



NEW CASTLE COUNTY COUNCIL COUNCIL MEETING

February 27, 2024
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

°24-019: TO AMEND *NEW CASTLE COUNTY CODE* CHAPTERS 14 ("ADMINISTRATION") AND 38 ("FINANCE AND TAXATION") REGARDING THE ASSESSMENT DIVISION Introduced by: Mr. Smiley, Mr. Carter

°24-020: AMEND THE GRANTS BUDGET: APPROPRIATE \$50,000.00 IN DONATIONS AND ACTUAL PROGRAM INCOME TO THE LOCAL PARAMEDIC PROGRAM GRANT, WHICH IS ADMINISTERED BY THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF EMERGENCY MEDICAL SERVICES Introduced by: Mr. Bell, Ms. Hartley-Nagle

°24-021: AMEND THE GRANTS BUDGET: AUTHORIZE THE COUNTY EXECUTIVE TO SIGN AN AGREEMENT AND APPROPRIATE \$52,000 FROM THE STATE OF DELAWARE, DEPARTMENT OF TRANSPORTATION TO THE CRANSTON HEIGHTS FIRE COMPANY CONCRETE APRON GRANT FOR THE DEPARTMENT OF PUBLIC SAFETY Introduced by: Mr. Bell, Ms. Hartley-Nagle, Mr. Toole

°24-022: AMEND THE PAY PLAN AND RATES OF PAY FOR CLASSIFIED SERVICE EMPLOYEES REPRESENTED BY THE DELAWARE PUBLIC EMPLOYEES COUNCIL 81, AFSCME, AFL-CIO, AFFILIATE LOCAL 1607 AND ADOPT THE REVISED CLASS SPECIFICATION FOR SCHOOL CROSSING GUARD SUPERVISOR FOR THE DEPARTMENT OF PUBLIC SAFETY Introduced by: Ms. Hartley-Nagle

°24-023: COMPREHENSIVE REZONING - TO REVISE THE NEW CASTLE COUNTY ZONING MAPS IN COUNTY COUNCIL DISTRICT 1 REGARDING THE FOLLOWING TAX

PARCELS: WHITE CLAY CREEK HUNDRED: [09-011.00-070 \(606 Stanton Christiana Rd\)](#), [09-030.30-091 \(2008 Point Hamlet Rd, Christiana Village\)](#)

Introduced by: Mr. Toole

°24-024: COMPREHENSIVE REZONING - TO REVISE THE NEW CASTLE COUNTY ZONING MAPS IN COUNTY COUNCIL DISTRICT 10 REGARDING THE FOLLOWING TAX PARCELS: CHRISTIANA HUNDRED: [07-043.40-054 \(2 Highspeed Way\)](#), [07-043.40-055 \(1400 Delmarva Ln, Russell W Peterson Urban Wildlife Refuge\)](#), [07-044.30-003 \(0 S Madison St Off\)](#) Introduced by: Mr. Street

°24-025: COMPREHENSIVE REZONING - TO REVISE THE NEW CASTLE COUNTY ZONING MAPS IN COUNTY COUNCIL DISTRICT 3 REGARDING THE FOLLOWING TAX PARCELS: CHRISTIANA HUNDRED: [07-009.00-027 \(17 Gun Club Rd, Auburn Valley\)](#), [07-009.00-028 \(0 Creek Rd\)](#); MILL CREEK HUNDRED: [07-009.00-027 \(17 Gun Club Rd, Auburn Valley\)](#), [08-001.00-022 \(1166 Yorklyn Rd, Auburn Valley\)](#), [08-007.40-124 \(623 Yorklyn Rd, Hockessin Center\)](#), [09-008.00-010 \(0 Creek Rd, 555 Paper Mill Road\)](#) Introduced by: Ms. Kilpatrick

E. Reports from Select and Special Committees

F. Consent Calendar

R24-048: CONSENTING TO THE APPOINTMENT OF PAMELA BROOKS-GRIMES TO THE NEW CASTLE COUNTY POLICE ACCOUNTABILITY BOARD Introduced by: Mr. Bell

R24-049: CONSENTING TO THE APPOINTMENT OF NORWOOD COLEMAN, JR. TO THE NEW CASTLE COUNTY POLICE ACCOUNTABILITY BOARD Introduced by: Mr. Toole

R24-050: CONSENTING TO THE APPOINTMENT OF CHRISTA DAVIS TO THE NEW CASTLE COUNTY POLICE ACCOUNTABILITY BOARD Introduced by: Mr. Smiley

R24-051: CONSENTING TO THE APPOINTMENT OF JENNA DIELEUTERIO TO THE NEW CASTLE COUNTY POLICE ACCOUNTABILITY BOARD
Introduced by: Ms. Durham

R24-052: CONSENTING TO THE APPOINTMENT OF KIMBERLY EPPEHIMER TO THE NEW CASTLE COUNTY POLICE ACCOUNTABILITY BOARD Introduced by: Ms. Kilpatrick

R24-053: CONSENTING TO THE APPOINTMENT OF KEVIN EVANS TO THE NEW CASTLE COUNTY POLICE ACCOUNTABILITY BOARD Introduced by: Mr. Smiley

R24-054: CONSENTING TO THE APPOINTMENT OF SEAN GREEN TO THE NEW CASTLE COUNTY POLICE ACCOUNTABILITY BOARD Introduced by: Mr. Hollins

R24-055: CONSENTING TO THE APPOINTMENT OF DOUGLAS HAMILTON TO THE NEW CASTLE COUNTY POLICE ACCOUNTABILITY BOARD Introduced by: Mr. Street

R24-056: CONSENTING TO THE APPOINTMENT OF JARRET "POSI" HARRIS TO THE NEW CASTLE COUNTY PUBLIC ARTS COMMISSION Introduced by: Mr. Sheldon

R24-057: CONSENTING TO THE APPOINTMENT OF MICHAEL KALMBACH TO THE NEW CASTLE COUNTY PUBLIC ARTS COMMISSION Introduced by: Ms. George

R24-058: CONSENTING TO THE APPOINTMENT OF CHERYL MACK TO THE NEW CASTLE COUNTY PUBLIC ARTS COMMISSION Introduced by: Ms George

R24-059: CONSENTING TO THE RE-APPOINTMENT OF TANISHA L. MERCED, ESQUIRE AS CHAIRPERSON OF THE NEW CASTLE COUNTY DIVERSITY COMMISSION Introduced by: Ms. Durham

R24-060: CONSENTING TO THE APPOINTMENT OF DAE'SHAWN NIXON TO THE NEW CASTLE COUNTY POLICE ACCOUNTABILITY BOARD Introduced by: Mr. Smiley

R24-061: CONSENTING TO THE APPOINTMENT OF TERRY PARKER AS CHAIR TO THE NEW CASTLE COUNTY BOARD OF ADJUSTMENT Introduced by: Mr. Sheldon

R24-062: CONSENTING TO THE APPOINTMENT OF MOLLY GIORDANO TO THE PUBLIC ARTS COMMISSION Introduced by: Mr. Hollins

R24-063: CONSENTING TO THE APPOINTMENT OF JAMES "RAY" RHODES TO THE NEW CASTLE COUNTY PUBLIC ARTS COMMISSION Introduced by: Mr. Toole

R24-064: CONSENTING TO THE APPOINTMENT OF TANYA N. WHITTLE, Ph.D. TO THE NEW CASTLE COUNTY POLICE ACCOUNTABILITY BOARD Introduced by: Mr. Hollins

R24-065: APPOINTING VALERIE WHITE TO THE NEW CASTLE COUNTY PUBLIC ARTS COMMISSION Introduced by: Mr. Cartier

R24-066: REAPPOINTING MARK OLLER TO THE NEW CASTLE COUNTY FINANCIAL ADVISORY COUNCIL Introduced by: Ms. Durham

R24-067: APPOINTING RICHARD R. SCHNEIDER TO THE NEW CASTLE COUNTY FINANCIAL ADVISORY COUNCIL Introduced by: Ms. Durham

R24-068: CONGRATULATING RAFAEL HODGSON FOR ACHIEVING THE RANK OF EAGLE SCOUT
Introduced by: Mr. Cartier

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

R24-069: AUTHORIZING THE EXECUTION OF A SUBAWARD AGREEMENT WITH DELAWARE DEPARTMENT OF JUSTICE TO PARTIALLY FUND AN INITIATIVE TO COMPENSATE PROSECUTORS FOR APPEARING AFTER HOURS AT HOMICIDE SCENES TO ENHANCE THE QUALITY OF HOMICIDE INVESTIGATIONS FOR THE DEPARTMENT OF ADMINISTRATION, OFFICE OF FINANCE IN THE AMOUNT OF \$85,000.00 Introduced by: Mr. Smiley, Mr. Cartier

R24-070: AUTHORIZING THE EXECUTION OF A SUBAWARD AGREEMENT WITH DELAWARE GUIDANCE SERVICES FOR CHILDREN AND YOUTH, INC. TO PROVIDE MENTAL HEALTH ASSESSMENTS FOR AROUND 1,500 STUDENTS AND STAFF AT THE COMMUNITY EDUCATION BUILDING TO IDENTIFY EMERGING OR CHRONIC BEHAVIORAL HEALTH PROBLEMS THAT MAY REQUIRE TARGETED OR INTENSE THERAPEUTIC SERVICES FOR THE DEPARTMENT OF ADMINISTRATION, OFFICE OF FINANCE IN THE AMOUNT OF \$100,000.00 Introduced by: Mr. Smiley, Mr. Cartier

R24-071: AUTHORIZING THE EXECUTION OF A SUBAWARD AGREEMENT WITH THE SUPPORTING KIDDS, INC. TO SUPPORT HEALING PATHWAYS YOUTH MENTAL HEALTH PROGRAM FOR CHILDREN COPING WITH THE TRAUMATIC LOSS OF LOVED ONES FOR THE DEPARTMENT OF ADMINISTRATION, OFFICE OF FINANCE IN THE AMOUNT OF \$39,257.91 Introduced by: Mr. Smiley, Mr. Cartier, Mr. Sheldon

R24-072: TO AMEND THE CENTREVILLE COMMUNITY REDEVELOPMENT PLAN AND MANUAL OF DESIGN GUIDELINES TO CREATE A COTTAGE COMMUNITY DEVELOPMENT OPTION Introduced by: Ms. Durham

R24-047: (STATUS: TABLED) SUPPORTING DELAWARE HOUSE OF REPRESENTATIVES BILL NO. 247, AKA "THE EVERYONE GETS HOME ACT" Introduced by: Ms. Durham

R23-220: (STATUS: TABLED) PLAN OF LOGISTIC CENTER AT NEW CASTLE COUNTY; ST. GEORGES HUNDRED; SOUTHWESTERLY CORNER OF ROUTE 301 AND JAMISON CORNER ROAD; MAJOR LAND DEVELOPMENT PLAN THAT PROPOSES A 1,409,850 SF WAREHOUSE AND A 962,000 SF WAREHOUSE WITH ASSOCIATED SITE IMPROVEMENTS; BP ZONING; [APPLICATION NO. 2021-0470](#); COUNCIL DISTRICT 6 Introduced by: Mr. Carter

I. Consideration of Ordinances

°24-009: AMEND THE GRANTS BUDGET: REALIGN \$241,968.57 IN FUNDS FROM THE DEPARTMENT OF STATE, DELAWARE DIVISION OF LIBRARIES WITHIN THE FY2023 STATE AID FOR LIBRARIES GRANT, WHICH IS ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF LIBRARIES Introduced by: Mr. Hollins, Mr. Street

°24-010: AMEND THE GRANTS BUDGET: APPROPRIATE \$19,670.92 IN ACTUAL PROGRAM INCOME TO THE NCC FARMER'S MARKET GRANT, WHICH IS ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES Introduced by: Mr. Hollins, Mr. Street

°24-011: AMEND THE GRANTS BUDGET: APPROPRIATE \$11,395.80 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, Mr. Street

°24-012: AMEND THE FY2024 APPROVED OPERATING BUDGET: APPROPRIATE \$450,000 FROM THE GENERAL FUND TAX STABILIZATION RESERVE ACCOUNT TO THE DEPARTMENT OF PUBLIC WORKS, DIVISION OF FLEET OPERATIONS MATERIALS AND SUPPLIES BUDGET LINE ITEM TO FUND GASOLINE Introduced by: Mr. Sheldon, Mr. Carter

°24-013: TO AMEND THE PAY PLAN AND RATES OF PAY FOR CLASSIFIED EMPLOYEES REPRESENTED BY THE DELAWARE PUBLIC EMPLOYEES COUNCIL 81, AFSCME, AFL-CIO, AFFILIATE LOCAL 3109, TO CHANGE THE CLASS SPECIFICATION OF CHIEF PURCHASING AGENT TO CHIEF PROCUREMENT OFFICER, TO ABOLISH THE CLASS SPECIFICATION OF CHIEF PURCHASING AGENT, AND TO REMOVE THE JOB CLASSIFICATION OF CHIEF PROCUREMENT OFFICER FROM THE PAY PLAN AND RATES OF PAY FOR NON-UNION CLASSIFIED SERVICE EMPLOYEES Introduced by: Ms. Hartley-Nagle

°24-014: AMEND THE GRANTS BUDGET: APPROPRIATE FEDERAL FUNDS OF \$300,400 FROM THE CYBERSECURITY AND INFRASTRUCTURE SECURITY AGENCY PASSED THROUGH THE DELAWARE EMERGENCY MANAGEMENT AGENCY TO THE STATE AND LOCAL CYBERSECURITY GRANT PROGRAM (SLCGP) YEAR 1 GRANT, WHICH IS ADMINISTERED BY THE DEPARTMENT OF ADMINISTRATION, OFFICE OF TECHNOLOGY AND ADMINISTRATIVE SERVICES Introduced by: Mr. Smiley, Mr. Cartier

°24-015: AMEND THE GRANTS BUDGET: AUTHORIZE THE COUNTY EXECUTIVE TO SIGN AN AGREEMENT AND APPROPRIATE \$50,488 FROM THE STATE OF DELAWARE, DEPARTMENT OF TRANSPORTATION TO THE CHRISTIANA FIRE COMPANY TRAFFIC SAFETY VEHICLE GRANT FOR THE DEPARTMENT OF PUBLIC SAFETY Introduced by: Mr. Bell, Ms. Hartley-Nagle, Mr. Toole

°24-017: AMEND THE GRANTS BUDGET: AUTHORIZE THE COUNTY EXECUTIVE TO SIGN AN AGREEMENT AND APPROPRIATE \$53,460 FROM THE STATE OF DELAWARE, DEPARTMENT OF TRANSPORTATION TO THE FIVE POINTS FIRE COMPANY TRAFFIC SAFETY VEHICLE GRANT FOR THE DEPARTMENT OF PUBLIC SAFETY Introduced by: Mr. Bell, Ms. Hartley-Nagle, Mr. Toole

°23-142: REVISE PREVIOUSLY APPROVED MAJOR LAND DEVELOPMENT PLAN WITH REZONING FOR PROMENADE AT CHRISTIANA; WHITE CLAY CREEK HUNDRED; WEST SIDE OF EAGLE RUN ROAD, APPROXIMATELY 2,000 FEET NORTH OF CHRISTIANA ROAD (ROUTE 273); [TAX PARCEL NO. 09-030.00-001](#), (VMDT PARTNERSHIP) (The plan for Promenade at Christiana proposes to revise the previously approved design of the major land development plan to allow for 140,940 square feet of vehicle sales, rental, and service facilities GFA; 19,280 square feet of commercial retail sites GFA; and 3,200 square feet of office site GFA. This new plan will supersede the previously approved major land development plan with 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 plan that was relied upon by County Council when it granted the rezoning. County Council adopted Ordinance 08-003 in July 2008. CR (Commercial Regional) zoning district. [App. 2023-0397-S/Z](#).) Introduced by: Mr. Toole

SUBSTITUTE NO. 1 TO °23-095: (STATUS: TABLED) AMENDING NEW CASTLE COUNTY CODE CHAPTER 40 (THE "UNIFIED DEVELOPMENT CODE") TO ESTABLISH A PROTECTED OPEN SPACE ZONING DISTRICT Introduced by: Mr. Carter, Ms. Durham, Mr. Toole, Mr. Cartier

°23-161: (STATUS: TABLED) TO PROVIDE FOR THE INSTALLATION OF GRANVILLE STREET LIGHTS WITH LIGHT EMITTING DIODE (LED) BULBS AND THE OPTIONAL WADSWORTH 12' POLE IN THE DELAWARE NATIONAL SUBDIVISION LOCATED IN THE CHRISTIANA HUNDRED AND FOR A LIGHT TAX BASED ON THE COST OF STREET LIGHTS Introduced by: Ms. Durham

J. Time Sensitive Congratulatory/Honorary Resolutions

R24-073: CONGRATULATING AND HONORING THE VOLUNTEERS OF EATING AT THE KINGS TABLE Introduced by: Mr. Street

K. Introduction/Consideration of Emergency Ordinances

L. Public Comment/Other

M. Motion to Adjourn

AGENDA POSTED: February 20, 2024

*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.