



NEW CASTLE COUNTY COUNCIL COUNCIL MEETING

January 11, 2022
6:30 PM
VIRTUAL ZOOM WEBINAR MEETING**

AGENDA

A. Call to Order

- **Moment of Silence**
- **Pledge of Allegiance**
- **Roll Call**

B. Approval of Minutes

12-14-2021 Council Meeting minutes

C. Announcements

D. Introduction of Ordinances

°22-001: AMEND THE GRANTS BUDGET: APPROPRIATE \$47,837 FROM THE STATE OF DELAWARE, DEPARTMENT OF TRANSPORTATION TO THE CRANSTON HEIGHTS FIRE COMPANY TRAFFIC SAFETY VEHICLES GRANT FOR THE DEPARTMENT OF PUBLIC SAFETY Introduced by: Mr. Bell, Ms. Hartley-Nagle, Ms. Kilpatrick

°22-002: AMEND THE GRANTS BUDGET: FOR FY2022, APPROPRIATE STATE OF DELAWARE FUNDS OF \$35,000 FROM THE HOME4GOOD PARTNERSHIP BETWEEN THE DELAWARE STATE HOUSING AUTHORITY AND THE FEDERAL HOME LOAN BANK OF PITTSBURGH TO THE NEW CASTLE COUNTY (NCC) HOUSING EVERYONE LOCATOR PROGRAM (HELP) HOME4GOOD 2022 GRANT, WHICH WILL BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING Introduced by: Mr. Hollins, Ms. Diller

°22-003: AMEND THE FY2022 APPROVED OPERATING BUDGET: APPROPRIATE UP TO \$1,300,000 FROM THE GENERAL FUND TAX STABILIZATION RESERVE ACCOUNT TO THE DEPARTMENT OF ADMINISTRATION, OFFICE OF LAW TO FUND ATTORNEY FEES Introduced by: Mr. Smiley, Mr. Cartier

°22-004: AMEND THE FY2022 APPROVED ANNUAL OPERATING BUDGET: APPROPRIATE \$1,700,000 FROM THE GENERAL FUND TAX STABILIZATION RESERVE ACCOUNT TO THE DEPARTMENT OF ADMINISTRATION, RISK MANAGEMENT Introduced by: Mr. Smiley, Mr. Cartier

°22-005: REVISE ZONING MAP: BRANDYWINE HUNDRED, NORTHWEST OF THE INTERSECTION OF NAAMANS ROAD AND SOCIETY DRIVE; 1000 SOCIETY DRIVE, [TAX PARCEL NO. 06-036.00-100](#), 2.31 ACRES FROM ON (OFFICE NEIGHBORHOOD) TO CR (COMMERCIAL REGIONAL); COUNCIL DISTRICT 8 (The Exploratory Major Land Development Plan and Rezoning for Society Drive Self Storage proposes to rezone the 2.31 acres to CR (Commercial Regional) to construct a 90,000 SF self-storage facility. [2021-0121-S/Z](#).) Introduced by: Mr. Cartier

°22-006: REVISE ZONING MAP: BRANDYWINE HUNDRED, WEST SIDE OF NEWARK UNION PUBLIC ROAD, NORTH OF THE INTERSECTION WITH BAYNARD BOULEVARD; 8 & 20 NEWARK UNION PUBLIC ROAD, [TAX PARCELS 06-103.00-101](#) & [06-103.00-100](#), 2.31+ ACRES FROM NC10 (NEIGHBORHOOD CONSERVATION) TO NC10 (NEIGHBORHOOD CONSERVATION) AND H (HISTORIC OVERLAY ZONE); COUNCIL DISTRICT 8 (The property owner is requesting the H (Historic Overlay Zone) for the subject parcels. [2021-0557-R/Z](#)) Introduced by: Mr. Cartier

°22-007: REVISE ZONING MAP: ST. GEORGES HUNDRED, NORTH SIDE BOYDS CORNER ROAD, 3,400 FEET EAST OF JAMISON CORNER ROAD; 601 N. BAYBERRY PARKWAY, [TAX PARCEL NO. 13-013.00-067](#), 80.67 ACRES FROM S (SUBURBAN) TO ST (SUBURBAN TRANSITION); COUNCIL DISTRICT 12 (The Exploratory Major Land Development Plan and Rezoning for Bayberry Town Center – Residential East proposes to rezone the 80.67 acres to ST (Suburban Transition) to construct an age restricted single family development with 182 single family detached lots. [2021-0503-S/Z](#).) Introduced by: Mr. Bell

°22-008: REVISE ZONING MAP: ST. GEORGES HUNDRED, NORTH SIDE BOYDS CORNER ROAD, 1,400 FEET WEST OF JAMISON CORNER ROAD; 701 BOYDS CORNER ROAD, [TAX PARCEL NO. 13-013.00-002](#), 71.91 ACRES FROM S (SUBURBAN) TO ST (SUBURBAN TRANSITION); COUNCIL DISTRICT 6 (The Exploratory Major Land Development Plan and Rezoning for Bayberry Town Center – Residential West proposes to rezone the 71.91 acres to ST (Suburban Transition) to construct a single-family development with 171 single family detached lots. [2021-0504-S/Z](#).) Introduced by: Mr. Carter

E. Reports from Select and Special Committees

F. Consent Calendar

R22-001: REMEMBERING AND HONORING THE LIFE OF ROBERT PAUL (BOB) REEDER Introduced by: Ms. Hartley-Nagle

R22-002: CONGRATULATING THE OFFICE OF FINANCE FOR EARNING THE DISTINGUISHED BUDGET PRESENTATION AWARD FOR NEW CASTLE COUNTY'S COMPREHENSIVE ANNUAL BUDGET SUMMARY FOR 32 CONSECUTIVE YEARS. Introduced by: Mr. Smiley, Mr. Cartier

R22-003: CONGRATULATING AND COMMENDING COLONEL VAUGHN BOND ON HIS RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT Introduced by: Mr. Bell, Ms. Hartley-Nagle

R22-004: CONGRATULATING AND COMMENDING MAJOR ROBERT MCLUCAS ON HIS RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT Introduced by: Mr. Bell, Ms. Hartley-Nagle

R22-005: CONGRATULATING AND COMMENDING SENIOR LIEUTENANT RICHARD A. DUNNING ON HIS RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT Introduced by: Mr. Bell, Ms. Hartley-Nagle

R22-006: CONGRATULATING AND COMMENDING SENIOR LIEUTENANT GERALD TATUM ON HIS RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT Introduced by: Mr. Bell, Ms. Hartley-Nagle

R22-007: CONGRATULATING AND COMMENDING SENIOR SERGEANT REGINALD LASTER ON HIS RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT Introduced by: Mr. Bell, Ms. Hartley-Nagle

R22-008: CONGRATULATING AND COMMENDING MASTER CORPORAL JILL KOTOWSKI ON HER RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT Introduced by: Mr. Bell, Ms. Hartley-Nagle

R22-009: CONGRATULATING AND COMMENDING MASTER CORPORAL RONALD W. BREITIGAN ON HIS RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT Introduced by: Mr. Bell, Ms. Hartley-Nagle

R22-010: CONGRATULATING AND COMMENDING MASTER CORPORAL STEVEN L. BURSE ON HIS RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT Introduced by: Mr. Bell, Ms. Hartley-Nagle

R22-011: CONGRATULATING AND COMMENDING MASTER CORPORAL GINI COLLINI ON HIS RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT Introduced by: Mr. Bell, Ms. Hartley-Nagle

R22-012: CONGRATULATING AND COMMENDING MASTER CORPORAL ROMI DUNNING ON HER RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT Introduced by: Mr. Bell, Ms. Hartley-Nagle

R22-013: CONGRATULATING AND COMMENDING MASTER CORPORAL COREY D. HAMILTON ON HIS RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT Introduced by: Mr. Bell, Ms. Hartley-Nagle

R22-014: CONGRATULATING AND COMMENDING MASTER CORPORAL MICHAEL R. HENDERSON ON HIS RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT Introduced by: Mr. Bell, Ms. Hartley-Nagle

R22-015: CONGRATULATING AND COMMENDING MASTER CORPORAL MICHAEL P. MURPHY ON HIS RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT Introduced by: Mr. Bell, Ms. Hartley-Nagle

R22-016: CONGRATULATING AND COMMENDING MASTER CORPORAL BRIAN C. SHAHAN ON HIS RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT Introduced by: Mr. Bell, Ms. Hartley-Nagle

R22-017: CONGRATULATING AND COMMENDING MASTER CORPORAL BRIAN TAYLOR ON HIS RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT Introduced by: Mr. Bell, Ms. Hartley-Nagle

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

R22-018: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT WITH RAVE WIRELESS INC. FOR CAD-HUD INTEGRATION SOFTWARE FOR THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF EMERGENCY COMMUNICATIONS IN THE AMOUNT OF \$33,000.00 Introduced by: Mr. Smiley, Mr. Cartier, Ms. Hartley-Nagle

R22-019: PLAN OF FORGE DRIVE SELF STORAGE; WHITE CLAY CREEK HUNDRED; SOUTHWEST SIDE OF FORGE DRIVE ALONG MARROWS ROAD; MAJOR LAND DEVELOPMENT PLAN THAT PROPOSES TO DEMOLISH THE EXISTING BUILDING SHELL AND DEVELOP A SELF STORAGE FACILITY INCLUDING 109,210 SQUARE FEET OF SELF-STORAGE SPACE AND AN 1,137 SF OFFICE AND RETAIL DISPLAY AREA, AND ASSOCIATED IMPROVEMENTS; I ZONING; [APPLICATION NO. 2020-0533-S](#); COUNCIL DISTRICT 5 Introduced by: Ms. Diller

I. Consideration of Ordinances

°21-137: AMEND THE FY2022 APPROVED OPERATING BUDGET: APPROPRIATE \$18,600 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, DIVISION OF COMMUNITY RESOURCES EQUIPMENT BUDGET LINE ITEM Introduced by: Mr. Hollins, Ms. Diller

°21-138: AMEND THE GRANTS BUDGET: APPROPRIATE \$40,000 FROM THE STATE OF DELAWARE, DEPARTMENT OF TRANSPORTATION TO THE MILL CREEK FIRE COMPANY TRAFFIC SAFETY VEHICLES GRANT FOR THE DEPARTMENT OF PUBLIC SAFETY Introduced by: Mr. Bell, Ms. Hartley-Nagle, Mr. Sheldon, Ms. Kilpatrick

°21-139: AMEND THE GRANTS BUDGET: APPROPRIATE FEDERAL FUNDING OF \$121,530.88 TO THE HOLISTIC OFFICER WELLNESS GRANT FOR THE NEW CASTLE COUNTY DEPARTMENT OF PUBLIC SAFETY, DIVISION OF POLICE Introduced by: Mr. Bell, Ms. Hartley-Nagle

°21-140: AMEND THE GRANTS BUDGET: APPROPRIATE FEDERAL FUNDING OF \$198,701 TO THE COPS DE-ESCALATION TRAINING GRANT FOR THE NEW CASTLE COUNTY DEPARTMENT OF PUBLIC SAFETY, DIVISION OF POLICE Introduced by: Mr. Bell, Ms. Hartley-Nagle

°21-141: AMEND THE GRANTS BUDGET: APPROPRIATE FEDERAL FUNDING OF \$179,385 TO THE JUSTICE ASSISTANCE GRANT (JAG) 2021 GRANT FOR THE NEW CASTLE COUNTY DEPARTMENT OF PUBLIC SAFETY, DIVISION OF POLICE Introduced by: Mr. Bell, Ms. Hartley-Nagle

°21-142: AMEND THE FY2022 APPROVED OPERATING BUDGET: INCREASE THE AUTHORIZED POSITION COUNT FOR THE DEPARTMENT OF PUBLIC SAFETY BY TEN PARAMEDIC POSITIONS TO ALLOW CONTINUED HIRING OF PRE-CERTIFIED PARAMEDICS WHILE UPCOMING 2022 NEW CASTLE COUNTY PARAMEDIC CLASS IS IN TRAINING Introduced by: Mr. Bell, Ms. Hartley-Nagle

°21-143: AMEND THE FY2022 CAPITAL PROGRAM AND BUDGET: APPROPRIATE \$1,000,000 IN FUNDING FROM THE STATE OF DELAWARE FISCAL YEAR 2022 GRANTS-IN-AID BILL TO THE DEPARTMENT OF PUBLIC SAFETY, EMS REALIGNMENT AND BUILDING CAPITAL PROJECT Introduced by: Mr. Bell, Ms. Hartley-Nagle

°21-144: TO AMEND NEW CASTLE COUNTY CODE TO CREATE A NEW CHAPTER 13 RELATING TO STORMWATER MAINTENANCE DISTRICTS Introduced by: Ms. Kilpatrick, Mr. Sheldon

°21-136: (STATUS: TABLED) AMEND THE FY2022 APPROVED OPERATING BUDGET: APPROPRIATE UP TO \$2,100,000 FROM THE GENERAL FUND TAX STABILIZATION RESERVE ACCOUNT TO THE DEPARTMENT OF ADMINISTRATION, OFFICE OF LAW TO FUND ATTORNEY FEES Introduced by: Mr. Smiley, Mr. Cartier

°21-091: (STATUS: TABLED) 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, Mr. Carter

J. Time Sensitive Congratulatory/Honorary Resolutions

R22-020: CONGRATULATING TIMOTHY J. ARMSTRONG JR. FOR ACHIEVING THE RANK OF EAGLE SCOUT Introduced by: Ms. Durham

R22-021: CONGRATULATING KATHLEEN P. HARRIS ON HER RETIREMENT AND THANKING HER FOR MORE THAN 30 YEARS OF SERVICE TO THE CITIZENS OF NEW CASTLE COUNTY Introduced by: Ms. Hartley-Nagle, Mr. Bell, Mr. Carter, Mr. Cartier, Ms. Diller, Ms. Durham, Ms. Kilpatrick, Mr. Sheldon, Mr. Smiley, Mr. Street, Mr. Tackett, Mr. Woods

K. Introduction/Consideration of Emergency Ordinances

L. Public Comment/Other

M. Motion to Adjourn

AGENDA POSTED: January 4, 2022

*The agenda is posted (7) seven days in advance of the scheduled meeting in compliance with 29 *Del. C.* Section 10004(e)(2). The meeting may go into Executive Session to address issues that arise at the time of the meeting.

**On January 3, 2022, Governor Carney issued a Declaration of a State of Emergency due to a serious public health threat. Accordingly, New Castle County Council is holding this meeting virtually as a telephone and video conference, utilizing  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://www.nccde.org/2351/Agendas-and-Minutes> 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.