



NEW CASTLE COUNTY COUNCIL COUNCIL MEETING

January 9, 2024
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 II

A. Call to Order

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

B. Approval of Minutes

C. Announcements

D. Introduction of Ordinances

°24-001: TO AMEND NEW CASTLE COUNTY CODE CHAPTER 13 ("STORMWATER MAINTENANCE DISTRICTS") REGARDING STORMWATER MAINTENANCE AND VILLAGE OF FOX MEADOW Introduced by: Mr. Tackett

°24-002: AMEND THE PAY PLAN AND RATES OF PAY FOR CLASSIFIED SERVICE EMPLOYEES REPRESENTED BY FRATERNAL ORDER OF POLICE (FOP) LODGE #5 SWORN DEPUTY SHERIFFS FOR THE CLASS SPECIFICATION OF DEPUTY SHERIFF FOR THE SHERIFF'S OFFICE Introduced by: Ms. Hartley-Nagle

°24-003: AMEND THE GRANTS BUDGET: REALIGN \$230,376.17 IN THE COMMUNITY DEVELOPMENT BLOCK GRANT FY2023, WHICH IS ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING Introduced by: Mr. Hollins, Mr. Street

°24-004: AMEND THE GRANTS BUDGET: APPROPRIATE \$73,500.00 FROM THE DELAWARE COMMUNITY FOUNDATION TO THE SPECIAL EVENTS FUND GRANT, TO BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES Introduced by: Mr. Hollins, Mr. Street

°24-005: AMEND THE GRANTS BUDGET: APPROPRIATE ADDITIONAL FEDERAL FUNDS OF \$450,000 FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT PASSED THROUGH FROM THE CITY OF WILMINGTON FEDERAL COMMUNITY DEVELOPMENT BLOCK GRANT TO THE LEAD BASED PAINT HAZARD

REDUCTION - CITY OF WILMINGTON GRANT, WHICH IS ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES Introduced by: Mr. Hollins, Mr. Street

°24-006: AMEND THE FY2024 CAPITAL PROGRAM AND BUDGET: APPROPRIATE \$200,000 IN FUNDING RECEIVED FROM THE STATE OF DELAWARE FISCAL YEAR 2024 BOND AND CAPITAL IMPROVEMENTS ACT TO THE DEPARTMENT OF PUBLIC SAFETY, PUBLIC SAFETY EQUIPMENT CAPITAL PROJECT Introduced by: Mr. Bell, Ms. Hartley-Nagle

E. Reports from Select and Special Committees

F. Consent Calendar

R24-001: CONGRATULATING AND COMMENDING MAJOR JOHN TREADWELL ON HIS RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT Introduced by: Mr. Bell, Ms. Hartley-Nagle

R24-002: CONGRATULATING AND COMMENDING MASTER CORPORAL ERIC BIEHL ON HIS RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT Introduced by: Mr. Bell, Ms. Hartley-Nagle

R24-003: CONGRATULATING AND COMMENDING MASTER CORPORAL KAREN CAMP ON HER RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT Introduced by: Mr. Bell, Ms. Hartley-Nagle

R24-004: CONGRATULATING AND COMMENDING MASTER CORPORAL KEITH GAUTIER ON HIS RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT Introduced by: Mr. Bell, Ms. Hartley-Nagle

R24-005: CONGRATULATING AND COMMENDING MASTER CORPORAL MICHAEL SANTOS ON HIS RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT Introduced by: Mr. Bell, Ms. Hartley-Nagle

R24-006: CONGRATULATING AND COMMENDING MASTER CORPORAL WAYNE BLOMQUIST ON HIS RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT Introduced by:

R24-007: CONGRATULATING AND COMMENDING SENIOR CORPORAL ROOSEVELT LOCKETT ON HIS RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT Introduced by: Mr. Bell, Ms. Hartley-Nagle

R24-008: CONGRATULATING AND COMMENDING SENIOR SERGEANT JENNIFER BUNORA ON HIS RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT Introduced by: Mr. Bell, Ms. Hartley-Nagle

R24-009: CONGRATULATING AND COMMENDING SENIOR SERGEANT JOHN PIERSON ON HIS RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT 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

R24-010: CONSENTING TO THE APPOINTMENT OF HELEN FOSTER FOR THE POSITION OF SMALL BUSINESS ENTERPRISE (SBE) PROGRAM COORDINATOR FOR NEW CASTLE COUNTY Introduced by: Mr. Toole, Ms. George

R24-011: AUTHORIZING THE EXECUTION OF A SUBAWARD AGREEMENT WITH THE COMMUNITY EDUCATION BUILDING CORPORATION TO MITIGATE FINANCIAL HARDSHIP DURING THE COVID-19 PANDEMIC FOR THE DEPARTMENT OF ADMINISTRATION, OFFICE OF FINANCE IN THE AMOUNT OF \$200,000.00 Introduced by: Mr. Smiley, Mr. Cartier

R24-012: AUTHORIZING THE EXECUTION OF A SUBAWARD AGREEMENT WITH EASTER SEALS OF DELAWARE AND MARYLAND'S EASTERN SHORE, INC. TO ASSIST WITH FACILITY IMPROVEMENTS TO PREVENT THE RISK OF VIRUSES SPREADING IN PUBLIC SPACES FOR THE DEPARTMENT OF ADMINISTRATION, OFFICE OF FINANCE IN THE AMOUNT OF \$100,000.00 Introduced by: Mr. Smiley, Mr. Cartier

R24-013: AUTHORIZING THE EXECUTION OF ONE CONTRACT AGREEMENT WITH GOOD NEIGHBORS, INC. TO ASSIST IN THE STABILIZATION OF AGING HOMES FOR LOW-INCOME HOUSEHOLDS IN NEW CASTLE COUNTY FOR THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING IN THE AMOUNT OF \$150,000.00 Introduced by: Mr. Smiley, Mr. Cartier

R24-014: APPROVING THE REFUND OF A DUPLICATE TAX PAYMENT ON TAX PARCEL NUMBER 06-052.000-75 Introduced by: Mr. Smiley, Mr. Cartier

R24-015: CONGRATULATING THE OFFICE OF FINANCE FOR EARNING THE CERTIFICATE OF ACHIEVEMENT FOR EXCELLENCE IN FINANCIAL REPORTING FOR NEW CASTLE COUNTY'S ANNUAL COMPREHENSIVE FINANCIAL REPORT FOR FORTY-TWO CONSECUTIVE YEARS Introduced by: Mr. Smiley, Mr. Cartier

R24-016: TO AMEND THE MAINTENANCE DECLARATION FOR WHISPERING WOODS BY AN AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS, EASEMENTS, AND RESTRICTIONS OF WHISPERING WOODS; APPLICATION NO. 2023-0413; COUNCIL DISTRICT 6 Introduced by: Mr. Carter

R23-220: (STATUS: TABLED) PLAN OF LOGISTICENTER AT NEW CASTLE COUNTY; ST. GEORGES HUNDRED; SOUTHWESTERLY CORNER OF ROUTE 301 AND JAMISON CORNER ROAD; MAJOR LAND DEVELOPMENT PLAN THAT PROPOSES A 1,409,850 SF WAREHOUSE AND A 962,000 SF WAREHOUSE WITH ASSOCIATED SITE IMPROVEMENTS; BP ZONING; [APPLICATION NO. 2021-0470](#); COUNCIL DISTRICT 6 Introduced by: Mr. Carter

I. Consideration of Ordinances

°23-165: TO PROVIDE FOR THE INSTALLATION OF TRADITIONAIRE STREET LIGHTS WITH 100 WATT LIGHT EMITTING DIODE (LED) BULBS IN THE BRIGHTON HAMLET SUBDIVISION LOCATED IN THE ST GEORGES HUNDRED AND FOR A LIGHT TAX BASED ON THE COST OF STREET LIGHTS Introduced by: Mr. Carter

°23-166: AMEND THE FY2024 CAPITAL PROGRAM AND BUDGET: APPROPRIATE FUNDS FROM THE REGISTER OF WILLS TECHNOLOGY FEE ACCOUNT IN THE AMOUNT OF \$250,000 TO THE DEPARTMENT OF ADMINISTRATION, REGISTER OF WILLS SYSTEM CAPITAL PROJECT Introduced by: Mr. Smiley, Mr. Cartier

°23-167: AMEND THE GRANTS BUDGET: APPROPRIATE \$50,268.00 FROM THE STATE OF DELAWARE, DEPARTMENT OF JUSTICE – SPECIAL LAW ENFORCEMENT ASSISTANCE FUND (SLEAF) TO THE SLEAF – LESS LETHAL LAUNCHER PROGRAM GRANT, TO BE ADMINISTERED BY THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF POLICE Introduced by: Mr. Bell, Ms. Hartley-Nagle

°23-084: TO AMEND NEW CASTLE COUNTY CODE CHAPTER 40 ("UNIFIED DEVELOPMENT CODE" OR "UDC"), ARTICLE 25 ("DESIGN") REGARDING HAMLET AND VILLAGE DESIGN AND LOCATION Introduced by: Mr. Tackett, Ms. Kilpatrick

SUBSTITUTE NO. 1 TO °23-095: 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, Mr. Toole, Mr. Cartier

SUBSTITUTE NO. 1 TO °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

°23-161: (STATUS: TABLED) TO PROVIDE FOR THE INSTALLATION OF GRANVILLE STREET LIGHTS WITH LIGHT EMITTING DIODE (LED) BULBS AND THE OPTIONAL WADSWORTH 12' POLE IN THE DELAWARE NATIONAL SUBDIVISION LOCATED IN THE CHRISTIANA HUNDRED AND FOR A LIGHT TAX BASED ON THE COST OF STREET LIGHTS Introduced by: Ms. Durham

J. Time Sensitive Congratulatory/Honorary Resolutions

R24-017: RECOGNIZING JANUARY AS NATIONAL BLOOD DONOR MONTH Introduced by: Ms. Hartley-Nagle

K. Introduction/Consideration of Emergency Ordinances

L. Public Comment/Other

M. Motion to Adjourn

REVISED AGENDA II POSTED: January 5, 2024


REVISED AGENDA POSTED: January 3, 2024

AGENDA POSTED: January 2, 2024

*The revised agenda II was posted less than seven (7) days in advance of the meeting to include R24-005, which was incorrectly titled when entered into the agenda management system. The correct resolution was attached, but the title was a repeat of R24-004.

The revised agenda was posted less than seven (7) days in advance of the meeting to include two items, R23-220 and O23-161, which were inadvertently left off the original posting, but were legally noticed and, due to Code requirements with respect to R23-220, must be added to this meeting.

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.