

NEW CASTLE COUNTY COUNCIL

July 27, 2021

6:30 p.m.

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**

°21-090: REVISE ZONING MAP: BRANDYWINE HUNDRED, WEST SIDE OF SHIPLEY ROAD, IMMEDIATELY SOUTH OF SUMMERSET ROAD; BRANDYWINE COUNTRY CLUB, REZONE [TAX PARCEL NO. 06-040.00-004](#), 0.46 ACRES FROM S (SUBURBAN) TO CR (COMMERCIAL REGIONAL) AND 67.42 ACRES FROM SUBURBAN (S) TO SUBURBAN TRANSITION (ST). (The Exploratory Plan and rezoning for Brandywine Country Club proposes to convey 0.46 acres of [tax parcel 06-040.00-004](#) to [tax parcel 06-040.00-005](#) and rezone this acreage from “S” (Suburban) to “CR” (Commercial Regional), amend the 2012 Comprehensive Development Plan land use designation. Rezone 67.42 acres of [tax parcel 06-040.00-004](#) from “S” (Suburban) to “ST” (Suburban Transition) to develop an open space planned subdivision to construct forty-one (41) single family lots and twenty-four (24) townhouse lots with associated improvements and a separate parcel to construct three hundred (300) apartment units, a 5,000 square foot clubhouse and pool area, and associated improvements. The remainder of [tax parcel 06-040.00-004](#) will remain “S” (Suburban) and be dedicated to the Brandywine School District. Demolish a 7,020 square foot portion of the existing Concord Square shopping center building on [tax parcel 06-040.00-005](#) to allow construction of a boulevard on [tax parcel 06-040.00-004](#), to provide access to the proposed open space planned subdivision. Construct 12,200 square feet of retail on two (2) pad sites on [tax parcel 06-040.00-005](#) within the existing shopping center parking lot to replace the portion of the building demolished for the construction of the road. The property is owned by Shipley Road Investments LLC. [2020-0566-S/Z](#).) Introduced by: Ms. Durham

°21-091: TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 4 (“ANIMALS”), ARTICLE 2 (“ANIMAL CONTROL”), SECTION 4.02.001. (“LICENSES; RESTRAINT; IMPOUNDMENT; DESTRUCTION; NUISANCES; ENFORCEMENT GENERALLY”) AND SECTION 4.02.002. (“ENFORCEMENT OF SECTION 4.02.001”), AND *NEW CASTLE COUNTY CODE* CHAPTER 22 (“OFFENSES AND MISCELLANEOUS PROVISIONS”), ARTICLE 2 (“OFFENSES GENERALLY”), SECTION 22.02.008. (“NOISE CONTROL”) RELATING TO DOGS AND OTHER ANIMALS. Introduced by: Mr. Smiley

[°21-092](#): AMEND THE GRANTS BUDGET: APPROPRIATE ADDITIONAL FEDERAL FUNDS OF \$555,756 FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO THE EMERGENCY HOUSING CHOICE VOUCHERS GRANT, WHICH WILL BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING. Introduced by: Mr. Hollins, Ms. Diller

[°21-093](#): AMEND THE FY2021 APPROVED OPERATING BUDGET: APPROPRIATE STATE OF DELAWARE FUNDING RECEIVED FOR THE NEW CASTLE COUNTY POLICE EMPLOYEE'S RETIREMENT SYSTEM TO THE DEPARTMENT OF PUBLIC SAFETY EMPLOYEE BENEFITS BUDGETARY LINE ITEM. Introduced by: Mr. Smiley, Mr. Cartier

[°21-094](#): TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 6 ("BUILDING CODE"), ARTICLE 3 ("ADMINISTRATION"), SECTION 6.03.013 ("SUBMITTAL DOCUMENTS"), ARTICLE 4 ("THE BUILDING CODE"), SECTION 6.04.002. ("AMENDMENTS TO THE INTERNATIONAL BUILDING CODE"), AND ARTICLE 5 ("THE RESIDENTIAL CODE"), SECTION 6.05.002. ("AMENDMENTS TO THE INTERNATIONAL RESIDENTIAL CODE") RELATING TO CERTAIN NEW RESIDENTIAL CONSTRUCTION, ELECTRIC VEHICLES, AND CHARGING INFRASTRUCTURE. Introduced by: Ms. Durham, Mr. Carter, Mr. Cartier, Mr. Tackett, Ms. Hartley-Nagle

E. Reports from Select and Special Committees

F. Consent Calendar

[R21-129](#): CONSENTING TO THE APPOINTMENT OF SHERRI EVANS-STANTON TO THE NEW CASTLE COUNTY OPEN SPACE ADVISORY BOARD. Introduced by: Ms. Durham

[R21-130](#): CONSENTING TO THE REAPPOINTMENT OF IZURU OSEGBU-RIVERS TO THE NEW CASTLE COUNTY BOARD OF ADJUSTMENT. Introduced by: Mr. Woods

[R21-131](#): CONSENTING TO THE REAPPOINTMENT OF FRANCIS E. WILLIAMS, III TO THE FIRE AND AMBULANCE ADVISORY BOARD. Introduced by: Mr. Woods

[R21-132](#): CONSENTING TO THE APPOINTMENT OF MELISSA T. RUFO TO THE NEW CASTLE COUNTY HOCKESSIN VILLAGE DESIGN REVIEW ADVISORY COMMITTEE. Introduced by: Ms. Kilpatrick

[R21-133](#): REAPPOINTING MARTIN TAYLOR TO THE NEW CASTLE COUNTY COUNCIL AUDIT COMMITTEE. Introduced by: Ms. Diller

[R21-134](#): APPOINTING DORA WILLIAMS TO THE NEW CASTLE COUNTY OPEN SPACE ADVISORY BOARD. Introduced by: Mr. Street

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**

[R21-135](#): AMEND THE FY2021 CAPITAL PROGRAM: ADDING THE REASSESSMENT 2024 CAPITAL PROJECT IN THE DEPARTMENT OF ADMINISTRATION. Introduced by: Mr. Smiley, Mr. Cartier

[R21-136](#): AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT WITH THE CORBIT CALLOWAY MEMORIAL LIBRARY TO PROVIDE LIBRARY SERVICES FOR THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF LIBRARIES IN THE AMOUNT OF \$201,593.00. Introduced by: Mr. Bell, Mr. Smiley, Mr. Cartier

[R21-137](#): AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT WITH THE DELAWARE CITY LIBRARY TO PROVIDE LIBRARY SERVICES FOR THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF LIBRARIES IN THE AMOUNT OF \$200,846.00. Introduced by: Mr. Bell, Mr. Smiley, Mr. Cartier

[R21-138](#): AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT WITH THE NEW CASTLE PUBLIC LIBRARY TO PROVIDE LIBRARY SERVICES FOR THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF LIBRARIES IN THE AMOUNT OF \$387,385.00. Introduced by: Mr. Bell, Mr. Smiley, Mr. Cartier

[R21-139](#): AMEND THE FY2022 CAPITAL PROGRAM: APPROPRIATE \$50,000 FROM THE RECORDER OF DEEDS TECHNOLOGY FEE ACCOUNT TO THE DEPARTMENT OF ADMINISTRATION, RECORDER OF DEEDS HOA PORTAL CAPITAL PROJECT. Introduced by: Mr. Smiley, Mr. Cartier

[R21-140](#): AMEND THE FY2022 CAPITAL PROGRAM: APPROPRIATE \$50,000 FROM THE REGISTER OF WILLS TECHNOLOGY FEE ACCOUNT TO THE DEPARTMENT OF ADMINISTRATION, REGISTER OF WILLS SYSTEM CAPITAL PROJECT. Introduced by: Mr. Smiley, Mr. Cartier

[R21-141](#): TO AMEND NEW CASTLE COUNTY COUNCIL PROCEDURAL RULE 8.1.9 REGARDING COUNCIL MEETING PARTICIPATION. Introduced by: Ms. Durham

[R21-142](#): AUTHORIZING THE ALLOCATION OF \$251,750.00 FROM THE RESERVE ALLOCATION CREATED UNDER ORDINANCE NO. 20-094, AS AMENDED, FOR THE ADMINISTRATION OF A COMMERCIAL CORRIDOR TECHNICAL ADVISORY PROGRAM. Introduced by: Ms. Durham, Mr. Street, Mr. Cartier

I. Consideration of Ordinances

[°21-085](#): AMEND THE GRANTS BUDGET: APPROPRIATE \$72,461.96 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, Ms. Diller

[°21-086](#): AMEND THE GRANTS BUDGET: APPROPRIATE AN ADDITIONAL \$35,681 FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO THE COMMUNITY DEVELOPMENT BLOCK GRANT FY2022, WHICH WILL BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING. Introduced by: Mr. Hollins, Ms. Diller

[°21-087](#): AMEND THE FY2022 CAPITAL BUDGET: APPROPRIATE \$50,000 FROM THE RECORDER OF DEEDS TECHNOLOGY FEE ACCOUNT TO THE DEPARTMENT OF ADMINISTRATION, RECORDER OF DEEDS HOA PORTAL CAPITAL PROJECT. Introduced by: Mr. Smiley, Mr. Cartier

[°21-088](#): AMEND THE FY2022 CAPITAL BUDGET: APPROPRIATE \$50,000 FROM THE REGISTER OF WILLS TECHNOLOGY FEE ACCOUNT TO THE DEPARTMENT OF ADMINISTRATION, REGISTER OF WILLS SYSTEM CAPITAL PROJECT. Introduced by: Mr. Smiley, Mr. Cartier

J. Time Sensitive Congratulatory/Honorary Resolutions**K. Introduction/Consideration of Emergency Ordinances****L. Public Comment/Other****M. Motion to Adjourn****AGENDA POSTED: July 20, 2021**

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

Under Title 29, Section 10006A of *Delaware Code*, New Castle County Council is holding this meeting as a telephone and video conference, utilizing **zoom 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>

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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 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.