



NEW CASTLE COUNTY COUNCIL COUNCIL MEETING

September 17, 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

°24-137: TO AMEND NEW CASTLE COUNTY CODE CHAPTER 40 ("UNIFIED DEVELOPMENT CODE" OR "UDC"), ARTICLE 3 ("USE REGULATIONS"), ARTICLE 4 ("DISTRICT AND BULK STANDARDS"), ARTICLE 5 ("SITE CAPACITY AND CONCURRENCY CALCULATIONS"), ARTICLE 7 ("TRANSFER OF DEVELOPMENT RIGHTS AND OTHER INCENTIVES AND BONUSES"), ARTICLE 20 ("SUBDIVISION AND LAND DEVELOPMENT DESIGN PRINCIPLES"), ARTICLE 25 ("DESIGN"), ARTICLE 26 ("MODIFICATION OF STANDARDS"), AND ARTICLE 33 ("DEFINITIONS"), REGARDING EQUITABLE AFFORDABLE HOUSING OPPORTUNITIES AND POCKET NEIGHBORHOODS

Prime Sponsor(s): Mr. Hollins

°24-138: TO AMEND NEW CASTLE COUNTY CODE CHAPTER 40 ("UNIFIED DEVELOPMENT CODE" OR "UDC"), ARTICLE 3 ("USE REGULATIONS"), AND ARTICLE 33 ("DEFINITIONS"), REGARDING MARIJUANA CULTIVATION FACILITIES, MARIJUANA PRODUCT MANUFACTURING FACILITIES, AND RETAIL MARIJUANA STORES

Prime Sponsor(s): Mr. Tackett, Ms. Kilpatrick

°24-139: 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 CORNERSTONE WEST CDC TO BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES

Prime Sponsor(s): Mr. Hollins, Mr. Street

°24-140: TO APPROPRIATE \$98,000 IN THE NEW CASTLE COUNTY AFFORDABLE HOUSING FUND, WITH FUNDS THAT ORIGINATED FROM THE GENERAL TAX STABILIZATION RESERVE, FOR A CONTRACT WITH GOOD NEIGHBORS TO BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES

Prime Sponsor(s): Mr. Hollins, Mr. Street

°24-141: AMEND THE PAY PLAN AND RATES OF PAY FOR HOURLY RATED CLASSIFIED SERVICE EMPLOYEES REPRESENTED BY THE DELAWARE PUBLIC EMPLOYEES COUNCIL 81, AFSCME, AFFILIATE LOCAL 459 AND ADOPT THE REVISED CLASS SPECIFICATION FOR TELEVISION GROUTER EQUIPMENT OPERATOR FOR THE DEPARTMENT OF PUBLIC WORKS

Prime Sponsor(s): Ms. Hartley-Nagle

°24-142: AMEND THE GRANTS BUDGET: APPROPRIATE FEDERAL FUNDS OF \$100,000 FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO THE COC PERMANENT SUPPORTIVE HOUSING GRANT, WHICH IS ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING

Prime Sponsor(s): Mr. Hollins, Mr. Street

°24-143: DECLARING TAX PARCEL 24-003.00-020 AS SURPLUS LAND AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE DOCUMENTS NECESSARY TO TRANSFER SAID LAND TO VETERANS WATCHMAKERS INITIATIVE FOR \$267,000

Prime Sponsor(s): Mr. Bell

°24-144: AUTHORIZING THE ISSUANCE OF UP TO \$40,000,000 IN A GENERAL OBLIGATION BOND THROUGH THE U.S. ENVIRONMENTAL PROTECTION AGENCY ACTING BY AND THROUGH THE ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY FOR THE DEPARTMENT OF PUBLIC WORKS CHRISTINA RIVER FORCE MAIN REHABILITATION PROJECT

Prime Sponsor(s): Mr. Sheldon, Mr. Carter

°24-145: AMEND THE FY2025 CAPITAL PROGRAM AND BUDGET: INCREASE BOND AUTHORIZATIONS IN THE AMOUNT UP TO \$40,000,000 TO THE DEPARTMENT OF PUBLIC WORKS, CHRISTINA RIVER FORCE MAIN REHABILITATION PROJECT

Prime Sponsor(s): Mr. Sheldon, Mr. Carter

°24-146: AMEND THE FY2025 CAPITAL PROGRAM AND BUDGET BY REDUCING BOND AUTHORIZATIONS IN THE AMOUNT OF \$403,310 IN THE ELECTRICAL VEHICLE INFRASTRUCTURE CAPITAL PROJECT AND AMEND THE GRANTS BUDGET BY APPROPRIATING \$403,310 FROM THE U.S. DEPARTMENT OF ENERGY TO THE EECBG EV INFRASTRUCTURE DOE GRANT FOR THE DEPARTMENT OF PUBLIC WORKS

Prime Sponsor(s): Mr. Sheldon, Mr. Carter

°24-147: TO AMEND NEW CASTLE COUNTY CODE CHAPTER 7 ("PROPERTY MAINTENANCE CODE"), SECTION 7.01.002 ("AMENDMENTS TO THE INTERNATIONAL PROPERTY MAINTENANCE CODE") REGARDING RUBBISH AND GARBAGE CONTAINERS

Prime Sponsor(s): Mr. Tackett

E. Reports from Select and Special Committees

F. Consent Calendar

R24-164: RECOGNIZING AND CELEBRATING THE CONTRIBUTIONS OF THE INDO AMERICAN ASSOCIATION OF DELAWARE (IAAD)

Prime Sponsor(s): 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

R24-165: AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE A MASTER LOAN AGREEMENT, OR SUCH OTHER SIMILAR AGREEMENTS, WITH THE U.S. ENVIRONMENTAL PROTECTION AGENCY ACTING BY AND THROUGH THE ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY, IN AN AMOUNT NOT TO EXCEED \$40,000,000 TO FUND THE INSTALLATION OF APPROXIMATELY (A) 2,000 LINEAR FEET ("LF") OF NEW 84-INCH FORCE MAIN PIPING TO SERVE AS PERMANENT BYPASS PIPING AROUND THE HEALD STREET BRIDGE, (B) 5,700 LF OF 84-INCH FORCE MAIN PIPING TO SERVE AS PERMANENT BYPASS PIPING AROUND THE MARKET STREET BRIDGE AND (C) 2,000 LF OF A NEW 36-INCH FORCE MAIN EXTENDING FROM THE MARKET STREET PUMP STATION, ALL PART OF THE CHRISTINA RIVER FORCE MAIN REHABILITATION PROJECT; PROVIDING FOR THE PURCHASE OF THE BOND; AND AUTHORIZING THE EXECUTION OF VARIOUS DOCUMENTS IN CONNECTION THEREWITH.

Prime Sponsor(s): Mr. Sheldon, Mr. Carter

R24-166: SUPPORTING THE OFFICIAL RECOGNITION OF THE BATTLE OF COOCH'S BRIDGE AS A BONA FIDE MILITARY BATTLE AND URGING THE STATE OF DELAWARE TO FORMALLY RECOGNIZE IT AS SUCH AND TO RECOGNIZE ALL ASSOCIATED PROPERTIES IN AN APPROPRIATE MANNER

Prime Sponsor(s): Ms. George

Co-sponsor(s): Ms Durham, Mr. Tackett

R24-167: TO AMEND NEW CASTLE COUNTY COUNCIL PROCEDURAL RULE NO. 13 ("COUNCIL GRANTS") REGARDING EXPENDITURES

Prime Sponsor(s): Mr. Smiley

R24-145: (STATUS: TABLED) PLAN OF VISTA AT RED LION – SECTION 1; NEW CASTLE HUNDRED; NORTH SIDE OF OLD PORTER ROAD, 2000 FEET WEST OF RED LION ROAD; MAJOR LAND DEVELOPMENT PLAN THAT PROPOSES TO SUBDIVIDE TAX PARCEL NO. 10-052.00-011 INTO 240 TOWNHOUSE UNITS UTILIZING THE SINGLE FAMILY ATTACHED OPTION; ST ZONING; [APPLICATION NO. 2008-0002](#); COUNCIL DISTRICT 12

Prime Sponsor(s): Mr. Bell, Ms. Kilpatrick

R24-146: (STATUS: TABLED) PLAN OF VISTA AT RED LION – SECTION 2; NEW CASTLE HUNDRED; SOUTH SIDE OF OLD PORTER ROAD, 2700 FEET WEST OF RED LION ROAD; MAJOR LAND DEVELOPMENT PLAN THAT PROPOSES TO SUBDIVIDE TAX PARCEL NO. 10-052.00-011 AND TAX PARCEL NO. 10-052.00-018 INTO 279 AGE-RESTRICTED LOTS WITH A 4,800 SQUARE FOOT CLUBHOUSE UTILIZING THE SINGLE FAMILY DETACHED OPTION; ST ZONING; [APPLICATION NO. 2008-0003](#); COUNCIL DISTRICT 12

Prime Sponsor(s): Mr. Bell, Ms. Kilpatrick

I. Consideration of Ordinances

°24-132: TO AUTHORIZE ABATEMENT OF OUTSTANDING NEW CASTLE COUNTY REAL PROPERTY TAXES AND PENALTIES AND INTEREST ON THE PROPERTY OF WILSON

FARM ASSOCIATES, LLC LOCATED AT 100 DEAN DRIVE, NEWARK, DE, TAX PARCEL NUMBERS 18-024.00-422, 18-030.00-139, AND 18-030.00-138

Prime Sponsor(s): Ms. George

°24-133: AMEND THE GRANTS BUDGET: APPROPRIATE FEDERAL FUNDS OF \$1,991,000 FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO THE 2024 HOPE CENTER CAPITAL IMPROVEMENTS AND TRANSPORTATION GRANT, WHICH IS ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING

Prime Sponsor(s): Mr. Hollins, Mr. Street

°24-134: AMEND THE FY2025 APPROVED OPERATING BUDGET: REALIGN UP TO \$40,000 FROM COUNTY COUNCIL CONTINGENCY TO THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF POLICE, TO PROVIDE REIMBURSEMENT FOR CERTAIN EXPENSES RELATED TO THE NEW CASTLE COUNTY POLICE ACCOUNTABILITY BOARD

Prime Sponsor(s): Ms. Kilpatrick

Co-sponsor(s): Mr. Smiley

°24-135: AMEND THE FY2025 APPROVED OPERATING BUDGET: APPROPRIATE FUNDING FROM THE NEW CASTLE COUNTY TECHNOLOGY FEE ACCOUNT WITHIN THE OFFICE OF THE RECORDER OF DEEDS AND RECORDER OF DEEDS TECHNOLOGY FEE ACCOUNT TO THE DEPARTMENT OF ADMINISTRATION, OFFICE OF FINANCE FOR A TRANSACTION MANAGEMENT SYSTEM

Prime Sponsor(s): Mr. Smiley, Mr. Cartier

°24-084: TO AMEND NEW CASTLE COUNTY CODE CHAPTER 40 ("UNIFIED DEVELOPMENT CODE" OR "UDC"), ARTICLE 3 ("USE REGULATIONS"), AND ARTICLE 33 ("DEFINITIONS"), REGARDING FIREARM RETAIL BUSINESSES

Prime Sponsor(s): Ms. Kilpatrick

SUBSTITUTE NO. 1 TO °24-032: (STATUS: TABLED) COMPREHENSIVE REZONING - TO REVISE THE NEW CASTLE COUNTY ZONING MAPS IN COUNTY COUNCIL DISTRICT 8 REGARDING THE FOLLOWING TAX PARCELS: ARDENTOWN: 27-001.00-001(2206 MILLERS RD, ARDENTOWN); BRANDYWINE HUNDRED: 06-060.00-010 (1 NAAMANS RD, GILBERT SUBDIVISION), 06-122.00-081 (301 CARR RD, ROCKWOOD OFFICE PARK), 06-147.00-017 (1204 LIGHTHOUSE RD)

Prime Sponsor(s): Mr. Cartier

°24-008: (STATUS: TABLED) TO AMEND NEW CASTLE COUNTY CODE CHAPTER 40 ("UNIFIED DEVELOPMENT CODE"), ARTICLE 14 ("IMPACT FEES") REGARDING ADJUSTMENTS TO IMPACT FEES

Prime Sponsor(s): Ms. Durham, Mr. Carter, Mr. Toole

Co-sponsor(s): Mr. Cartier, Mr. Smiley

J. Time Sensitive Congratulatory/Honorary Resolutions

K. Introduction/Consideration of Emergency Ordinances

L. Public Comment/Other

M. Motion to Adjourn

*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.