



NEW CASTLE COUNTY COUNCIL COUNCIL MEETING

July 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

°23-096: 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 AND ADOPT THE REVISED CLASS SPECIFICATION FOR STOREKEEPER Introduced by: Ms. Hartley-Nagle

°23-097: TO REVISE THE CLASS SPECIFICATION OF PUBLIC WORKS PROJECT MANAGER TO FACILITIES PROJECT MANAGER AND AMEND THE PAY PLAN AND RATES OF PAY FOR NON-UNION CLASSIFIED SERVICE EMPLOYEES FOR THE DEPARTMENT OF PUBLIC WORKS Introduced by: Ms. Hartley-Nagle

°23-098: 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 AND TO ADOPT THE CLASS SPECIFICATIONS FOR THE POSITION TITLES OF ENVIRONMENTAL PROGRAM MANAGER I, ENVIRONMENTAL PROGRAM MANAGER II AND ENVIRONMENTAL PROGRAM MANAGER III Introduced by: Ms. Hartley-Nagle

°23-099: AMEND THE GRANTS BUDGET: APPROPRIATE \$8,942.44 IN PROGRAM INCOME TO THE ABSALOM JONES SENIOR CENTER RECREATION GRANT TO BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY RESOURCES Introduced by: Mr. Hollins, Mr. Street

°23-100: AMEND THE GRANTS BUDGET: APPROPRIATE \$748,853 TO THE CONTRACTED POLICE DUTY REVOLVING FUND, WHICH IS ADMINISTERED BY THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF POLICE Introduced by: Mr. Bell, Ms. Hartley-Nagle

° 23-101: TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 6 ("BUILDING CODE"), CHAPTER 13 ("STORMWATER MAINTENANCE DISTRICTS"), AND CHAPTER 14 ("FINANCE AND TAXATION") REGARDING BILLING AND COLLECTION OF STORMWATER MAINTENANCE FEES AND THE REFUND OF CODE ENFORCEMENT FEES PAID THROUGH ERROR Introduced by: Ms. Kilpatrick, Mr. Sheldon

°23-102 - AMEND THE FY2024 APPROVED OPERATING BUDGET: TRANSFER FUNDS FROM THE GRANTS AND FIXED CHARGES BUDGET LINE ITEM OF COUNTY COUNCIL TO THE SALARIES AND WAGES, EMPLOYEE BENEFITS AND MATERIALS AND SUPPLIES BUDGET LINE ITEMS FOR THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF EMERGENCY COMMUNICATIONS AND TO THE CONTRACTUAL SERVICES BUDGET LINE ITEM FOR THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING Introduced by: Mr. Smiley

°23-103 - TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 26 ("FINANCE AND TAXATION"), ARTICLE 3 ("REAL PROPERTY TRANSFER TAX"), SECTION 26.03.910 ("RETIREE HEALTH CARE INSURANCE") Introduced by: Mr. Smiley, Mr. Cartier

°23-104: 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 26 ("MODIFICATION OF STANDARDS"), ARTICLE 31 ("PROCEDURES AND ADMINISTRATION"), ARTICLE 33 ("DEFINITIONS"), AND APPENDIX 7 ("GUIDING PRINCIPLES FOR DEVELOPMENT"), REGARDING DEVELOPMENT, REDEVELOPMENT, LARGE INDUSTRIAL STRUCTURES AND HEAVY RETAIL AND SERVICE USES, AND UPDATING THE GUIDING PRINCIPLES TO BE CONSISTENT WITH THE COMPREHENSIVE PLAN Introduced by: Mr. Tackett, Ms. Kilpatrick

°23-105: TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 13 ("STORMWATER MAINTENANCE DISTRICTS") REGARDING STORMWATER MAINTENANCE AND WHISPERING WOODS COMMUNITY Introduced by: Mr. Carter

E. Reports from Select and Special Committees

F. Consent Calendar

R23-126: CONGRATULATING AND COMMENDING CHIEF JEFFREY MILLER ON HIS RETIREMENT FROM THE NEW CASTLE COUNTY EMERGENCY COMMUNICATIONS DIVISION Introduced by: Mr. Bell, Ms. Hartley-Nagle, Mr. Carter, Mr. Cartier, Ms. Durham, Ms. George, Mr. Hollins, Ms. Kilpatrick, Mr. Sheldon, Mr. Smiley, Mr. Street, Mr. Tackett, Mr. Toole

R23-127: CONSENTING TO THE APPOINTMENT OF ROBERT W. EHEMANN TO THE NEW CASTLE COUNTY OPEN SPACE ADVISORY BOARD Introduced by: Ms. Kilpatrick

R23-128: APPOINTING JASON HOOVER TO THE NEW CASTLE COUNTY OPEN SPACE ADVISORY BOARD Introduced by: Mr. Hollins, Ms. Durham

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**

R23-129: PLAN OF I-495 LOGISTICS CENTER; NEW CASTLE HUNDRED; NORTHEAST CORNER OF ROUTE 13 AND ROGER'S ROAD; MAJOR LAND DEVELOPMENT PLAN THAT PROPOSES TO CONSTRUCT A 125,820 SQUARE FOOT WAREHOUSE WITH 7,800 SQUARE FEET OF OFFICE SPACE; CR/HI ZONING; [APPLICATION NO. 2022-0360](#); COUNCIL DISTRICT 10 Introduced by: Mr. Street

R23-130: AUTHORIZING THE EXECUTION OF A SUBAWARD AGREEMENT WITH FAMILY PROMISE OF NORTHERN NEW CASTLE COUNTY, INC. IN THE AMOUNT OF \$4,000,000.00 Introduced by: Mr. Hollins, Mr. Street

R23-131: AUTHORIZING THE EXECUTION OF A SUBAWARD AGREEMENT WITH INTERFAITH COMMUNITY HOUSING OF DELAWARE, INC. IN AMOUNT OF \$2,300,000.00 Introduced by: Mr. Hollins, Mr. Street

R23-132: AUTHORIZING THE EXECUTION OF A SUBAWARD AGREEMENT WITH YOUNG MEN'S CHRISTIAN ASSOCIATION OF DELAWARE IN THE AMOUNT OF \$500,000.00 Introduced by: Mr. Hollins, Mr. Street

R23-133: CONSENTING TO THE APPOINTMENT OF AARON JOHNSON FOR THE POSITION OF THE READER'S CAFÉ CHEF Introduced by: Mr. Hollins, Mr. Street

R23-134: AUTHORIZING THE EXECUTION OF A GRANT AGREEMENT WITH THE DELAWARE CHILDREN'S MUSEUM, INC. IN THE AMOUNT OF \$100,000.00 Introduced by: Mr. Smiley, Mr. Cartier

R23-135: AUTHORIZING THE EXECUTION OF A SUBAWARD AGREEMENT WITH THE WEST END NEIGHBORHOOD HOUSE INCORPORATED IN THE AMOUNT OF \$308,174.73 Introduced by: Mr. Smiley, Mr. Cartier

R23-136: APPROVING REVISED CLASS SPECIFICATION FOR INFORMATION SYSTEMS ASSISTANT MANAGER PURSUANT TO NEW CASTLE COUNTY CODE SECTION 26.03.105(F) Introduced by: Ms. Hartley-Nagle

R23-137: URGING THE MEYER ADMINISTRATION TO IMMEDIATELY FORMULATE A PLAN TO ADDRESS PUBLIC SAFETY CONCERNS IN NEW CASTLE COUNTY PARKS Introduced by: Mr. Tackett, Ms. Hartley-Nagle, Ms. George, Mr. Carter, Mr. Toole

I. Consideration of Ordinances

°23-089: TO REVISE CHAPTER 14 OF THE *NEW CASTLE COUNTY CODE* TO PROVIDE A FINITE TAX EXEMPTION FOR ROHM AND HAAS ELECTRONIC MATERIALS CMP, LLC, TAX PARCEL NO. 11-018.00-061, 2001 OLD COOCHS BRIDGE RD, NEWARK, DELAWARE, IN SUPPORT OF ECONOMIC DEVELOPMENT Introduced by: Mr. Tackett

°23-090: TO DECLARE SURPLUS CERTAIN LANDS OF NEW CASTLE COUNTY ASSOCIATED WITH THE NEW CASTLE COUNTY AIRPORT AND TO AUTHORIZE THE TRANSFER OF LANDS TO THE STATE OF DELAWARE FOR A PUBLIC PURPOSE Introduced by: Mr. Smiley, Mr. Cartier

°23-091: AMEND THE GRANTS BUDGET: APPROPRIATE INVESTMENT INCOME TO JUSTICE ASSISTANCE GRANT (JAG) 2019 ENHANCED CRIME PREVENTION AND OFFICER WELLNESS INITIATIVE AND THE JUSTICE ASSISTANCE GRANT (JAG) 2018 FORTIFYING

OFFICER AND COMMUNITY GRANT FOR THE NEW CASTLE COUNTY DEPARTMENT OF PUBLIC SAFETY, DIVISION OF POLICE Introduced by: Mr. Bell, Ms. Hartley-Nagle

°23-093: (STATUS: TO BE TABLED) AMEND THE FY2024 APPROVED OPERATING BUDGET: APPROPRIATE \$1,245,950 FROM THE GENERAL FUND TAX STABILIZATION RESERVE ACCOUNT TO THE DEPARTMENT OF ADMINISTRATION, HUMAN RESOURCE MANAGEMENT FOR 25-YEAR RETIREMENT UNFUNDED LIABILITY Introduced by: Mr. Smiley, Mr. Cartier

°23-094: AMENDING NEW CASTLE COUNTY CODE CHAPTER 6 ("BUILDING CODE") AND CHAPTER 7 ("PROPERTY MAINTENANCE CODE") TO ESTABLISH ROUTINE INSPECTIONS FOR CERTAIN COMMON INTEREST COMMUNITY BUILDINGS, INCLUDING CONDOMINIUMS, IN NEW CASTLE COUNTY Introduced by: Mr. Cartier, Ms. Kilpatrick, Mr. Sheldon

J. Time Sensitive Congratulatory/Honorary Resolutions

R23-138: RECOGNIZING THE CENTENNIAL OF THE NEW CASTLE COUNTY BOARD OF REALTORS Introduced by: Ms. Durham, Mr. Tackett, Mr. Cartier, Mr. Carter, Mr. Smiley, Mr. Hollins, Mr. Bell, Ms. Kilpatrick, Mr. Toole

R23-139: HONORING THE EXTRAORDINARY MUSICAL JOURNEY AND SERVICE OF ELDER ALAN LLOYD Introduced by: Ms. Hartley-Nagle

K. Introduction/Consideration of Emergency Ordinances


L. Public Comment/Other

M. Motion to Adjourn

AGENDA POSTED: July 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.nccode.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.