

NEW CASTLE COUNTY COUNCIL  
September 8, 2020  
6:30 p.m.  
VIRTUAL ZOOM WEBINAR MEETING\*\*

REVISED AGENDA

A. Call to Order  
Moment of Silence  
Pledge of Allegiance  
Roll Call

B. Approval of Minutes

C. Announcements

D. Introduction of Ordinances

**°20-098: TO AMEND THE PAY PLAN AND RATES OF PAY FOR NON-UNION UNCLASSIFIED SERVICE ROW OFFICE EMPLOYEES AND REVISE THE CLASS SPECIFICATION FOR THE CHIEF DEPUTY POSITION. Introduced by: Ms. Hartley-Nagle**

**°20-099: TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 14 (“FINANCE AND TAXATION”), ARTICLE 5 (“ABATEMENT OF PROPERTY TAXES AND PENALTY”) TO PROVIDE THE CHIEF FINANCIAL OFFICER ADDITIONAL AUTHORITY TO ABATE PENALTIES FOR TAXPAYERS AFFECTED BY THE COVID-19 PUBLIC HEALTH EMERGENCY. Introduced by: Mr. Smiley**

**°20-100: TO AMEND *NEW CASTLE COUNTY CODE* ARTICLE 5 (“DEPARTMENTS AND OFFICES”), SECTION 2.05.510. (“NEW CASTLE COUNTY DIVERSITY COMMISSION - POWERS AND DUTIES”) RELATING TO THE DIVERSITY COMMISSION’S POWERS AND DUTIES. Introduced by: Mr. Hollins, Mr. Carter, Mr. Street, Ms. Durham**

**°20-101: AMENDING *NEW CASTLE COUNTY CODE* CHAPTER 28 (“PLANNING”), SECTION 28.01.003 (“COMPREHENSIVE DEVELOPMENT PLAN”) TO REQUIRE A SOCIAL JUSTICE ELEMENT, AN ENVIRONMENTAL JUSTICE ELEMENT, AND A HAZARDS MITIGATION ELEMENT BE EXPLICITLY INCLUDED IN THE 2022 COMPREHENSIVE DEVELOPMENT PLAN AND ALL FUTURE COMPREHENSIVE DEVELOPMENT PLANS AND PLAN UPDATES. Introduced by: Mr. Carter, Mr. Cartier, Ms. Durham, Mr. Hollins, Mr. Street**

**°20-102: AMENDING CHAPTER 7 (“PROPERTY MAINTENANCE CODE”), ARTICLE 1. (“STANDARDS FOR PROPERTY MAINTENANCE”) TO ALLOW FOR TEMPORARY EMERGENCY HOUSING AS A RESULT OF A NATURAL DISASTER. Introduced by: Mr. Carter, Mr. Bell**

E. Reports from Select and Special Committees

F. Consent Calendar

**R20-174: HONORING THE LIFE OF KEITH DORMAN AND EXPRESSING CONDOLENCES TO HIS FAMILY AND FRIENDS. Introduced by: Mr. Hollins, Mr. Street**

**R20-175: HONORING THE LIFE OF MR. YUSEF THEO JACKSON AND EXTENDING CONDOLENCES TO HIS FAMILY AND FRIENDS. Introduced by: Mr. Street, Mr. Hollins**

**R20-176: REAPPOINTING SALLY JENSEN TO THE NEW CASTLE COUNTY ETHICS COMMISSION. Introduced by: Mr. Woods**

**R20-177: CONSENTING TO THE APPOINTMENT OF CHARLES H. TOLIVER, IV, ESQUIRE, TO THE NEW CASTLE COUNTY ETHICS COMMISSION. Introduced by: Mr. Hollins**

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

**R20-178: AMEND THE FY2021 CAPITAL PROGRAM: APPROPRIATE \$500,000 IN FUNDING FROM THE STATE OF DELAWARE FISCAL YEAR 2020 BOND AND CAPITAL IMPROVEMENTS ACT TO THE DEPARTMENT OF PUBLIC WORKS, GREENWAY SYSTEMS CAPITAL PROJECT. Introduced by: Mr. Sheldon, Mr. Woods**

**R20-179: TO AMEND NEW CASTLE COUNTY COUNCIL PROCEDURAL RULE 2.3 AND ITS SUBPARTS REGARDING LEGISLATION REVIEW AND SUBMITTAL DEADLINES. Introduced by: Mr. Carter**

**R20-180: URGING THE UNITED STATES CONGRESS TO ENACT THE ENERGY INNOVATION AND CARBON DIVIDEND ACT. Introduced by: Ms. Durham**

**R20-181: PLAN OF DELAWARE NATIONAL; CHRISTIANA AND MILL CREEK HUNDREDS; SOUTH SIDE OF LANCASTER PIKE, EAST AND WEST SIDE OF HERCULES ROAD; MAJOR LAND DEVELOPMENT PLAN THAT PROPOSES TO CONSOLIDATE FOUR EXISTING PARCELS AND SUBDIVIDE INTO 158 SINGLE FAMILY DETACHED LOTS, 100 TOWNHOUSE LOTS AND ASSOCIATED SITE IMPROVEMENTS, USING THE OPEN SPACE PLANNED DEVELOPMENT OPTION, 205 +/- ACRES; S ZONING; [APPLICATION NO. 2016-0461-S](#); COUNCIL DISTRICTS 2 AND 3. Introduced by: Ms. Durham, Ms. Kilpatrick**

Supporting Documents: [Record Plan](#), [Land Use Memo](#)

**R20-182: DIRECTING THE OFFICE OF THE NEW CASTLE COUNTY AUDITOR TO CONDUCT AN AUDIT TO ENSURE THAT THE SYSTEM OF INTERNAL CONTROL ESTABLISHED BY NEW CASTLE COUNTY IN RELATION TO CARES ACT CRF MONIES PROVIDES REASONABLE ASSURANCE THAT THE COUNTY IS MANAGING THE FEDERAL AWARD IN ACCORDANCE WITH SINGLE AUDIT REQUIREMENTS, CARES ACT REQUIREMENTS, U.S. TREASURY DEPARTMENT GUIDANCE, AND ALL APPLICABLE LAW. Introduced by: Ms. Hartley-Nagle**

**I. Consideration of Ordinances**

**SUBSTITUTE NO. 1 TO °20-093: TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 7 (“PROPERTY MAINTENANCE CODE”), ARTICLE 2 (“REGISTRATION AND PAYMENT OF FEES FOR VACANT PREMISES”) RELATING TO REGISTRATION OF AND FEES FOR VACANT PREMISES. Introduced by: Ms. Durham**

**°20-094: AMEND THE GRANTS BUDGET: APPROPRIATE THE REMAINING \$237,416,668.80 FROM THE UNITED STATES DEPARTMENT OF TREASURY 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**

**°20-095: AMEND THE FY2021 CAPITAL BUDGET: APPROPRIATE \$500,000 IN FUNDING FROM THE STATE OF DELAWARE FISCAL YEAR 2020 BOND AND CAPITAL IMPROVEMENTS ACT TO THE DEPARTMENT OF PUBLIC WORKS, GREENWAY SYSTEMS CAPITAL PROJECT. Introduced by: Mr. Sheldon, Mr. Woods**

**°20-096: AMEND THE GRANTS BUDGET: APPROPRIATE \$50,000 IN FUNDING FROM THE STATE OF DELAWARE DEPARTMENT OF SAFETY AND HOMELAND SECURITY TO THE FY2021 COLD CASE DNA GRANT TO BE ADMINISTERED BY THE NEW CASTLE COUNTY DEPARTMENT OF PUBLIC SAFETY. Introduced by: Mr. Bell, Mr. Street**

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

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

**L. Public Comment/Other**

**M. Motion to Adjourn****REVISED AGENDA POSTED: September 4, 2020****AGENDA POSTED: September 1, 2020**

\*The agenda is posted (7) seven days in advance of the scheduled meeting in compliance with 29 *Del. C.* Section 10004(e)(2).

\*\*The revised agenda was posted less than seven days in advance of the meeting, to include the addition of Ordinance 20-102 under “Introductions,” which addresses a pressing need in the County relating to natural disasters and the delaying of such could have negative implications on those affected by them.

\*\*In accordance with Governor Carney’s recently issued *Proclamation*, coupled with the Governor’s *Declaration of a State of Emergency*, New Castle County Council is holding this meeting as a telephone and video conference, utilizing **zoom** Webinar. 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://nccde.org/AgendaCenter/County-Council-1>

Members of the public joining the meeting utilizing the link or the call-in number will be provided an opportunity to make comments in real time. A comment period will be administered by a moderator to ensure everyone has an opportunity to comment. You will not be able to speak until called upon by the moderator. There are functions in the program that allow you to do this. Please see the link in the previous paragraph.