



NEW CASTLE COUNTY COUNCIL COUNCIL MEETING

June 14, 2022
6:30 PM

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

°22-074: TO EXTEND THE DEADLINE FOR APPLICATIONS FOR A FULL NEW CASTLE COUNTY PROPERTY TAX EXEMPTION FOR QUALIFYING DISABLED VETERANS WITH A 100% DISABILITY RATING FOR THE FISCAL YEAR 2023 Introduced by: Mr. Hollins, Mr. Smiley, Mr. Cartier, Mr. Carter

°22-075: TO AMEND THE PAY PLAN AND RATES OF PAY FOR NON-UNION CLASSIFIED SERVICE EMPLOYEES AND TO ADOPT THE CLASS SPECIFICATION FOR THE POSITION TITLE OF HUMAN RESOURCES MANAGER Introduced by: Ms. Hartley-Nagle

°22-076: TO AMEND THE PAY PLAN AND RATES OF PAY FOR NON-UNION CLASSIFIED SERVICE EMPLOYEES AND TO ADOPT THE CLASS SPECIFICATION FOR THE POSITION TITLE OF CHIEF PROCUREMENT OFFICER Introduced by: Ms. Hartley-Nagle

°22-077: AMEND THE GRANTS BUDGET: APPROPRIATE \$211,063 IN ANTICIPATED STATE OF DELAWARE GRANT-IN-AID FUNDS TO THE ABSALOM JONES SENIOR CENTER FY2023 GRANT, WHICH WILL BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, COMMUNITY RESOURCES DIVISION Introduced by: Mr. Hollins, Ms. Diller

°22-078: AMEND THE PAY PLAN AND RATES OF PAY FOR CLASSIFIED SERVICE EMPLOYEES REPRESENTED BY FRATERNAL ORDER OF POLICE, NEW CASTLE COUNTY LODGE NO. 5 Introduced by: Ms. Hartley-Nagle

°22-079: TO PROVIDE FOR THE INSTALLATION OF GRANVILLE WITH RIBS STREET LIGHTS WITH LIGHT EMITTING DIODE (LED) BULBS IN THE PLEASANTON SUBDIVISION LOCATED IN THE ST. GEORGES HUNDRED AND FOR A LIGHT TAX BASED ON THE COST OF STREET LIGHTS Introduced by: Mr. Carter

°22-080: AMEND THE FY2022 APPROVED OPERATING BUDGET: REDUCE THE GRANTS AND FIXED CHARGES BUDGET LINE ITEM OF COUNTY COUNCIL TO PROVIDE FUNDING TO ASSIST WITH INVASIVE SPECIES REMOVAL AT WIGGINS MILL PARK Introduced by: Mr. Carter

°22-081: AMEND THE FY2022 CAPITAL PROGRAM AND BUDGET: APPROPRIATE FUNDING FROM THE NEW CASTLE COUNTY COUNCIL FY2022 APPROVED OPERATING BUDGET TO THE DEPARTMENT OF PUBLIC WORKS, GENERAL PARKLAND IMPROVEMENTS 2021 CAPITAL PROJECT Introduced by: Mr. Carter

°22-082: AMEND THE PAY PLAN AND RATES OF PAY FOR NON-UNION UNCLASSIFIED SERVICE EMPLOYEES OF THE EXECUTIVE OFFICE Introduced by: Ms. Hartley-Nagle

°22-083: AMEND THE GRANTS BUDGET: APPROPRIATE \$300,098 IN FEDERAL FUNDING FROM THE DEPARTMENT OF HOMELAND SECURITY FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) AND \$72,650 IN PRIVATE FUNDING FROM THE PUBLIC SERVICE ENTERPRISE GROUP (PSEG) NUCLEAR TO FUND THE OPERATIONS OF THE NEW CASTLE COUNTY OFFICE OF EMERGENCY MANAGEMENT (OEM) FOR FY2023 Introduced by: Mr. Bell, Ms. Hartley-Nagle

°22-084: AMEND THE GRANTS BUDGET: APPROPRIATE AN ADDITIONAL \$54,510 IN FEDERAL FUNDING FROM THE DEPARTMENT OF HOMELAND SECURITY FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) TO THE EMERGENCY MANAGEMENT FY2022 GRANT Introduced by: Mr. Bell, Ms. Hartley-Nagle

°22-085: ALLOW REALIGNMENT OF FUNDS FROM THE UNITED STATES DEPARTMENT OF THE TREASURY WITHIN THE AMERICAN RESCUE PLAN ACT GRANT WHICH IS ADMINISTERED BY THE DEPARTMENT OF ADMINISTRATION, OFFICE OF FINANCE Introduced by: Mr. Smiley, Mr. Cartier

°22-086: AMEND THE GRANTS BUDGET: REALIGN \$546,000 IN FUNDS FROM THE UNITED STATES DEPARTMENT OF THE TREASURY WITHIN THE AMERICAN RESCUE PLAN ACT GRANT FROM GRANTS AND FIXED CHARGES TO SALARIES AND WAGES AND EMPLOYEE BENEFITS, WHICH IS ADMINISTERED BY THE DEPARTMENT OF ADMINISTRATION, OFFICE OF FINANCE Introduced by: Mr. Smiley, Mr. Cartier

°22-087: TO AMEND NEW CASTLE COUNTY CODE CHAPTER 6 ("BUILDING CODE"), ARTICLE 10 ("ENERGY CONSERVATION CODE") RELATING TO NEW COMMERCIAL CONSTRUCTION AND THE FUTURE INSTALLATION OF ROOFTOP SOLAR POWER Introduced by: Ms. Durham

°22-088: REVISE ZONING MAP: NEW CASTLE HUNDRED, SOUTH SIDE OF SCHOOL BELL ROAD, NORTH SIDE OF PULASKI HIGHWAY; REZONE A PORTION OF TAX PARCEL 10-034.00-012, AND ALL OF TAX PARCEL 10-034.00-013, 0.821 ACRES FROM NC6.5 (NEIGHBORHOOD CONSERVATION 6.5) TO CR (COMMERCIAL REGIONAL). (The Exploratory Plan and rezoning for Royal Farms Store #369 proposes to rezone a portion of tax parcel 10-034.00-012 and all of tax parcel 10-034.00-013 from "NC6.5" (Neighborhood Conservation 6.5) to "CR" (Commercial Regional) in order to combine a portion of tax parcel 10-034.00-012 and all of

tax parcel 10-034.00-013 and tax parcel 10-034.00-097 into a single tax parcel to construct a 4,649 square foot convenience store with associated gasoline pumps, and associated site improvements. App. 2021-0317-SZ.) Introduced by: Mr. Smiley

°22-089: REVISE ZONING MAP: BRANDYWINE HUNDRED, SOUTHERN TERMINUS OF GRANITE ROAD; REZONE 18.56 ACRES OF TAX PARCEL 06-136.00-028 FROM S (SUBURBAN) TO OR (OFFICE REGIONAL). (The Exploratory Major Land Development and Rezoning Plan for Incyte Granite Road Campus Expansion proposes to reconfigure the existing 30.77 acre parcel into two parcels (Lot B to remain Friends School property), rezone 18.56 acres of Lot A from "S" (Suburban) to "OR" (Office Regional) and consolidate the acreage with tax parcel 06-136.00-030 to construct a 400,000 square foot office building with an associated parking on Lot A. App. 2020-0589-S/Z.) Introduced by: Ms. Durham

E. Reports from Select and Special Committees

F. Consent Calendar

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

R22-119: TO RENAME THE APARTMENT COMPLEX RECORDED AS "FOREST PARK APARTMENTS," TAX PARCEL NUMBER 08-042.20-034, AN APARTMENT COMPLEX LOCATED ON THE EAST SIDE OF FAIRMONT DRIVE, 1,100 FEET SOUTH OF SKYLINE DRIVE, TO "FAIRWAY PARK APARTMENTS;" APPLICATION NO. 2021-0463; COUNCIL DISTRICT 3 Introduced by: Ms. Kilpatrick

R22-120: AUTHORIZING THE COUNTY EXECUTIVE TO SIGN THE COLLECTIVE BARGAINING AGREEMENT WITH THE FRATERNAL ORDER OF POLICE, NEW CASTLE COUNTY LODGE NO. 5 Introduced by: Ms. Hartley-Nagle

R22-121: AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN AGREEMENT WITH THE DELAWARE RIVER & BAY AUTHORITY TO SHARE COSTS ASSOCIATED WITH THE VOLUNTARY CLEAN UP PROGRAM AGREEMENT ENTERED INTO ON OCTOBER 16, 2017 WITH THE DELAWARE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL THE DELAWARE RIVER & BAY AUTHORITY Introduced by: Mr. Sheldon, Mr. Woods

R22-122: TO AMEND NEW CASTLE COUNTY COUNCIL EMPLOYEE HANDBOOK CHAPTER 7 ("LEAVES OF ABSENCE") RELATING TO LEAVES OF ABSENCE Introduced by: Ms. Kilpatrick, Mr. Sheldon

I. Consideration of Ordinances

22-065: AMEND THE GRANTS BUDGET: APPROPRIATE \$10,469.89 IN PROGRAM INCOME TO THE ABSALOM JONES SENIOR CENTER RECREATION GRANT TO BE

ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY RESOURCES Introduced by: Mr. Hollins, Ms. Diller

°22-066: TO AMEND THE PAY PLAN AND RATES OF PAY FOR CLASSIFIED SERVICE MANAGERS AND ADMINISTRATORS, 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 TREASURY OPERATIONS SUPERVISOR TO FINANCE OPERATIONS SUPERVISOR AND TO ADOPT THE REVISED CLASS SPECIFICATION Introduced by: Ms. Hartley-Nagle

SUBSTITUTE NO. 1 TO °22-067: AMEND THE GRANTS BUDGET: APPROPRIATE FUNDING FROM NEW CASTLE COUNTY COUNCIL FY2022 APPROVED OPERATING BUDGET TO THE 2022 NEW CASTLE COUNTY YOUTH EMPLOYMENT GRANT, WHICH IS ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY RESOURCES Introduced by: Mr. Smiley

SUBSTITUTE NO. 1 TO °22-068: AMEND THE GRANTS BUDGET: APPROPRIATE FUNDING FROM THE NEW CASTLE COUNTY COUNCIL FY2022 APPROVED OPERATING BUDGET TO THE SENIOR HOME REPAIR PROGRAM GRANT, WHICH IS ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES Introduced by: Mr. Smiley

SUBSTITUTE NO. 1 TO °22-069: AMEND THE FY2022 APPROVED OPERATING BUDGET: REDUCE THE GRANTS AND FIXED CHARGES BUDGET LINE ITEM OF COUNTY COUNCIL TO PROVIDE FUNDING FOR NEW CASTLE COUNTY GRANTS Introduced by: Mr. Smiley

°22-070: AMEND THE FY2022 CAPITAL PROGRAM AND BUDGET: APPROPRIATE \$106,226 IN FUNDING RECEIVED FROM THE RECORDER OF DEEDS TECHNOLOGY FEE ACCOUNT AND \$54,801 IN FUNDING RECEIVED FROM THE NEW CASTLE COUNTY TECHNOLOGY FEE ACCOUNT WITHIN THE OFFICE OF THE RECORDER OF DEEDS TO THE DEPARTMENT OF ADMINISTRATION, TECHNOLOGY ENHANCEMENTS 2022 CAPITAL PROJECT Introduced by: Mr. Smiley, Mr. Cartier

°22-071: AMEND THE GRANTS BUDGET: REALIGN \$363,000 IN FUNDS FROM THE UNITED STATES DEPARTMENT OF THE TREASURY WITHIN THE AMERICAN RESCUE PLAN ACT GRANT FROM GRANTS AND FIXED CHARGES TO SALARIES AND WAGES AND EMPLOYEE BENEFITS, WHICH IS ADMINISTERED BY THE DEPARTMENT OF ADMINISTRATION, OFFICE OF FINANCE Introduced by: Mr. Smiley, Mr. Cartier

°SUBSTITUTE NO. 1 TO 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) (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 open space planned development with 104 village lots, 45 lot line lots, and 27 townhouse lots. 20210503-S/Z.) Introduced by: Mr. Bell

SUBSTITUTE NO. 2 TO °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) (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 an open space planned development with 77 village lots, 60 single family lots, and 27 townhouse lots. 20210504-S/Z.) Introduced by: Mr. Carter

J. Time Sensitive Congratulatory/Honorary Resolutions

R22-123: HONORING THE LIFE AND LEGACY OF DR. JAMES E. NEWTON Introduced by: Mr. Street

K. Introduction/Consideration of Emergency Ordinances

L. Public Comment/Other

M. Motion to Adjourn

AGENDA POSTED: June 7, 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.

**Under Title 29, Section 10006A of *Delaware Code*, New Castle County Council is holding this meeting as a

telephone and video conference, utilizing  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>

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.