Street

°23-051: AMEND THE GRANTS BUDGET: APPROPRIATE \$119,303.26 IN FUNDING FROM THE STATE OF DELAWARE, DEPARTMENT OF LABOR – DIVISION OF EMPLOYMENT AND TRAINING TO THE 2023 STATE SUMMER YOUTH EMPLOYMENT PROGRAM – SUBURBAN NEW CASTLE COUNTY GRANT TO BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY RESOURCES Introduced by: Mr. Hollins, Mr. Street

°23-052: REVISE PREVIOUSLY APPROVED PRELIMINARY MAJOR LAND DEVELOPMENT PLAN WITH REZONING FOR STONEGATES RETIREMENT COMMUNITY DIVERSIFIED PLANED UNIT DEVELOPMENT (DPUD); CHRISTIANA HUNDRED; EAST SIDE OF KENNETT, NORTH OF BARLEY MILL ROAD; TAX PARCEL NUMBER 07-026.00-090 (4031 KENNETT PIKE); [APPLICATION NO. 2023-0085-S/Z](#)) COUNCIL DISTRICT 2 (The revised plan for Stonegates Retirement Community proposes to revise the previously approved subdivision to construct 25,554 SF of additional gross floor area, and decrease the open space by 15,000 sf. This new plan will supersede the previously approved preliminary plan and rezoning. UDC Section 40.31.712 requires a new zoning ordinance for revisions to a DPUD plan that result in a decrease of open space. County Council adopted Ordinance 82-148 on December 21, 1982. NCPUD (Neighborhood Conservation Planned Unit Development) zoning district. App. 82-198, MF6681). Introduced by: Ms. Durham

°23-053: TO AMEND NEW CASTLE COUNTY CODE CHAPTER 40 (“UNIFIED DEVELOPMENT CODE” OR “UDC”), ARTICLE 3 (“USE REGULATIONS”), ARTICLE 5 (“SITE CAPACITY AND CONCURRENCY CALCULATIONS”), ARTICLE 8 (“NONCONFORMING SITUATIONS”), ARTICLE 22 (“DRAINAGE, UTILITIES, SEPTIC SYSTEMS, PARKING, LOADING, AND LIGHTING”), ARTICLE 26 (“MODIFICATION OF STANDARDS”), ARTICLE 31 (“PROCEDURES AND ADMINISTRATION”), ARTICLE 33 (“DEFINITIONS”), AND APPENDIX 7 (“GUIDING PRINCIPLES FOR DEVELOPMENT”), REGARDING DEVELOPMENT, REDEVELOPMENT AND UPDATING THE GUIDING PRINCIPLES TO BE CONSISTENT WITH THE COMPREHENSIVE PLAN Introduced by: Ms. Kilpatrick, Mr. Tackett

#### **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**

R23-078: CONGRATULATING AND COMMENDING VINCE JACONO, JR. ON HIS RETIREMENT AFTER 34 YEARS OF SERVICE TO DELMARVA POWER Introduced by: Mr. Smiley, Mr. Bell, Mr. Carter, Mr. Cartier, Ms. Durham, Ms. George, Ms. Hartley-Nagle, Mr. Hollins, Ms. Kilpatrick, Mr. Sheldon, Mr. Street, Mr. Tackett, Mr. Toole

R23-079: APPROVING THE REFUND OF A DUPLICATE TAX PAYMENT ON TAX PARCEL NUMBER 06-049.000-14 Introduced by: Mr. Smiley, Mr. Cartier

R23-080: APPROVING THE REFUND OF SEWER FEES PAID IN ERROR DUE TO OVERPAYMENT ON TAX PARCEL NUMBER 06-111.000-27 Introduced by: Mr. Smiley, Mr. Cartier

R23-081: AUTHORIZING ENTRY INTO ACCOUNT TERMS WITH JPMORGAN CHASE BANK, N.A. RELATED TO BANKING SERVICES Introduced by: Mr. Smiley, Mr. Cartier

R23-082: AUTHORIZING THE EXECUTION OF ONE CONTRACT WITH GRACE TRANSPORTATION TO PROVIDE TRANSPORTATION SERVICES FOR HOPE CENTER RESIDENTS FOR THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING IN THE AMOUNT OF \$20,000.00 Introduced by: Mr. Smiley, Mr. Cartier

#### **I. Consideration of Ordinances**

°23-039: (STATUS: TO BE TABLED) THE ANNUAL REVENUE ORDINANCE OF NEW CASTLE COUNTY FOR FISCAL YEAR 2024 BEGINNING JULY 1, 2023 Introduced by: Mr. Smiley, Mr. Cartier

°23-040: (STATUS: TO BE TABLED) CALCULATION OF SEWER SERVICE CHARGES EFFECTIVE JULY 1, 2023 FOR FISCAL YEAR 2024 Introduced by: Mr. Smiley, Mr. Cartier

°23-041: (STATUS: TO BE TABLED) AN ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF NEW CASTLE COUNTY FOR THE PURPOSE OF FINANCING CERTAIN CAPITAL PROJECTS APPROVED IN THE FISCAL YEAR 2024 CAPITAL BUDGET Introduced by: Mr. Smiley, Mr. Cartier

°23-042: (STATUS: TO BE TABLED) THE CAPITAL BUDGET ORDINANCE OF NEW CASTLE COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2023 Introduced by: Mr. Smiley, Mr. Cartier

°23-043: (STATUS: TO BE TABLED) ADOPT THE ANNUAL OPERATING BUDGET OF NEW CASTLE COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2023 Introduced by: Mr. Smiley, Mr. Cartier

°23-044: AMEND THE GRANTS BUDGET: APPROPRIATE NEW CASTLE COUNTY FUNDING OF \$64,800 FROM THE DEPARTMENT OF COMMUNITY SERVICES FY2023 APPROVED OPERATING BUDGET AND APPROPRIATE ACTUAL AND ANTICIPATED PROGRAM INCOME OF \$188,803.66 TO THE SUMMER RECREATION CAMPS GRANT Introduced by: Mr. Hollins , Mr. Street

°23-045: AMEND THE ANNUAL OPERATING BUDGET: APPROPRIATE \$64,800 FROM THE CONTRACTUAL SERVICES BUDGET LINE ITEM OF THE DEPARTMENT OF COMMUNITY SERVICES TO THE SUMMER RECREATION CAMPS GRANT Introduced by: Mr. Hollins, Mr. Street

°23-046: AMEND THE FY2023 CAPITAL PROGRAM AND BUDGET: INCREASE AUTHORIZATIONS FROM THE STATE OF DELAWARE IN THE AMOUNT OF \$5,000,000 TO THE DEPARTMENT OF PUBLIC SAFETY, POLICE RANGE / EVOC CAPITAL PROJECT Introduced by: Mr. Bell, Ms. Hartley-Nagle

#### **J. Time Sensitive Congratulatory/Honorary Resolutions**

R23-076: RECOGNIZING AND SUPPORTING NATIONAL YOUTH VIOLENCE PREVENTION WEEK FROM APRIL 24 TO 28, 2023 Introduced by: Ms. Hartley-Nagle, Mr. Street, Mr. Bell, Mr. Tackett, Mr. Toole, Ms. George

R23-077: CONGRATULATING AND COMMENDING THE CHURCH OF EXODUS ON ITS SECOND PASTORAL ANNIVERSARY Introduced by: Ms. Hartley-Nagle

R23-083: SUPPORTING THE DELAWARE GENERAL ASSEMBLY HOUSE OF REPRESENTATIVES BILL NO. 124 AMENDING THE DELAWARE CODE REGARDING LAWS RELATING TO PROTECTION, CONTROL AND NOISE OF ANIMALS, INCLUDING DOGS Introduced by: Mr. Smiley, Mr. Carter

**K. Introduction/Consideration of Emergency Ordinances**


**L. Public Comment/Other**

**M. Motion to Adjourn**

### **AGENDA POSTED: April 18, 2023**

\*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.