

NEW CASTLE COUNTY COUNCIL
Louis L. Redding City/County Building
City/County Council Chambers
800 French Street, Wilmington, DE 19801
July 23, 2019
6:30 p.m.

REVISED AGENDA*

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

B. Approval of Minutes

C. Announcements

D. Introduction of Ordinances

°19-075: TO AMEND THE PAY PLAN AND RATES OF PAY FOR NON-UNION CLASSIFIED SERVICE EMPLOYEES, TO REVISE THE POSITION TITLE OF ENGINEERING AND ENVIRONMENTAL SERVICES MANAGER TO ENGINEERING SERVICES MANAGER AND TO APPROVE THE REVISED CLASS SPECIFICATION. Introduced by: Ms. Hartley-Nagle

°19-076: TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 2 (“ADMINISTRATION”), ARTICLE 2 (“COUNTY COUNCIL”) REGARDING PUBLIC ACCESS AND MEETINGS OF COUNTY COUNCIL. Introduced by: Mr. Carter

*The revised agenda was posted less than 7 days in advance of the meeting. The agenda was revised to include the addition of Ordinance No. 19-076 under “Introductions,” which was not known at original time of posting. Council previously passed legislation that stated implementation of on demand video and live streaming audio and video of Council meetings would take place by September 1, 2019. It is evident that that timeline is unattainable. Given the time constraints and, thus, the possibility that Council otherwise will be in violation of *New Castle County Code* if an extension is not considered and approved, this matter must go forward for introduction at this (July 23) Council Meeting and cannot wait. This will ensure a potential vote to extend the implementation takes place at the August 27, 2019 meeting, prior to September 1, 2019.

E. Reports from Select and Special Committees

F. Consent Calendar

R19-128: CONSENTING TO THE APPOINTMENT OF KENNETH LESTER TO THE NEW CASTLE COUNTY DESIGN REVIEW ADVISORY COMMITTEE (DRAC) OF NORTH ST. GEORGE'S BRIDGE. Introduced by: Mr. Bell

R19-129: CONSENTING TO THE APPOINTMENT OF LARRY W. LESTER TO THE NEW CASTLE COUNTY DESIGN REVIEW ADVISORY COMMITTEE (DRAC) OF NORTH ST. GEORGE'S BRIDGE. Introduced by: Mr. Bell

R19-130: CONSENTING TO THE APPOINTMENT OF ANN PALMER TO THE NEW CASTLE COUNTY DESIGN REVIEW ADVISORY COMMITTEE (DRAC) OF NORTH ST. GEORGE'S BRIDGE. Introduced by: Mr. Bell

R19-131: CONSENTING TO THE APPOINTMENT OF BENJAMIN F. RIZZO TO THE NEW CASTLE COUNTY DESIGN REVIEW ADVISORY COMMITTEE (DRAC) OF NORTH ST. GEORGE'S BRIDGE. Introduced by: Mr. Bell

R19-132: CONSENTING TO THE APPOINTMENT OF RAYMOND M. KRETT TO THE FIRE AND AMBULANCE ADVISORY BOARD. Introduced by: Mr. Smiley

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**

R19-133: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT FOR THE STATE OF DELAWARE, DEPARTMENT OF HEALTH AND SOCIAL SERVICES FOR ANIMAL CONTROL SERVICES AS MANDATED BY THE STATE OF DELAWARE FOR THE DEPARTMENT OF PUBLIC SAFETY IN THE AMOUNT OF \$1,575,666.00. Introduced by: Mr. Smiley, Mr. Cartier

R19-134: PLAN OF BAYMONT FARMS; ST. GEORGES HUNDRED; NORTH AND SOUTH SIDES OF VANCE NECK ROAD; 1100 FEET EAST OF ASHLEIGH DRIVE; MAJOR LAND DEVELOPMENT PLAN THAT PROPOSES TO EXTINGUISH THE PREVIOUSLY RECORDED SUBDIVISION AND EASEMENTS AND DEVELOP 289 SINGLE FAMILY LOTS; AND TO AMEND THE MAINTENANCE DECLARATION FOR BAYMONT FARMS; S ZONING; COUNCIL DISTRICT 12. Introduced by: Mr. Bell

R19-135: PLAN OF THE PRESERVE AT ROBINSON FARMS; APPOQUINIMINK HUNDRED; NORTH AND SOUTH SIDES OF FIELDSBORO ROAD; MAJOR RECORD PLAN THAT PROPOSES TO REVISE THE PREVIOUSLY RECORDED SUBDIVISION PLAN TO REVISE/REALIGN PREVIOUSLY RECORDED SUBDIVISION STREETS, TO ELIMINATE/REVISE PREVIOUSLY RECORDED SUBDIVISION LINES AND EASEMENTS, AND TO ELIMINATE 168 APARTMENT UNITS AND AN APARTMENT LOT AND REPLACE THE SAME WITH 168 SINGLE FAMILY LOTS; AND TO AMEND THE MAINTENANCE DECLARATION FOR THE PRESERVE AT ROBINSON FARMS; S ZONING; COUNCIL DISTRICT 12. Introduced by: Mr. Bell

R19-136: PLAN OF MEADOWCREST AT MIDDLETOWN; ST. GEORGES HUNDRED; SOUTH SIDE OF MIDDLETOWN-ODESSA ROAD, EAST OF ROUTE 1; MAJOR LAND DEVELOPMENT PLAN THAT PROPOSES TO ELIMINATE SEVERAL LOT LINES, AS TO CONSTRUCT A 164,487 SQUARE FOOT SENIOR LIVING FACILITY; NC40 ZONING; COUNCIL DISTRICT 12. Introduced by: Mr. Bell

R19-137: PLAN OF FORWOOD COMMONS; BRANDYWINE HUNDRED; SOUTH SIDE OF SILVERSIDE ROAD, 862 FEET WEST OF MARSH ROAD; MAJOR LAND DEVELOPMENT PLAN THAT PROPOSES CONSTRUCTION OF A MIXED-USE DEVELOPMENT (SHOPPING CENTER AND RESIDENTIAL) ON 11.46 ACRES, CONSISTING OF 32,240 SQUARE FEET OF NON-RESIDENTIAL USE AND 38 TOWNHOUSE UNITS; CN ZONING; COUNCIL DISTRICT 2. Introduced by: Ms. Hartley-Nagle

I. Consideration of Ordinances

°19-073: AMEND THE FY2019 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

°19-074: AMEND THE FY2020 APPROVED OPERATING BUDGET: APPROPRIATE \$31,513 OF TAX STABILIZATION RESERVE TO THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF POLICE GRANTS AND FIXED CHARGES BUDGET LINE ITEM. Introduced by: Mr. Bell, Mr. Street

°19-008: REVISE PREVIOUSLY APPROVED EXPLORATORY MINOR LAND DEVELOPMENT PLAN WITH REZONING FOR STANLAN 7 LLC; MILL CREEK HUNDRED; EAST SIDE OF STANTON CHRISTIANA ROAD (SR 4/7), SOUTH OF HONEYSUCKLE LANE AND OPPOSITE TELEGRAPH ROAD; TAX PARCEL NO. 08-050.00-013 (602 MAIN STREET) (The revised plan for **Distinctive Auto Care** proposes to revise the previously approved design of the exploratory minor land development plan by developing a 6,178 square foot car wash, a 3,099 square foot detail shop, a 2,360 square foot quick lube and a 238 square foot office instead of the 17,7833 square foot shopping center. This new plan will supersede the previously approved exploratory minor land development plan and rezoning. Section 40.31.113 of the *New Castle County Code* requires that the submitted record plan be in general conformance with the development on the approved exploratory plan that was relied upon by County Council when it granted the rezoning. County Council adopted Ordinance 14-072 in March 2015. CN (Commercial Neighborhood) zoning district. App. 2018-0420-S/Z.) **Introduced by: Mr. Woods**

°18-132: REVISE PREVIOUSLY APPROVED PRELIMINARY MAJOR LAND DEVELOPMENT PLAN WITH REZONING FOR MERIDIAN CROSSING; NEW CASTLE HUNDRED, SOUTHWEST SIDE OF CHURCH ROAD, SOUTH OF THE CSX RAILROAD; TAX PARCEL NUMBERS 10-048.30-257 THROUGH 297 & 10-048.30-228 THROUGH 256; ADDRESSES 11 THROUGH 41 GRISSOM DRIVE, 1001 THROUGH 1033 EDWARD WHITE AVENUE, 1024 THROUGH 1042 EDWARD WHITE AVENUE, 761 THROUGH 775 OBSERVATORY DRIVE, 931 THROUGH 949 SHEPARD AVENUE, AND 1102 THROUGH 1116 GODDARD WAY (The Exploratory Plan for **Meridian Crossing** proposes to develop a plan that will revise the previously approved and recorded lot widths, provide changes to open space, change rear loaded units to front load units, and eliminate lots. Section 40.31.113 of the *New Castle County Code* requires that all subsequent land development plans to a previously approved preliminary and rezoning plan be in general conformity with the development on the approved preliminary plan that was relied upon by County Council when it granted the rezoning. County Council adopted Ordinance 02-021 in June 2002. ST (Suburban Transition) zoning district. App. 2018-0540-S/Z). **Introduced by: Mr. Bell**

°19-033: (STATUS: TABLED) TO AMEND THE PAY PLAN AND RATES OF PAY FOR NON-UNION CLASSIFIED SERVICE EMPLOYEES AND REVISE THE CLASS SPECIFICATION FOR THE POSITION OF PAYROLL SUPERVISOR. **Introduced by: Ms. Hartley-Nagle**

°17-095: (STATUS: TABLED) REVISE PREVIOUSLY APPROVED PRELIMINARY MAJOR LAND DEVELOPMENT PLAN WITH REZONING FOR VISTA AT RED LION – SECTION 1; RED LION HUNDRED; NORTH SIDE OF OLD PORTER ROAD, WEST OF RED LION ROAD, EAST OF GRISSOM LANE. **Introduced by: Mr. Bell**

°17-096: (STATUS: TABLED) REVISE PREVIOUSLY APPROVED PRELIMINARY MAJOR LAND DEVELOPMENT PLAN WITH REZONING FOR VISTA AT RED LION – SECTION 2; RED LION HUNDRED; SOUTH SIDE OF OLD PORTER ROAD, WEST OF RED LION ROAD, EAST OF GRISSOM LANE. Introduced by: Mr. Bell

J. Time Sensitive Congratulatory/Honorary Resolutions

R19-138: REMEMBERING THE LIFE OF THOMAS L. HAILE. Introduced by: Hartley-Nagle

R19-139: HONORING THE LIFE OF CHIEF WILLIAM “BILL” E. SHETZLER, SR., AND EXPRESSING CONDOLENCES TO HIS FAMILY AND FRIENDS. Introduced by: Mr. Bell

K. Introduction/Consideration of Emergency Ordinances

L. Public Comment/Other

M. Motion to Adjourn

**AGENDA POSTED: July 16, 2019
REVISED AGENDA POSTED: July 22, 2019**

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

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