



NEW CASTLE COUNTY COUNCIL COUNCIL MEETING

August 29, 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

°23-106: TO APPROPRIATE \$250,000 IN THE NEW CASTLE COUNTY AFFORDABLE HOUSING FUND, WITH FUNDS THAT ORIGINATED FROM THE GENERAL TAX STABILIZATION RESERVE, FOR A CONTRACT WITH BE READY COMMUNITY DEVELOPMENT CORPORATION TO BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES Introduced by: Mr. Hollins, Mr. Street

°23-107: TO APPROPRIATE \$400,000 IN THE NEW CASTLE COUNTY AFFORDABLE HOUSING FUND, WITH FUNDS THAT ORIGINATED FROM THE GENERAL TAX STABILIZATION RESERVE, FOR A CONTRACT WITH TODMORDEN FOUNDATION TO BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES Introduced by: Mr. Hollins, Mr. Street

°23-108: TO APPROPRIATE \$250,000 IN THE NEW CASTLE COUNTY AFFORDABLE HOUSING FUND, WITH FUNDS THAT ORIGINATED FROM THE GENERAL TAX STABILIZATION RESERVE, FOR A CONTRACT WITH STUART ALEXANDER AND ASSOCIATES INC. TO BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES Introduced by: Mr. Hollins, Mr. Street

°23-109: TO APPROPRIATE \$3,500,000 IN THE NEW CASTLE COUNTY AFFORDABLE HOUSING FUND, WITH FUNDS THAT ORIGINATED FROM THE GENERAL TAX STABILIZATION RESERVE, FOR A CONTRACT WITH DELAWARE VALLEY DEVELOPMENT CORPORATION TO BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES Introduced by: Mr. Hollins, Mr. Street

°23-110: AMEND THE PAY PLAN AND RATES OF PAY FOR CLASSIFIED SERVICE EMERGENCY SERVICES EMPLOYEES REPRESENTED BY THE DELAWARE PUBLIC EMPLOYEES COUNCIL 81, AFSCME, AFL-CIO, AFFILIATE LOCAL 3911 Introduced by: Ms. Hartley-Nagle

°23-111: TO APPROPRIATE \$20,000 IN THE NEW CASTLE COUNTY HOUSING TRUST FUND TO BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES Introduced by: Mr. Hollins, Mr. Street

°23-112: AMEND THE PAY PLAN AND RATES OF PAY FOR UNCLASSIFIED SERVICE, SCHOOL CROSSING GUARDS REPRESENTED BY THE INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS, LOCAL 2270, AFL-CIO Introduced by: Ms. Hartley-Nagle

°23-113: AMEND THE GRANTS BUDGET: APPROPRIATE \$58,844.44 IN ACTUAL PROGRAM INCOME TO THE INNOVATIVE DEVELOPMENT EMPOWERMENT AREA (IDEA) HOMEBUYER/HOMEOWNER REHAB GRANT, WHICH IS ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING Introduced by: Mr. Hollins, Mr. Street

°23-114: AMEND THE GRANTS BUDGET: APPROPRIATE \$6,128 IN ADDITIONAL STATE OF DELAWARE GRANT-IN-AID FUNDS TO THE ABSALOM JONES SENIOR CENTER FY2024 GRANT, WHICH WILL BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, COMMUNITY RESOURCES DIVISION Introduced by: Mr. Hollins, Mr. Street

°23-115: AMEND THE GRANTS BUDGET: APPROPRIATE FEDERAL FUNDS OF \$142,380 PASSED THROUGH THE CITY OF WILMINGTON FROM THEIR ESG-CV FUNDS TO THE HOPE CENTER ESG-CV COW GRANT, WHICH IS ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING Introduced by: Mr. Hollins, Mr. Street

°23-116: AMEND THE GRANTS BUDGET: APPROPRIATE \$50,500.00 FROM THE STATE OF DELAWARE, DEPARTMENT OF JUSTICE – SPECIAL LAW ENFORCEMENT ASSISTANCE FUND (SLEAF) TO THE SLEAF – VIKEN HANDHELD X-RAY IMAGER GRANT, TO BE ADMINISTERED BY THE DEPARTMENT OF PUBLIC SAFETY Introduced by: Mr. Bell, Ms. Hartley-Nagle

°23-117: TO PROVIDE FOR THE INSTALLATION OF TRADITIONAIRE STREET LIGHTS WITH LIGHT EMITTING DIODE (LED) BULBS IN THE COPPERLEAF AT BACK CREEK EAST AND WEST SUBDIVISION LOCATED IN THE ST. GEORGES HUNDRED AND FOR A LIGHT TAX BASED ON THE COST OF STREET LIGHTS Introduced by: Mr. Carter

°23-118: AMEND THE FY2024 CAPITAL PROGRAM AND BUDGET: APPROPRIATE \$100,000 IN FUNDING RECEIVED FROM THE STATE OF DELAWARE FISCAL YEAR 2024 BOND AND CAPITAL IMPROVEMENTS ACT TO THE DEPARTMENT OF PUBLIC WORKS, GENERAL PARKLAND IMPROVEMENTS 2021 CAPITAL PROJECT Introduced by: Mr. Sheldon, Mr. Carter

°23-119: AMEND THE FY2024 CAPITAL PROGRAM AND BUDGET: REALIGN AUTHORIZED FUNDING IN THE AMOUNT \$1,600,000 WITHIN THE DEPARTMENT OF PUBLIC WORKS, BRANDYWINE LIBRARY HVAC CAPITAL PROJECT FROM BOND FUNDING TO STATE FUNDING AND REALIGN AUTHORIZED FUNDING IN THE AMOUNT OF \$500,000 WITHIN THE DEPARTMENT OF PUBLIC WORKS, GENERAL ROOF RENOVATIONS CAPITAL PROJECT FROM BOND FUNDING TO STATE FUNDING Introduced by: Mr. Sheldon, Mr. Carter

°23-120: AMEND THE FY2024 APPROVED OPERATING BUDGET: APPROPRIATE \$16,000 IN FUNDING RECEIVED FROM THE RECORDER OF DEEDS TECHNOLOGY FEE ACCOUNT TO THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF EMERGENCY COMMUNICATIONS CONTRACTUAL SERVICES BUDGET LINE ITEM Introduced by: Mr. Bell, Ms. Hartley-Nagle

°23-121: TO AMEND NEW CASTLE COUNTY CODE CHAPTER 6 (“BUILDING CODE”) REGARDING ARTICLE 1 (“GENERAL”), ARTICLE 2 (“DEFINITIONS”), ARTICLE 3 (“ADMINISTRATION”), ARTICLE 4 (“BUILDING CODE”), ARTICLE 5 (“RESIDENTIAL CODE”), ARTICLE 9 (“EXISTING BUILDING CODE”), ARTICLE 10 (“ENERGY CONSERVATION CODE”), ARTICLE 11 (“SWIMMING POOL AND SPA CODE”), ARTICLE 12 (“VIOLATIONS, ENFORCEMENT, AND PENALTIES”) AND SCHEDULE OF PERMIT AND REVIEW FEES Introduced by: Mr. Bell, Mr. Cartier

°23-122: AMENDING NEW CASTLE COUNTY CODE CHAPTER 40 (THE “UNIFIED DEVELOPMENT CODE”), ARTICLE 22 (“DRAINAGE, UTILITIES, SEPTIC SYSTEMS, PARKING, LOADING, AND LIGHTING”) AND ARTICLE 33 (“DEFINITIONS”) RELATING TO LIGHT POLLUTION IN NEW CASTLE COUNTY Introduced by: Ms. Durham, Ms. George

E. Reports from Select and Special Committees

F. Consent Calendar

R23-140: CELEBRATING THE 100TH BIRTHDAY OF LOIS SCOTT BELL Introduced by: Mr. Bell

R23-141: HONORING FAITHFUL FRIENDS ANIMAL SOCIETY FOR ITS DEDICATION TO ANIMAL WELFARE AND CELEBRATING THE GRAND OPENING OF ITS HEADQUARTERS IN NEW CASTLE Introduced by: Ms. Hartley-Nagle

R23-142: HONORING ROBERT WASSERBACH FOR HIS UNWAVERING DEDICATION TO PUBLIC SERVICE AND ANIMAL WELFARE Introduced by: Ms. Hartley-Nagle

R23-143: HONORING AND RECOGNIZING BRIGADIER GENERAL KENNETH M. HALTOM FOR HIS DISTINGUISHED MILITARY CAREER AND SERVICE Introduced by: Ms. Hartley-Nagle

R23-144 COMMEMORATING THE 60TH ANNIVERSARY OF THE MARCH ON WASHINGTON FOR JOBS AND FREEDOM AND RENEWING THE COMMITMENT TO CIVIL RIGHTS AND JUSTICE FOR ALL Introduced by: Mr. Hollins, Mr. Street, Mr. Smiley

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

R23-145: HONORING THE LIFE AND LEGACY OF JEFF BROSS Introduced by: Ms. Kilpatrick, Mr. Bell

R23-146: PLAN OF SOCIETY SELF STORAGE; BRANDYWINE HUNDRED; NORTHWEST CORNER OF NAAMANS ROAD AND SOCIETY DRIVE; MAJOR LAND DEVELOPMENT PLAN THAT PROPOSES TO CONSTRUCT A 90,000 SQUARE FOOT SELF-STORAGE FACILITY; CR ZONING; [APPLICATION NO. 2021-0121](#); COUNCIL DISTRICT 8 Introduced by: Mr. Cartier

R23-147: AUTHORIZING THE EXECUTION OF A GRANT AGREEMENT WITH PLANNED PARENTHOOD OF DELAWARE, INC. TO MITIGATE FINANCIAL HARDSHIP DURING THE

COVID-19 PANDEMIC FOR THE DEPARTMENT OF ADMINISTRATION, OFFICE OF FINANCE IN THE AMOUNT OF \$55,000.00 Introduced by: Ms. Durham, Mr. Smiley

R23-148: AUTHORIZING THE EXECUTION OF A SUBAWARD AGREEMENT WITH THE LATIN AMERICAN COMMUNITY CENTER, INC. TO PARTIALLY FUND THE CONVERSION OF A PROPERTY INTO AN EARLY LEARNING CENTER FOR THE DEPARTMENT OF ADMINISTRATION, OFFICE OF FINANCE IN THE AMOUNT OF \$500,000.00 Introduced by: Mr. Smiley, Mr. Street

R23-149: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT WITH BFLY OPERATIONS, INC. FOR ULTRASOUND PROBES AND SUBSCRIPTION SERVICES FOR THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF EMERGENCY MEDICAL SERVICES IN THE AMOUNT OF \$66,210.00 Introduced by: Mr. Smiley, Mr. Cartier

R23-150: AUTHORIZING THE EXECUTION OF ONE CONTRACT WITH FAMILY PROMISE OF NORTHERN NEW CASTLE COUNTY TO OPERATE THE RAPID RE-HOUSING PROGRAM FOR THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING IN THE AMOUNT OF \$116,560.00 Introduced by: Mr. Smiley, Mr. Cartier

R23-151: AUTHORIZING THE EXECUTION OF A GRANT AGREEMENT WITH HUMANE ANIMAL PARTNERS TO MITIGATE FINANCIAL HARDSHIP DURING THE COVID-19 PANDEMIC FOR THE DEPARTMENT OF ADMINISTRATION, OFFICE OF FINANCE IN THE AMOUNT OF \$150,000.00 Introduced by: Mr. Smiley, Mr. Cartier

R23-152: AUTHORIZING THE EXECUTION OF A GRANT AGREEMENT WITH FORGOTTEN CATS, INC. TO MITIGATE FINANCIAL HARDSHIP DURING THE COVID-19 PANDEMIC FOR THE DEPARTMENT OF ADMINISTRATION, OFFICE OF FINANCE IN THE AMOUNT OF \$51,608.00 Introduced by: Mr. Smiley, Mr. Cartier

R23-153: AUTHORIZING THE EXECUTION OF A GRANT AGREEMENT WITH FAITHFUL FRIENDS, INC. TO MITIGATE FINANCIAL HARDSHIP DURING THE COVID-19 PANDEMIC FOR THE DEPARTMENT OF ADMINISTRATION, OFFICE OF FINANCE IN THE AMOUNT OF \$150,000.00 Introduced by: Mr. Smiley, Mr. Cartier

R23-154: AUTHORIZING THE EXECUTION OF A GRANT AGREEMENT WITH THE DELAWARE CENTER FOR CONTEMPORARY ART, INC. TO MITIGATE FINANCIAL HARDSHIP DURING THE COVID-19 PANDEMIC FOR THE DEPARTMENT OF ADMINISTRATION, OFFICE OF FINANCE IN THE AMOUNT OF \$100,000.00 Introduced by: Mr. Smiley, Mr. Cartier

R23-155: AUTHORIZING THE EXECUTION OF A SUBAWARD AGREEMENT WITH GOOD NEIGHBORS, INC. TO ASSIST WITH DEVELOPMENT OF AFFORDABLE HOUSING FOR THE DEPARTMENT OF ADMINISTRATION, OFFICE OF FINANCE IN THE AMOUNT OF \$90,000.00 Introduced by: Ms. George, Mr. Smiley, Ms. Kilpatrick, Ms. Durham, Mr. Tackett

R23-156: AUTHORIZING THE COUNTY EXECUTIVE TO SIGN THE AMENDED DELAWARE PUBLIC EMPLOYEES COUNCIL 81, AFSCME (AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES) (AFL-CIO), AND ITS AFFILIATE LOCAL 3911, COLLECTIVE BARGAINING AGREEMENT Introduced by: Ms. Hartley-Nagle

R23-157: AUTHORIZING THE COUNTY EXECUTIVE TO SIGN THE COLLECTIVE BARGAINING AGREEMENT WITH THE INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS, LOCAL 2270, REPRESENTING NEW CASTLE COUNTY SCHOOL CROSSING GUARDS Introduced by: Ms. Hartley-Nagle

I. Consideration 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 ("HUMAN RESOURCES"), ARTICLE 3 ("MERIT SYSTEM"), SECTION 26.03.910 ("RETIREE HEALTH CARE INSURANCE") Introduced by: Mr. Smiley, Mr. Cartier

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

°23-020: REVISE ZONING MAP: APPOQUINIMINK HUNDRED, EAST OF TAYLORS BRIDGE ROAD, APPROXIMATELY 1,700 FEET SOUTH OF THOMAS LANDING ROAD; 165 TAYLORS BRIDGE ROAD, [TAX PARCEL NO. 14-008.00-046](#); 12.44 ± ACRES FROM "NC40" (NEIGHBORHOOD CONSERVATION) TO "S" (SUBURBAN). (The purpose of this County-initiated rezoning is to change the zoning of tax parcel 14-008.00-046 from NC40 to S. [Application No. 2022-0834-Z](#)) Introduced by: Mr. Bell

°23-088: TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 26 ("HUMAN RESOURCES") ARTICLE 3 ("MERIT SYSTEM"), SECTION 26.03.206 ("DEFERRED COMPENSATION PLAN") REGARDING PERSONAL LOANS FROM PLAN Introduced by: Mr. Smiley

J. Time Sensitive Congratulatory/Honorary Resolutions

R23-158: HONORING AND CELEBRATING THE LIFE AND LEGACY OF JEFFREY BROSS Introduced by: Ms. Hartley-Nagle


R23-159: RECOGNIZING, HONORING, CONGRATULATING, AND CELEBRATING THE AUGUST QUARTERLY FESTIVAL AND THE 2023 MEMBERS OF THE 209TH AUGUST QUARTERLY FESTIVAL COMMITTEE, INC. Introduced by: Ms. Hartley-Nagle, Mr. Tackett, Mr. Street

R23-160: CONGRATULATING ANN ARCHER FOR HER DEDICATED SERVICE TO THE CLAYMONT LIBRARY Introduced by: Mr. Cartier

K. Introduction/Consideration of Emergency Ordinances**L. Public Comment/Other****M. Motion to Adjourn****AGENDA POSTED: August 22, 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.