



NEW CASTLE COUNTY COUNCIL COUNCIL MEETING

December 13, 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

°22-152: REVISE PREVIOUSLY APPROVED EXPLORATORY MAJOR SUBDIVISION AND LAND DEVELOPMENT PLAN WITH REZONING FOR BOYDS CORNER FARM LLC; ST GEORGES HUNDRED; NORTHWESTERLY CORNER OF DUPONT PARKWAY AND GREYLAG ROAD; TAX PARCELS 13-013.00-156 AND 13-013.42-091; COUNCIL DISTRICT 6. (The plan for The Plaza at Boyds proposes to revise the previously approved design of the Exploratory Major Land Development Plan with a 341,500 square foot mixed use development consisting of 274 apartment units, 15,000 square feet of retail, 6,480 square feet of office GFA, and 6,040 square feet of amenity GFA with associated site improvements instead of 94,000 square feet of shopping center GFA and 12,500 square feet of office GFA. This new plan will supersede the previously approved Exploratory Major Subdivision and 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 11-077 in June 2012. CR (Commercial Regional) zoning district. [App. 2022-0413-S/Z.](#)) Introduced by: Mr. Carter

°22-153: TO AMEND THE PAY PLAN AND RATES OF PAY FOR UNCLASSIFIED TEMPORARY SEASONAL AND PART-TIME RECURRING EMPLOYEES AND TO ADOPT THE CLASS SPECIFICATION FOR THE POSITION TITLES OF SEASONAL PARK PATROL OFFICER AND PARK PUBLIC SAFETY SPECIALIST Introduced by: Ms. Hartley-Nagle

°22-154: ESTABLISHING A SUPERMAJORITY VOTE REQUIREMENT FOR THE COUNTY COUNCIL OF NEW CASTLE COUNTY RELATING TO THE RULES OF PROCEDURE OF COUNTY COUNCIL Introduced by: Mr. Hollins, Mr. Smiley

°22-155: AMENDING *NEW CASTLE COUNTY CODE* CHAPTER 2 ("ADMINISTRATION"), ARTICLE 2 ("COUNTY COUNCIL") REGARDING COUNCIL COMMITTEES AND CHAIRS THEREOF Introduced by: Ms. Hartley-Nagle

°22-156: TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 26 ("HUMAN RESOURCES"), ARTICLE 3 ("MERIT SYSTEM), SECTION 26.03.1403 ("HOLIDAYS) CONVERTING TWO EXISTING HOLIDAYS TO FLOATING HOLIDAYS AND DECLARING JUNETEENTH AN OFFICIAL HOLIDAY Introduced by: Ms. Kilpatrick

E. Reports from Select and Special Committees

F. Consent Calendar

R22-224: CONGRATULATING AND COMMENDING PARAMEDIC ASSISTANT CHIEF MARK P. ALLSTON ON HIS RETIREMENT FROM THE NEW CASTLE COUNTY EMERGENCY MEDICAL SERVICES DIVISION 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

R22-225: AUTHORIZING THE EXECUTION OF ONE CONTRACT WITH HABITAT FOR HUMANITY OF NEW CASTLE COUNTY TO ASSIST WITH DEVELOPMENT OF AFFORDABLE HOUSING IN WILMINGTON, DELAWARE FOR THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING IN THE AMOUNT OF \$200,000.00 Introduced by: Mr. Smiley, Mr. Cartier

R22-226: AUTHORIZING THE EXECUTION OF ONE CONTRACT WITH MINISTRY OF CARING TO ASSIST WITH DEVELOPMENT OF AFFORDABLE HOUSING IN WILMINGTON, DELAWARE FOR THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING IN THE AMOUNT OF \$150,000.00 Introduced by: Mr. Smiley, Mr. Cartier

R22-227: AUTHORIZING THE EXECUTION OF ONE CONTRACT WITH NATIONAL ALLIANCE MENTAL ILLNESS TO ASSIST WITH DEVELOPMENT OF AFFORDABLE HOUSING IN NEW CASTLE, DELAWARE FOR THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING IN THE AMOUNT OF \$1,352,000.00 Introduced by: Mr. Smiley, Mr. Cartier

R22-228: AUTHORIZING THE EXECUTION OF ONE CONTRACT WITH SETTING PROPERTIES TO ASSIST WITH DEVELOPMENT OF AFFORDABLE HOUSING IN WILMINGTON, DELAWARE FOR THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING IN THE AMOUNT OF \$3,000,000.00 Introduced by: Mr. Smiley, Mr. Cartier

R22-229: AUTHORIZING THE EXECUTION OF ONE CONTRACT WITH WILMINGTON NEIGHBORHOOD CONSERVANCY TO ASSIST WITH DEVELOPMENT OF AFFORDABLE HOUSING IN WILMINGTON, DELAWARE FOR THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING IN THE AMOUNT OF \$500,000.00 Introduced by: Mr. Smiley, Mr. Cartier

R22-230: AUTHORIZING THE EXECUTION OF A SERVICES AGREEMENT WITH KIZZY BLACKWELL FOR THE AMOUNT OF \$60,000.00 Introduced by: Mr. Smiley, Mr. Cartier

R22-231: AUTHORIZING THE EXECUTION OF A SERVICES AGREEMENT WITH ZANORA BERRY-EL, FOR THE AMOUNT OF \$60,000.00 Introduced by: Mr. Smiley, Mr. Cartier

R22-232: AUTHORIZING THE EXECUTION OF ONE CONTRACT WITH DOCUMENT TECHNOLOGY SYSTEMS FOR THE DEPARTMENT OF ADMINISTRATION, OFFICE OF TECHNOLOGY AND ADMINISTRATIVE SERVICES IN THE AMOUNT OF \$31,500.00 Introduced by: Mr. Smiley, Mr. Cartier

R22-233: TO AMEND A DECLARATION OF RESTRICTIONS FOR 1801 OGLETOWN ROAD, NEW CASTLE COUNTY TAX PARCEL NOS. 09-021.00-038 & 09-021.00-039; APPLICATION NO. [2022-0622-DRC](#); COUNCIL DISTRICT 9 Introduced by: Mr. Sheldon

R22-234: PLAN OF GARRETT WOODS; NEW CASTLE HUNDRED; SOUTHEASTERLY CORNER OF ROUTE 273 AND ROUTE 1 NORTHBOUND. A MAJOR SUBDIVISION PLAN UTILIZING THE OPEN SPACE PLANNED DEVELOPMENT OPTION. TO CONSTRUCT ONE-HUNDRED AND SIXTY-SEVEN (167) LOTS, CONSISTING OF FORTY (40) VILLAGE DETACHED LOTS, NINETY-EIGHT (98) TOWNHOUSE LOTS, TWENTY-EIGHT (28) TWIN LOTS, AND ONE (1) EXISTING HISTORIC SINGLE-FAMILY DETACHED LOT WITH ASSOCIATED SITE IMPROVEMENTS; ST ZONING; [APPLICATION NO. 2019-0633-S](#); COUNCIL DISTRICT 1 Introduced by: Mr. Toole

R22-235: AUTHORIZING THE CHIEF ADMINISTRATIVE OFFICER TO ACCEPT A DONATION OF PLAYGROUND EQUIPMENT WITH INSTALLATION FROM CONCORD PRESCHOOL & CHILDCARE Introduced by: Ms. Durham

R22-215: (STATUS: TABLED) PLAN OF GOVERNOR'S GLEN; RED LION HUNDRED; NORTHEAST OF THE INTERSECTION OF GOVERNOR LEA ROAD AND BEAR CORBITT ROAD; MAJOR SUBDIVISION PLAN THAT PROPOSES 86 AGE-RESTRICTED RESIDENTIAL LOTS; S ZONING; [APPLICATION NO. 2018-0707](#); COUNCIL DISTRICT 12 Introduced by: Mr. Bell

I. Consideration of Ordinances

°22-134: AMENDING NEW CASTLE COUNTY CODE CHAPTER 14 ("FINANCE AND TAXATION"), ARTICLE 1 ("IN GENERAL"), SECTION 14.01.020. ("AFFORDABLE HOUSING FUND") RELATING TO THE AFFORDABLE HOUSING FUND AND FUNDING SOURCES Introduced by: Mr. Hollins, Mr. Smiley

°22-136: AMEND THE GRANTS BUDGET: APPROPRIATE INVESTMENT AND PROGRAM INCOME TO JUSTICE ASSISTANCE GRANTS (JAG) 2019 AND 2020 AND REALIGN \$570.23 IN THE JAG 2019 GRANT FOR THE NEW CASTLE COUNTY DEPARTMENT OF PUBLIC SAFETY, DIVISION OF POLICE Introduced by: Mr. Bell, Ms. Hartley-Nagle

°22-137: AMEND THE GRANTS BUDGET: APPROPRIATE FEDERAL FUNDING OF \$185,335 TO THE JUSTICE ASSISTANCE GRANT (JAG) 2022 GRANT FOR THE NEW CASTLE COUNTY DEPARTMENT OF PUBLIC SAFETY, DIVISION OF POLICE Introduced by: Mr. Bell, Ms. Hartley-Nagle

°22-138: AMEND THE GRANTS BUDGET: APPROPRIATE \$30,000.00 FROM THE UNITED STATES DEPARTMENT OF JUSTICE TO THE ASSET FORFEITURE-FEDERAL GRANT, WHICH IS ADMINISTERED BY THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF POLICE Introduced by: Mr. Bell, Ms. Hartley-Nagle

°22-139: AMEND THE GRANTS BUDGET: APPROPRIATE \$7,184.36 FROM SALE OF ASSETS AND REALIGN \$13,421.00 IN THE ASSET SEIZURE GRANT, WHICH IS ADMINISTERED BY THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF POLICE Introduced by: Mr. Bell, Ms. Hartley-Nagle

°22-140: AMEND THE GRANTS BUDGET: APPROPRIATE ANTICIPATED FEDERAL FUNDS OF \$17,265,000 FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO THE SECTION 8 HOUSING CHOICE VOUCHERS – 2023 GRANT, WHICH WILL BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING Introduced by: Mr. Hollins

°22-141: AMEND THE FY2023 APPROVED OPERATING BUDGET: APPROPRIATE \$700,000 FROM THE GENERAL FUND TAX STABILIZATION RESERVE ACCOUNT TO THE DEPARTMENT OF COUNTY EXECUTIVE TO FUND THE ROSE HILL COMMUNITY CENTER ROOF IMPROVEMENT PROJECT Introduced by: Mr. Street

°22-142: AMEND THE FY2023 CAPITAL PROGRAM AND BUDGET: TRANSFER \$1,100,000 FROM THE GOVERNMENT CENTER PARKING LOT CAPITAL PROJECT TO THE BRANDYWINE LIBRARY HVAC UPGRADE CAPITAL PROJECT Introduced by: Mr. Sheldon

°22-145: MANDATING THAT NEW CASTLE COUNTY GOVERNMENT ESTABLISH A POLICY TO SAFEGUARD CERTAIN HISTORICALLY-IMPORTANT, ANTIQUE, AND UNIQUE PROPERTY OF NEW CASTLE COUNTY Introduced by: Ms. Hartley-Nagle, Mr. Cartier

°22-146: TO APPROPRIATE \$1,352,000 IN THE NEW CASTLE COUNTY AFFORDABLE HOUSING FUND, WITH FUNDS THAT ORIGINATED FROM THE GENERAL TAX STABILIZATION RESERVE, FOR A CONTRACT WITH NATIONAL ALLIANCE MENTAL ILLNESS TO BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES Introduced by: Mr. Hollins

°22-147: TO APPROPRIATE \$3,000,000 IN THE NEW CASTLE COUNTY AFFORDABLE HOUSING FUND, WITH FUNDS THAT ORIGINATED FROM THE GENERAL TAX STABILIZATION RESERVE, FOR A CONTRACT WITH SETTING PROPERTIES TO BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES Introduced by: Mr. Hollins

°22-148: TO APPROPRIATE \$150,000 IN THE NEW CASTLE COUNTY AFFORDABLE HOUSING FUND, WITH FUNDS THAT ORIGINATED FROM THE GENERAL TAX STABILIZATION RESERVE, FOR A CONTRACT WITH MINISTRY OF CARING TO BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES Introduced by: Mr. Hollins

°22-149: TO APPROPRIATE \$200,000 IN THE NEW CASTLE COUNTY AFFORDABLE HOUSING FUND, WITH FUNDS THAT ORIGINATED FROM THE GENERAL TAX STABILIZATION RESERVE, FOR A CONTRACT WITH HABITAT FOR HUMANITY OF NEW CASTLE COUNTY TO BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES Introduced by: Mr. Hollins

°22-150: TO APPROPRIATE \$500,000 IN THE NEW CASTLE COUNTY AFFORDABLE HOUSING FUND, WITH FUNDS THAT ORIGINATED FROM THE GENERAL TAX STABILIZATION RESERVE, FOR A CONTRACT WITH WILMINGTON NEIGHBORHOOD CONSERVANCY TO BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES Introduced by: Mr. Hollins

°22-151: AMEND THE FY2023 CAPITAL PROGRAM AND BUDGET: APPROPRIATE \$31,500 FROM THE RECORDER OF DEEDS TECHNOLOGY FEE ACCOUNT TO

THE DEPARTMENT OF ADMINISTRATION, RECORDER OF DEEDS HOA PORTAL CAPITAL PROJECT Introduced by: Mr. Smiley, Mr. Cartier

°21-008: REVISE ZONING MAP: NEW CASTLE HUNDRED, SOUTHEASTERLY CORNER OF CHRISTIANA ROAD (DE ROUTE 273) AND DE ROUTE 1 NORTHBOUND; 485 CHRISTIANA ROAD, 0.29+ ACRES OF TAX PARCEL 10-028.00-030 & 0.03+ ACRES OF TAX PARCEL 10-028.00-052, TOTALING 0.32 ACRES FROM ST (SUBURBAN TRANSITION) TO ST (SUBURBAN TRANSITION) AND H (HISTORIC OVERLAY ZONE) (The property owner is requesting the H (Historic Overlay Zone) for the subject parcels. [2019-0633- S/Z](#)). Introduced by: Mr. Woods, Ms. Hartley-Nagle, Mr. Toole

J. Time Sensitive Congratulatory/Honorary Resolutions

R22-236: REMEMBERING AND CELEBRATING THE LIFE OF DAVID STEPHEN SAMLUK Introduced by: Ms. Hartley-Nagle

R22-237: REMEMBERING AND CELEBRATING THE LIFE OF VERNON L. TAYLOR JR. Introduced by: Ms. Hartley-Nagle

R22-239: CELEBRATING AND HONORING THE LIFE OF ALICE ANN STRANSKY AND EXPRESSING CONDOLENCES TO HER FAMILY AND FRIENDS Introduced by: Mr. Cartier

K. Introduction/Consideration of Emergency Ordinances

L. Public Comment/Other

M. Motion to Adjourn

AGENDA POSTED: December 6, 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.