

NEW CASTLE COUNTY COUNCIL  
June 23, 2020  
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

**°20-072: AMEND THE PAY PLAN AND RATES OF PAY FOR CLASSIFIED SERVICE EMPLOYEES AND THE PAY PLAN AND RATES FOR CLASSIFIED SERVICE 40 HOUR WORK WEEK EMPLOYEES REPRESENTED BY THE DELAWARE PUBLIC EMPLOYEES COUNCIL 81, AFSCME, AFL-CIO, AFFILIATE LOCAL 1607. Introduced by: Ms. Hartley-Nagle**

**°20-073: AMEND THE GRANTS BUDGET: APPROPRIATE \$375,000 TO THE CONTRACTED POLICE DUTY REVOLVING FUND, WHICH IS ADMINISTERED BY THE DEPARTMENT OF PUBLIC SAFETY. Introduced by: Mr. Bell, Mr. Street**

**°20-074: TO AMEND CHAPTER 40 OF THE *NEW CASTLE COUNTY CODE* (ALSO KNOWN AS THE UNIFIED DEVELOPMENT CODE OR “UDC”) REGARDING MEZZANINE SPACE IN SITE CAPACITY CALCULATIONS. Introduced by: Mr. Tackett**

**°20-075: AMENDING *NEW CASTLE COUNTY CODE* CH. 20 (“LAW ENFORCEMENT”) TO BAN THE USE OF KNEE HOLDS, CHOKEHOLDS, AND SIMILAR PROCEDURES AS A METHOD OF RESTRAINT OR USE OF FORCE PROCEDURE. Introduced by: Mr. Carter, Mr. Hollins, Mr. Street, Ms. Durham**

**°20-076: AMENDING *NEW CASTLE COUNTY CODE* CH. 20 (“LAW ENFORCEMENT”) REGARDING NEW CASTLE COUNTY POLICE OFFICERS AND THE DUTY TO INTERVENE AND REPORT IN RELATION TO UNAUTHORIZED OR EXCESSIVE USE OF FORCE. Introduced by: Mr. Carter, Mr. Hollins, Mr. Street, Ms. Durham**

E. Reports from Select and Special Committees

**F. Consent Calendar**

**R20-131: HONORING KATHLEEN H. HARVEY FOR HER COMMITMENT TO HER COMMUNITY AND SERVICE TO THE TOWN OF ODESSA AS MAYOR.**

**Introduced by: Mr. Bell, Mr. Carter**

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**

**R20-132: APPROVING A CREDIT UNDER *NEW CASTLE COUNTY CODE SEC. 14.03.003* OF COUNTY TAXES BILLED AND PAID IN ERROR BY THE MERCANTES.**

**Introduced by: Ms. Durham, Mr. Smiley**

**R20-133: 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 1607, COLLECTIVE BARGAINING AGREEMENT.**

**Introduced by: Ms. Hartley-Nagle**

**R20-134: TO AMEND SECTIONS 5.7. AND 5.7.1. OF THE NEW CASTLE COUNTY COUNCIL EMPLOYEE HANDBOOK REGARDING EMPLOYMENT OF COUNCIL LEGISLATIVE ASSISTANTS. Introduced by: Mr. Smiley**

**R20-135: TO SET NEW CASTLE COUNTY'S FISCAL YEAR 2021 CONTRIBUTION RATE FOR THE COUNTY'S PENSION PLANS. Introduced by: Mr. Smiley, Mr. Cartier**

**R20-136: AMEND THE FY2021 CAPITAL PROGRAM: APPROPRIATE UP TO \$4,200 FROM THE RECORDER OF DEEDS TECHNOLOGY FEE ACCOUNT AND UP TO \$70,000 FROM THE NEW CASTLE COUNTY TECHNOLOGY FEE ACCOUNT WITHIN THE OFFICE OF THE RECORDER OF DEEDS, TOTALING \$74,200 TO THE DEPARTMENT OF ADMINISTRATION, INFORMATION SYSTEMS EXPANSION II CAPITAL PROJECT TO SUPPORT THREE TECHNOLOGICAL INITIATIVES. Introduced by: Mr. Smiley, Mr. Cartier**

**R20-137: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT FOR CORBIT CALLOWAY MEMORIAL LIBRARY FOR LIBRARY SERVICES FOR THE DEPARTMENT OF COMMUNITY SERVICES IN THE AMOUNT OF \$195,721.00. Introduced by: Mr. Smiley, Mr. Cartier, Mr. Bell**

**R20-138: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT FOR DELAWARE CITY PUBLIC LIBRARY FOR LIBRARY SERVICES FOR THE DEPARTMENT OF COMMUNITY SERVICES IN THE AMOUNT OF \$194,996.00. Introduced by: Mr. Smiley, Mr. Cartier, Mr. Bell**

**R20-139: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT FOR MIDDLETOWN SQUARE OFFICE, LCC FOR FY2021 LEASE AGREEMENT FOR THE APPOQUINIMINK LIBRARY FOR THE DEPARTMENT OF COMMUNITY SERVICES IN THE AMOUNT OF \$155,848.00. Mr. Smiley, Mr. Cartier, Mr. Carter**

**R20-140: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT FOR NEW CASTLE PUBLIC LIBRARY FOR LIBRARY SERVICES FOR THE DEPARTMENT OF COMMUNITY SERVICES IN THE AMOUNT OF \$376,102.00. Introduced by: Mr. Smiley, Mr. Cartier, Mr. Bell**

**R20-141: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT FOR STATE OF DELAWARE, DIVISION OF STATE SERVICE CENTER FOR A PASS-THROUGH GRANT FOR COVID RESPONSE ACTIVITIES FOR THE DEPARTMENT OF COMMUNITY SERVICES IN THE AMOUNT OF \$731,218.33. Introduced by: Mr. Smiley, Mr. Cartier**

**R20-142: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT FOR TOWN OF ELSMERE FOR FY2021 LEASE AGREEMENT FOR ELSMERE LIBRARY FOR THE DEPARTMENT OF COMMUNITY SERVICES IN THE AMOUNT OF \$55,737.72. Introduced by: Mr. Smiley, Mr. Cartier, Mr. Woods**

**R20-143: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT FOR WILMINGTON INSTITUTE LIBRARY (MAIN AND NORTH BRANCH) FOR LIBRARY SERVICES FOR THE DEPARTMENT OF COMMUNITY SERVICES IN THE AMOUNT OF \$1,641,154.00. Introduced by: Mr. Smiley, Mr. Cartier, Mr. Hollins**

**I. Consideration of Ordinances**

**°20-066: AMEND THE GRANTS BUDGET: APPROPRIATE \$147,886 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 – FOURTH YEAR GRANT, TO BE ADMINISTERED BY THE DEPARTMENT OF PUBLIC SAFETY. Introduced by: Mr. Bell, Mr. Street**

**°20-067: AMEND THE GRANTS BUDGET: APPROPRIATE \$34,402.00 FROM THE STATE OF DELAWARE, DEPARTMENT OF JUSTICE–SPECIAL LAW ENFORCEMENT ASSISTANCE FUND (SLEAF) TO THE SLEAF – POWER HAWK NERAT GRANT, TO BE ADMINISTERED BY THE DEPARTMENT OF PUBLIC SAFETY. Introduced by: Mr. Bell, Mr. Street**

**°20-068: AMEND THE FY2021 CAPITAL BUDGET: APPROPRIATE UP TO \$4,200 FROM THE RECORDER OF DEEDS TECHNOLOGY FEE ACCOUNT AND UP TO \$70,000 FROM THE NEW CASTLE COUNTY TECHNOLOGY FEE ACCOUNT WITHIN THE OFFICE OF THE RECORDER OF DEEDS, TOTALING \$74,200 TO THE DEPARTMENT OF ADMINISTRATION, INFORMATION SYSTEMS EXPANSION II CAPITAL PROJECT TO SUPPORT THREE TECHNOLOGICAL INITIATIVES. Introduced by: Mr. Smiley, Mr. Cartier**

**°20-069: TO AMEND THE PAY PLAN FOR NON-UNION UNCLASSIFIED SERVICE EMPLOYEES OF COUNTY COUNCIL AND REVISE THE CLASS SPECIFICATIONS FOR ASSOCIATE AUDITOR, STAFF AUDITOR, AND SENIOR AUDITOR. Introduced by: Ms. Kilpatrick, Mr. Sheldon**

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

**R20-144: CELEBRATING AND HONORING THE LIFE OF THOMAS R. STAPLEFORD AND EXPRESSING CONDOLENCES TO HIS FAMILY AND FRIENDS. Introduced by: Mr. Cartier**

**R20-145: CELEBRATING AND HONORING THE LIFE OF CHRISTOPHER J. BONSALL, SR. AND EXPRESSING CONDOLENCES TO HIS FAMILY AND FRIENDS. Introduced by: Mr. Cartier**

**R20-146: CELEBRATING AND HONORING THE LIFE OF JAMES A. PLETZ AND EXPRESSING CONDOLENCES TO HIS FAMILY AND FRIENDS. Introduced by: Mr. Cartier**

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

**L. Public Comment/Other**

**M. Motion to Adjourn**

**AGENDA POSTED: June 16, 2020**

\*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.