

NEW CASTLE COUNTY COUNCIL
April 27, 2021
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

°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

°21-051: AMEND THE GRANTS BUDGET: APPROPRIATE \$194,102 OF FEDERAL FUNDS FROM THE UNITED STATES DEPARTMENT OF JUSTICE VICTIMS OF CRIME ACT (VOCA) VICTIM ASSISTANCE PROGRAM THROUGH THE DELAWARE CRIMINAL JUSTICE COUNCIL (CJC) TO THE CRIMINAL JUSTICE COUNCIL NEW CASTLE COUNTY POLICE DEPARTMENT EXPANSION OF VICTIM SERVICES – FIFTH YEAR GRANT, TO BE ADMINISTERED BY THE DEPARTMENT OF PUBLIC SAFETY. Introduced by: Mr. Bell

°21-052: AMEND THE FY2021 APPROVED OPERATING BUDGET: APPROPRIATE \$7,240 IN FUNDING RECEIVED FROM THE NEW CASTLE COUNTY TECHNOLOGY FEE ACCOUNT WITHIN THE OFFICE OF THE RECORDER OF DEEDS TO THE DEPARTMENT OF COMMUNITY SERVICES, COMMUNITY RESOURCES DIVISION EQUIPMENT BUDGET LINE ITEM. Introduced by: Mr. Hollins, Ms. Diller

°21-053: AMEND THE GRANTS BUDGET: APPROPRIATE \$2,421,287 FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND \$425,000 IN ESTIMATED PROGRAM INCOME TO THE COMMUNITY DEVELOPMENT BLOCK GRANT FY2022, WHICH WILL BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES. Introduced by: Mr. Hollins, Ms. Diller

°21-054: AMEND THE GRANTS BUDGET: FOR FY2022, APPROPRIATE FEDERAL FUNDS OF \$207,012 FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) TO THE EMERGENCY SOLUTIONS GRANT FY2022, WHICH WILL BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES. Introduced by: Mr. Hollins, Ms. Diller

[°21-055](#): AMEND THE GRANTS BUDGET: FOR FY2021, APPROPRIATE FEDERAL FUNDS OF \$1,013,204 FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND ESTIMATED PROGRAM INCOME OF \$100,000 TO THE FY2022 HOME INVESTMENT PARTNERSHIP PROGRAM (HOME), WHICH IS ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES. Introduced by: Mr. Hollins, Ms. Diller

[°21-056](#): AMEND THE GRANTS BUDGET: FOR FY2022, APPROPRIATE ANTICIPATED \$2,247,190 FROM THE DEPARTMENT OF STATE, DELAWARE DIVISION OF LIBRARIES TO: (A) LIBRARY ADMINISTRATION \$2,017,943; (B) APPOQUINIMINK LIBRARY \$12,809; (C) BEAR LIBRARY \$30,318; (D) CLAYMONT LIBRARY \$12,707; (E) BRANDYWINE HUNDRED LIBRARY \$72,670; (F) ELSMERE LIBRARY \$12,706; (G) HOCKESSIN LIBRARY \$15,448; (H) KIRKWOOD LIBRARY \$19,150; (I) NEWARK LIBRARY \$26,727; (J) ROUTE 9 LIBRARY \$10,300; AND (K) WOODLAWN LIBRARY \$16,412 WHICH ARE ALL ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES. Introduced by: Mr. Hollins, Ms. Diller

[°21-057](#): AMEND THE GRANTS BUDGET: APPROPRIATE NEW CASTLE COUNTY FUNDING OF \$64,800 FROM THE DEPARTMENT OF COMMUNITY SERVICES FY2021 APPROVED OPERATING BUDGET TO THE SUMMER RECREATION CAMPS GRANT. Introduced by: Mr. Hollins, Ms. Diller

[°21-058](#): AMEND THE ANNUAL OPERATING BUDGET: APPROPRIATE \$64,800 FROM THE CONTRACTUAL SERVICES BUDGET LINE ITEM OF THE DEPARTMENT OF COMMUNITY SERVICES TO THE SUMMER RECREATION CAMPS GRANT. Introduced by: Mr. Hollins, Ms. Diller

[°21-059](#): AMEND THE FY2021 APPROVED SEWER FUND OPERATING BUDGET: APPROPRIATE \$198,000 OF SEWER RATE STABILIZATION RESERVE TO THE DEPARTMENT OF PUBLIC WORKS SEWER FUND CONTRACTUAL SERVICES BUDGET LINE ITEM TO FUND OVERSIGHT COSTS IN CONNECTION WITH THE ARMY CREEK LANDFILL SITE. Introduced by: Mr. Sheldon, Mr. Woods

[°21-060](#): APPROPRIATE \$190,000 FROM THE GARSTIN TRUST PORTFOLIO TO THE GARSTIN TRUST FUND IN ORDER TO FUND PARK MAINTENANCE FOR FISCAL YEAR 2022, TO BE ADMINISTERED BY THE DEPARTMENT OF PUBLIC WORKS. Introduced by: Mr. Sheldon, Mr. Woods

[°21-061](#): AMEND THE FY2021 APPROVED OPERATING BUDGET: INCREASE THE FY2021 APPROPRIATION TO THE DEPARTMENT OF ADMINISTRATION, OFFICE OF FINANCE, BY \$80,000 TO FUND THE STREET LIGHT PROGRAM. Introduced by: Mr. Smiley, Mr. Cartier

[°21-062](#): AMEND THE FY2021 APPROVED OPERATING BUDGET: REALIGN BUDGETARY FUNDING OF \$300,000 WITHIN THE DEPARTMENT OF ADMINISTRATION TO FUND ATTORNEY FEES. Introduced by: Mr. Smiley, Mr. Cartier

[°21-063](#): TO AMEND THE PAY PLAN AND RATES OF PAY FOR CLASSIFIED SERVICE PROFESSIONAL EMPLOYEES REPRESENTED BY THE DELAWARE PUBLIC EMPLOYEES COUNCIL 81, AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES (AFSCME), AFL-CIO, AFFILIATE LOCAL 3109, TO REVISE THE POSITION TITLE OF GEOGRAPHIC INFORMATION SYSTEMS COORDINATOR TO GEOGRAPHIC INFORMATION SYSTEMS MANAGER AND TO ADOPT THE REVISED CLASS SPECIFICATION. Introduced by: Ms. Hartley-Nagle

[°21-064](#): AMEND THE PAY PLAN AND RATES OF PAY FOR EMPLOYEES REPRESENTED BY THE DELAWARE PUBLIC EMPLOYEES COUNCIL 81, AFSCME (AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES), AFL-CIO, AFFILIATE LOCAL 3911 AND APPROVE THE CLASS SPECIFICATIONS FOR SENIOR ASSISTANT PLATOON LEADER – FIRE/MEDICAL AND SENIOR ASSISTANT PLATOON LEADER - POLICE. Introduced by: Ms. Hartley-Nagle

[°21-065](#): TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 40 (ALSO KNOWN AS THE UNIFIED DEVELOPMENT CODE OR “UDC”), REGARDING ARTICLE 3 (“USE REGULATIONS”), AND ARTICLE 4 (“DISTRICT INTENSITY AND BULK STANDARDS”). Introduced by: Ms. Kilpatrick, Mr. Sheldon, Mr. Cartier, Mr. Bell

[°21-066](#): TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 2 (“ADMINISTRATION”), ARTICLE 5 (“DEPARTMENTS AND OFFICES”), SECTION 2.05.306 (“OPEN SPACE ADVISORY COMMITTEE”) RELATING TO MEMBERSHIP OF THE OPEN SPACE ADVISORY COMMITTEE. Introduced by: Ms. Durham, Mr. Carter

E. Reports from Select and Special Committees

F. Consent Calendar

[R21-067](#): RECOGNIZING THE SIGNIFICANCE OF ASIAN/PACIFIC AMERICAN HERITAGE MONTH AS AN IMPORTANT TIME TO CELEBRATE THE MANY CONTRIBUTIONS OF ASIAN AMERICANS AND PACIFIC ISLANDERS TO THE HISTORY OF THE UNITED STATES. Introduced by: Ms. Diller, Ms. Kilpatrick

[R21-068](#): CONGRATULATING THE NEW CASTLE COUNTY EMERGENCY COMMUNICATIONS DIVISION FOR RECEIVING THE ACCREDITATION OF EXCELLENCE FROM THE INTERNATIONAL ACADEMIES OF EMERGENCY DISPATCH (IAEDTM). Introduced by: Mr. Bell, Mr. Carter, Mr. Cartier, Ms. Diller, Ms. Durham, Ms. Hartley-Nagle, Mr. Hollins, Ms. Kilpatrick, Mr. Sheldon, Mr. Smiley, Mr. Street, Mr. Tackett, Mr. Woods

[R21-069](#): CONSENTING TO THE APPOINTMENT OF RACHEL STUCKER TO THE NEW CASTLE COUNTY HOUSING ADVISORY BOARD Introduced by: Mr. Sheldon

[R21-070](#): CONSENTING TO THE REAPPOINTMENT OF KAY BOWES TO THE NEW CASTLE COUNTY LIBRARY ADVISORY BOARD, A SUBCOMMITTEE OF THE DEPARTMENT OF COMMUNITY SERVICES BOARD. Introduced by: Ms. Durham

[R21-071](#): CONSENTING TO THE REAPPOINTMENT OF JAMES YOUNG TO THE NEW CASTLE COUNTY LIBRARY ADVISORY BOARD, A SUBCOMMITTEE OF THE DEPARTMENT OF COMMUNITY SERVICES BOARD. Introduced by: Mr. Carter

[R21-072](#): CONSENTING TO THE REAPPOINTMENT OF JANET DEAN TO THE NEW CASTLE COUNTY LIBRARY ADVISORY BOARD, A SUBCOMMITTEE OF THE DEPARTMENT OF COMMUNITY SERVICES BOARD. Introduced by: Mr. Sheldon

[R21-073](#): CONSENTING TO THE REAPPOINTMENT OF SOPHIA SOTILLO TO THE NEW CASTLE COUNTY LIBRARY ADVISORY BOARD, A SUBCOMMITTEE OF THE DEPARTMENT OF COMMUNITY SERVICES BOARD. Introduced by: Ms. Kilpatrick

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

[R21-074](#): AMEND THE FY2021 CAPITAL PROGRAM: 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

[R21-075](#): TO SET NEW CASTLE COUNTY'S FISCAL YEAR 2022 CONTRIBUTION RATE FOR THE COUNTY'S PENSION PLANS. Introduced by: Mr. Smiley, Mr. Cartier

[R21-076](#): TO RENAME THE INDUSTRIAL PARK RECORDED AS "D & D INDUSTRIAL PARK," [TAX PARCEL NUMBER 11-010.00-050](#), AN INDUSTRIAL PARK LOCATED ON THE NORTH SIDE OF OLD BALTIMORE PIKE, APPROXIMATELY 682 FEET EAST OF S. CHAPEL DRIVE, TO "RHINO PLAZA, LLC;" [APPLICATION NO. 2021-0190](#); COUNCIL DISTRICT 11. Introduced by: Mr. Tackett

- Supporting Documents: [Department of Land Use Memo](#)

[R21-077](#): SUPPORTING DELAWARE GENERAL ASSEMBLY HOUSE BILL NO. 170. Introduced by: Ms. Kilpatrick, Mr. Sheldon, Ms. Hartley-Nagle

I. Consideration of Ordinances

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

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

[°21-039:](#) (STATUS: TO BE TABLED) 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:](#) (STATUS: TO BE TABLED) THE CAPITAL BUDGET ORDINANCE OF NEW CASTLE COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2021. Introduced by: Mr. Smiley, Mr. Cartier

[°21-041:](#) (STATUS: TO BE TABLED) 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

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

- [Substitute No. 1 to °21-034](#)

J. Time Sensitive Congratulatory/Honorary Resolutions

K. Introduction/Consideration of Emergency Ordinances

L. Public Comment/Other

M. Motion to Adjourn

AGENDA POSTED: April 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)*.

**The revised agenda was posted less than seven (7) days in advance of the meeting to include the addition of R21-077. This item was not known at the time of original posting. Time is of the essence regarding this item, which is of high importance to New Castle County, and the other Counties, and is due to be considered by the General Assembly as soon as possible and, therefore, it cannot wait for the next Council meeting.

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.