

NEW CASTLE COUNTY COUNCIL
April 13, 2021
6:30 p.m.
VIRTUAL ZOOM WEBINAR MEETING**

AGENDA

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

B. Approval of Minutes

C. Announcements

D. Introduction of Ordinances

[°21-037](#): THE ANNUAL REVENUE ORDINANCE OF NEW CASTLE COUNTY FOR FISCAL YEAR 2022 BEGINNING JULY 1, 2021. Introduced by: Mr. Smiley, Mr. Cartier

[°21-038](#): CALCULATION OF SEWER SERVICE CHARGES EFFECTIVE JULY 1, 2021 FOR FISCAL YEAR 2022. Introduced by: Mr. Smiley, Mr. Cartier

[°21-039](#): 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 2022 CAPITAL BUDGET. Introduced by: Mr. Smiley, Mr. Cartier

[°21-040](#): THE CAPITAL BUDGET ORDINANCE OF NEW CASTLE COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2021. Introduced by: Mr. Smiley, Mr. Cartier

[°21-041](#): ADOPT THE ANNUAL OPERATING BUDGET OF NEW CASTLE COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2021. Introduced by: Mr. Smiley, Mr. Cartier

[°21-042](#): AMEND THE GRANTS BUDGET: APPROPRIATE \$107,945.00 FROM THE STATE OF DELAWARE, DEPARTMENT OF LABOR – DIVISION OF EMPLOYMENT AND TRAINING, TO THE 2021 STATE SUMMER YOUTH EMPLOYMENT PROGRAM – CITY OF WILMINGTON; THE GRANT WILL BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES. Introduced by: Mr. Hollins, Ms. Diller

[°21-043](#): 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 2021/2022 STATE YEAR-ROUND YOUTH EMPLOYMENT PROGRAM GRANT, TO BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES. Introduced by: Mr. Hollins, Ms. Diller

[°21-044](#): 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 2021 STATE SUMMER YOUTH EMPLOYMENT PROGRAM – SUBURBAN NEW CASTLE GRANT TO BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES. Introduced by: Mr. Hollins, Ms. Diller

[°21-045](#): AMEND THE GRANTS BUDGET: REALIGN \$278,763 IN FUNDING FROM THE DEPARTMENT OF STATE, DELAWARE DIVISION OF LIBRARIES IN THE FY2021 STATE AID FOR LIBRARIES GRANT WITHIN LIBRARY ADMINISTRATION, WHICH IS ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES. Introduced by: Mr. Hollins, Ms. Diller

[°21-046](#): AMEND THE PAY PLAN AND RATES OF PAY FOR HOURLY RATED CLASSIFIED SERVICE EMPLOYEES REPRESENTED BY THE DELAWARE PUBLIC EMPLOYEES COUNCIL 81, AFSCME, AFFILIATE LOCAL 459. Introduced by: Ms. Hartley-Nagle

[°21-047](#): AMEND THE FY2021 CAPITAL BUDGET: APPROPRIATE \$100,000 IN FUNDING FROM THE STATE OF DELAWARE FISCAL YEAR 2021 BOND AND CAPITAL IMPROVEMENTS ACT TO THE DEPARTMENT OF PUBLIC SAFETY, PUBLIC SAFETY EQUIPMENT CAPITAL PROJECT. Introduced by: Mr. Bell, Mr. Street

[°21-048](#): TO AMEND NEW CASTLE COUNTY CODE CHAPTER 38 (“UTILITIES”), ARTICLE 2 (“SEWAGE AND SEWAGE DISPOSAL”) REGARDING AN EQUIVALENT DWELLING UNIT (“EDU”) CHARGE EFFECTIVE JULY 1, 2021. Introduced by: Mr. Smiley, Mr. Cartier

[°21-049](#): AMENDING *NEW CASTLE COUNTY CODE* CHAPTER 6 (“BUILDING CODE”), SECTION 6.04.002. (“AMENDMENTS TO THE INTERNATIONAL BUILDING CODE”) AND SECTION 6.05.002. (“AMENDMENTS TO THE INTERNATIONAL RESIDENTIAL CODE”), AND CHAPTER 40 (“UNIFIED DEVELOPMENT CODE”), APPENDIX 1 (“APPLICATION AND PLAN REQUIREMENTS”) RELATING TO CONSTRUCTION AND RECYCLING OF CERTAIN RELATED MATERIALS. Introduced by: Ms. Durham, Mr. Hollins, Mr. Carter, Mr. Sheldon

[°21-050](#): TO AMEND NEW CASTLE COUNTY CODE CHAPTER 40 (“UNIFIED DEVELOPMENT CODE”), ARTICLE 7 (“TRANSFER OF DEVELOPMENT RIGHTS AND OTHER INCENTIVES AND BONUSES”) RELATING TO THE ESTABLISHMENT OF TRANSFER OF DEVELOPMENT RIGHTS SENDING AND RECEIVING AREA MAPS. Introduced by: Mr. Carter

E. Reports from Select and Special Committees

F. Consent Calendar

[R21-058](#): HONORING THE LIFE AND LEGACY OF BEATRES R. DUNN. Introduced by: Mr. Street, 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**

[R21-059](#): (STATUS: TO BE TABLED) ADOPTING THE NEW CASTLE COUNTY CAPITAL PROGRAM FOR FISCAL YEAR 2022 THROUGH 2027. Introduced by: Mr. Smiley, Mr. Cartier

[R21-060](#): AUTHORIZING THE INCREASE OF \$37,717.24 TO THE PURCHASE ORDER CONTRACT FOR ABS AVIATION CONSULTANCY INC. FOR CONSULTING AND ADVISORY SERVICES FOR THE OFFICE OF THE COUNTY EXECUTIVE FOR A TOTAL PURCHASE ORDER CONTRACT OF \$81,261.49. Introduced by: Mr. Smiley, Mr. Cartier

[R21-061](#): AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT FOR STRYKER SALES CORP FOR ANNUAL PREVENTATIVE MAINTENANCE AND SERVICE FOR THE DEPARTMENT OF PUBLIC SAFETY IN THE AMOUNT OF \$92,341.08. Introduced by: Mr. Smiley, Mr. Cartier

[R21-062](#): AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT FOR WRIGHT LINE LLC FOR MODULAR WORK STATIONS FOR THE DEPARTMENT OF PUBLIC SAFETY IN THE AMOUNT OF \$55,897.81. Introduced by: Mr. Smiley, Mr. Cartier

[R21-063](#): URGING THE DELAWARE GENERAL ASSEMBLY TO ENACT ENABLING LEGISLATION AUTHORIZING NEW CASTLE COUNTY GOVERNMENT TO CREATE STORMWATER MAINTENANCE DISTRICTS. Introduced by: Ms. Kilpatrick, Mr. Sheldon

[R21-064](#): AUTHORIZING THE COUNTY EXECUTIVE TO SIGN THE DELAWARE PUBLIC EMPLOYEES COUNCIL 81, AFSCME (AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES) (AFL-CIO), AND ITS AFFILIATE LOCAL 459, COLLECTIVE BARGAINING AGREEMENT. Introduced by: Ms. Hartley-Nagle

[R21-065](#): URGING THE INTERNATIONAL INVESTIGATION OF CHINESE LABOR CAMPS WERE FALUN GONG PRACTITIONERS ARE CURRENTLY HELD. Introduced by: Ms. Hartley-Nagle, Ms. Kilpatrick, Ms. Durham

I. Consideration of Ordinances

[°21-025](#): AMEND THE GRANTS BUDGET: REALIGN \$495,285.00 IN FEDERAL FUNDS WITHIN THE SPECIAL COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM DESIGNATED AS CDBG-CARES ACT ROUND III, WHICH IS ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES. Introduced by: Mr. Hollins, Ms. Diller

[°21-026](#): AMEND THE GRANTS BUDGET: REALIGN \$158,296 FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT IN THE SPECIAL EMERGENCY SOLUTIONS GRANT (ESG) PROGRAM DESIGNATED AS ESG-CVII WHICH IS ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES. Introduced by: Mr. Hollins, Ms. Diller

[°21-027](#): AMEND THE GRANTS BUDGET: APPROPRIATE FUNDING FROM THE COUNTY COUNCIL FY2021 APPROVED OPERATING BUDGET TO THE 2021 NEW CASTLE COUNTY SUMMER YOUTH EMPLOYMENT GRANT, WHICH IS ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES. Introduced by: Mr. Hollins, Mr. Street, Mr. Smiley

[°21-028](#): AMEND THE FY2021 APPROVED OPERATING BUDGET: APPROPRIATE FUNDING FROM THE GRANTS AND FIXED CHARGES BUDGET LINE ITEM OF COUNTY COUNCIL TO THE 2021 NEW CASTLE COUNTY SUMMER YOUTH EMPLOYMENT PROGRAM GRANT. Introduced by: Mr. Hollins, Mr. Street, Mr. Smiley

[°21-029](#): AMEND THE PAY PLAN AND RATES OF PAY FOR CLASSIFIED SERVICE SWORN DEPUTY SHERIFFS REPRESENTED BY THE FRATERNAL ORDER OF POLICE, NEW CASTLE COUNTY LODGE NO. 5. Introduced by: Ms. Hartley-Nagle

[°21-030](#): TO PROVIDE FOR THE INSTALLATION OF GRANVILLE WITH RIBS STREET LIGHTS WITH HIGH PRESSURE SODIUM (HPS) BULBS IN THE BAYMONT FARMS SUBDIVISION LOCATED IN THE ST GEORGES HUNDRED AND FOR A LIGHT TAX BASED ON THE COST OF STREET LIGHTS. Introduced by: Mr. Bell

[°21-031](#): TO PROVIDE FOR THE INSTALLATION OF GRANVILLE WITH RIBS STREET LIGHTS WITH HIGH PRESSURE SODIUM (HPS) BULBS IN THE VILLAGE AT PINE VIEW SUBDIVISION LOCATED IN THE PENCADER HUNDRED AND FOR A LIGHT TAX BASED ON THE COST OF STREET LIGHTS. Introduced by: Mr. Tackett

[°21-032](#): TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 2 (“ADMINISTRATION”), ARTICLE 2 (“COUNTY COUNCIL”) TO CREATE A NEW EXCEPTION TO THE APPROVAL OF CONTRACTS BY COUNTY COUNCIL RELATED TO CHARGES FOR UTILITIES SUCH AS SEWER, WATER, ELECTRICITY, GAS, CABLE AND LANDFILL. Introduced by: Mr. Smiley, Mr. Cartier

[°21-033](#): TO PROVIDE AMNESTY FROM PENALTY FOR HOMEOWNERS WHO PAY DELINQUENT TAX OBLIGATIONS ON IMPROVED RESIDENTIAL PROPERTY BY JUNE 25, 2021. Introduced by: Mr. Sheldon, Ms. Kilpatrick

°21-034: AMENDING NEW CASTLE COUNTY CODE CHAPTER 14 (“FINANCE AND TAXATION”), SECTION 14.01.007. REGARDING FISCAL NOTES. Introduced by: Mr. Carter

SUBSTITUTE NO. 1 °20-090: TO AMEND NEW CASTLE COUNTY CODE CHAPTER 40 (ALSO KNOWN AS THE UNIFIED DEVELOPMENT CODE OR “UDC”), REGARDING ARTICLE 27 (“MAINTENANCE ORGANIZATIONS, OPEN SPACE, AND COMMON FACILITIES”), ARTICLE 31 (“PROCEDURES AND ADMINISTRATION”), AND APPENDIX 2 (“FEES”). Introduced by: Mr. Tackett, Ms. Kilpatrick

- Supporting Documents: [Land Use and Planning Board Recommendation](#)

SUBSTITUTE NO. 1 TO °20-132: REVISE ZONING MAP: ST. GEORGES HUNDRED, EAST SIDE JAMISON ROAD, NORTH OF BOYDS CORNER ROAD; 1042 JAMISON CORNER ROAD, TAX PARCEL NO. 13-013.00-235, 132.30 ACRES FROM S (SUBURBAN) TO ST (SUBURBAN TRANSITION) (The Exploratory Major Land Development Plan and Rezoning for Winchelsea Subdivision proposes to rezone the 132.30 acres to ST (Suburban Transition) to construct an age restricted open space planned development with 194 single family lots, 34 twin lots, and 108 townhouse lots. 2020-0577-S/Z). Introduced by: Mr. Bell

- Supporting Documents: [Land Use and Planning Board Recommendation](#)

J. Time Sensitive Congratulatory/Honorary Resolutions

K. Introduction/Consideration of Emergency Ordinances

L. Public Comment/Other

M. Motion to Adjourn

AGENDA POSTED: April 6, 2021

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

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.