



NEW CASTLE COUNTY COUNCIL COUNCIL MEETING

January 14, 2025
6:30 PM

VIRTUAL ZOOM WEBINAR MEETING &
LOUIS L. REDDING CITY/COUNTY BUILDING
1ST FLOOR COUNCIL CHAMBERS
800 N. FRENCH STREET, WILMINGTON, DE 19801**

REVISED AGENDA

A. Call to Order

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

B. Approval of Minutes

C. Announcements

Veto Announcement--Substitute No. 1 to 24-008 and Substitute No. 1 to 24-161

D. Introduction of Ordinances

°25-001: REVISE ZONING MAP; BRANDYWINE HUNDRED, SOUTH EAST SIDE OF PHILADELPHIA PIKE, 400 FEET NORTH OF THE INTERSECTION OF INTERSTATE 495 AND PHILADELPHIA PIKE; REZONE TAX PARCEL 06-059.00-165 (4150 PHILADELPHIA PIKE, CITISTEEL), TAX PARCEL 06-059.00-171 (4106 PHILADELPHIA PIKE, CITISTEEL), 06-072.00-198 (110 TRANSIT CENTER DR, CITISTEEL), 06-072.00-199 (150 TRANSIT CENTER DR, CITISTEEL), AND TAX PARCEL 06-073.00-001 (5988 PHILADELPHIA PIKE, COLORADO FUEL & IRON), FROM "HI" (HEAVY INDUSTRY) TO "CR" (COMMERCIAL REGIONAL)

Prime Sponsor(s): Mr. Cartier

°25-002: AMEND THE GRANTS BUDGET: APPROPRIATE FEDERAL FUNDS OF \$556,302.63 FROM THE CYBERSECURITY AND INFRASTRUCTURE SECURITY AGENCY PASSED THROUGH THE DELAWARE EMERGENCY MANAGEMENT AGENCY TO THE PERIMETER FIREWALLS REPLACEMENT (SLCGP) GRANT, WHICH IS ADMINISTERED BY THE DEPARTMENT OF ADMINISTRATION, OFFICE OF TECHNOLOGY AND ADMINISTRATIVE SERVICES

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

°25-003: AMEND THE GRANTS BUDGET: APPROPRIATE FEDERAL FUNDS OF \$103,632.00 FROM THE CYBERSECURITY AND INFRASTRUCTURE SECURITY AGENCY PASSED THROUGH THE DELAWARE EMERGENCY MANAGEMENT AGENCY TO THE REBLAZE RENEWAL (SLCGP) GRANT, WHICH IS ADMINISTERED BY THE DEPARTMENT OF

ADMINISTRATION, OFFICE OF TECHNOLOGY AND ADMINISTRATIVE SERVICES

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

°25-004: AMEND THE GRANTS BUDGET: APPROPRIATE FEDERAL FUNDS OF \$100,283.68 FROM THE CYBERSECURITY AND INFRASTRUCTURE SECURITY AGENCY PASSED THROUGH THE DELAWARE EMERGENCY MANAGEMENT AGENCY TO THE NETSKOPE RENEWAL (SLCGP) GRANT, WHICH IS ADMINISTERED BY THE DEPARTMENT OF ADMINISTRATION, OFFICE OF TECHNOLOGY AND ADMINISTRATIVE SERVICES

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

°25-005: AMEND THE GRANTS BUDGET: AUTHORIZE THE COUNTY EXECUTIVE TO SIGN AN AGREEMENT AND APPROPRIATE \$84,396.50 FROM THE STATE OF DELAWARE, DEPARTMENT OF TRANSPORTATION TO THE CHRISTIANA FIRE COMPANY COMMAND VEHICLE AND BOAT TRAILER GRANT FOR THE DEPARTMENT OF PUBLIC SAFETY

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

°25-006: AMEND THE GRANTS BUDGET: APPROPRIATE \$145,140.19 IN FEDERAL FUNDING FROM THE DEPARTMENT OF HOMELAND SECURITY FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FOR THE PURCHASE AND RECEIPT OF EQUIPMENT FOR THE DEPARTMENT OF PUBLIC SAFETY

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

°25-007: AMEND THE GRANTS BUDGET: APPROPRIATE \$105,744.14 IN FEDERAL FUNDING FROM THE DEPARTMENT OF HOMELAND SECURITY FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FOR TRAINING AND THE PURCHASE AND RECEIPT OF EQUIPMENT FOR THE DEPARTMENT OF PUBLIC SAFETY

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

°25-008: AMEND THE GRANTS BUDGET: APPROPRIATE FEDERAL FUNDING OF \$163,814.00 TO THE JUSTICE ASSISTANCE GRANT (JAG) 2024 GRANT FOR THE NEW CASTLE COUNTY DEPARTMENT OF PUBLIC SAFETY, DIVISION OF POLICE

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

°25-009: AMEND THE GRANTS BUDGET: APPROPRIATE \$1,000,000.00 IN FEDERAL PASS THROUGH FUNDING FROM THE U.S. DEPARTMENT OF TRANSPORTATION, FEDERAL HIGHWAY ADMINISTRATION THROUGH THE STATE OF DELAWARE, DEPARTMENT OF TRANSPORTATION (DELDOT) TO THE COMMONS BOULEVARD PATHWAY PHASE 2 GRANT FOR THE DEPARTMENT OF PUBLIC WORKS

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

°25-010: AMEND THE GRANTS BUDGET: FOR FY2025, APPROPRIATE \$51,001.12 IN REVENUE DERIVED FROM PRIVATE DONATIONS TO THE ROCKWOOD MUSEUM GRANT, WHICH IS ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY RESOURCES

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

°25-011: AMEND THE GRANTS BUDGET: APPROPRIATE \$13,188.85 IN ACTUAL PROGRAM INCOME TO THE NCC FARMER'S MARKET GRANT, WHICH IS ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES

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

°25-012: AMEND THE GRANTS BUDGET: APPROPRIATE \$1,000,000 IN FUNDING FROM THE STATE OF DELAWARE, DEPARTMENT OF HEALTH AND SOCIAL SERVICES, DIVISION OF PUBLIC HEALTH TO THE NO LEAD PROGRAM GRANT, WHICH WILL BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING

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

°25-013: AMEND THE FY2025 APPROVED OPERATING BUDGET: TRANSFER FUNDS FROM THE GRANTS AND FIXED CHARGES BUDGET LINE ITEM OF COUNTY COUNCIL TO THE CONTRACTUAL SERVICES BUDGET LINE ITEM FOR THE DEPARTMENT OF PUBLIC WORKS, DIVISION OF PARKS

Prime Sponsor(s): Mr. Cartier

°25-014: TO AMEND THE PAY PLANS AND RATES OF PAY FOR MEMBERS OF THE BOARD OF ASSESSMENT REVIEW, TO AUTHORIZE APPOINTMENT OF REFEREES TO HEAR APPEALS OF PROPERTY ASSESSMENTS AND TO PROVIDE FOR BOARD MEMBERS' AND REFEREES' COMPENSATION FOR REASSESSMENT APPEALS

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

Co-sponsor(s): Mr. Cartier

E. Reports from Select and Special Committees

F. Consent Calendar

R25-001: CONGRATULATING AND COMMENDING LIEUTENANT GUSTAVO "GUS" ZEISSIG ON HIS RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT

Prime Sponsor(s): Ms. Williams-Johns

R25-002: CONGRATULATING AND COMMENDING MAJOR LAURA O'SULLIVAN ON HER RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT

Prime Sponsor(s): Ms. Williams-Johns

R25-003: CONGRATULATING AND COMMENDING MASTER CORPORAL CHRISTOPHER SARNECKY ON HIS RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT

Prime Sponsor(s): Ms. Williams-Johns

R25-004: CONGRATULATING AND COMMENDING MASTER CORPORAL JOANN SMILEY ON HER RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT

Prime Sponsor(s): Ms. Williams-Johns

R25-005: CONGRATULATING AND COMMENDING MASTER CORPORAL MARK CENSURATO ON HIS RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT

Prime Sponsor(s): Ms. Williams-Johns

R25-006: CONGRATULATING AND COMMENDING MASTER CORPORAL MICHAEL ECKERD ON HIS RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT

Prime Sponsor(s): Ms. Williams-Johns

R25-007: CONGRATULATING AND COMMENDING MASTER CORPORAL RAND "ERIC" TOWNLEY, JR. ON HIS RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT

Prime Sponsor(s): Ms. Williams-Johns

R25-008: CONGRATULATING AND COMMENDING MASTER CORPORAL ROBERTO HERRERA-CORTES ON HIS RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT

Prime Sponsor(s): Ms. Williams-Johns

R25-009: CONGRATULATING AND COMMENDING MASTER CORPORAL RONALD DIMAANO ON HIS RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT

Prime Sponsor(s): Ms. Williams-Johns

R25-010: CONGRATULATING AND COMMENDING MASTER CORPORAL SILVIO MARTIN ON HIS RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT

Prime Sponsor(s): Ms. Williams-Johns

R25-011: CONGRATULATING AND COMMENDING SENIOR LIEUTENANT MATTHEW ASTFALK ON HIS RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT

Prime Sponsor(s): Ms. Williams-Johns

R25-012: CONGRATULATING AND COMMENDING SENIOR SERGEANT HECTOR L. GARCIA, JR. ON HIS RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT

Prime Sponsor(s): Ms. Williams-Johns

R25-013: CELEBRATING AND HONORING THE LIFE OF RONALD R. RUSSO AND EXPRESSING CONDOLENCES TO HIS FAMILY AND FRIENDS

Prime Sponsor(s): Mr. Toole

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

R25-014: CONSENTING TO THE APPOINTMENT OF CLEON L. CAULEY, SR., ESQ. FOR THE POSITION OF GENERAL MANAGER OF THE DEPARTMENT OF PUBLIC WORKS

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

R25-015: CONSENTING TO THE APPOINTMENT OF JILL FLOORE TO THE POSITION OF CHIEF FINANCIAL OFFICER

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

R25-016: CONSENTING TO THE APPOINTMENT OF AARON GOLDSTEIN TO THE POSITION OF COUNTY ATTORNEY

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

R25-017: CONSENTING TO THE APPOINTMENT OF CAPTAIN JAMES J. LEONARD, III TO THE POSITION OF CHIEF OF POLICE

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

R25-018: CONSENTING TO THE APPOINTMENT OF ELMER M. SETTING TO THE POSITION OF DIRECTOR OF PUBLIC SAFETY

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

R25-019: PLAN OF WALKER FARM INDUSTRIAL DEVELOPMENT; NEW CASTLE HUNDRED; SOUTH SIDE OF CHURCHMANS ROAD, 3578 FEET WEST OF CHRISTIANA ROAD (ROUTE 273); MAJOR LAND DEVELOPMENT PLAN AND TITLE SUBDIVISION PLAN THAT PROPOSES TWO WAREHOUSES TOTALING 837,600 SQUARE FEET AND TITLE SUBDIVIDES THE PROPERTY INTO FIVE (5) LOTS; I ZONING; [APPLICATION NO. 2022-0335](#); COUNCIL DISTRICT 7

Prime Sponsor(s): Mr. Smiley

R25-020: (TO BE VOTED 1/28/25) PLAN OF CARTER FARM; PENCADER HUNDRED; SOUTH SIDE OF BETHEL CHURCH ROAD, 3000 FEET WEST OF CHOPTANK ROAD; MAJOR

LAND DEVELOPMENT PLAN USING THE OPEN SPACE PLANNED DEVELOPMENT OPTION WITH THE INCLUSION OF 89 TDRS TO CREATE 189 LARGE SINGLE FAMILY LOTS, 32 SMALL SINGLE FAMILY LOTS, 32 LOT LINE LOTS, 36 TOWNHOME LOTS, 95 AGE-RESTRICTED VILLAGE LOTS, AND 240 APARTMENT UNITS; S ZONING; [APPLICATION NO. 2021-0285](#); COUNCIL DISTRICT 6

Prime Sponsor(s): Mr. Carter

I. Consideration of Ordinances

°24-179: TO AMEND THE PAY PLANS AND RATES OF PAY FOR CLASSIFIED SERVICE 35-HOUR WORKWEEK EMPLOYEES REPRESENTED BY THE DELAWARE PUBLIC EMPLOYEES COUNCIL 81, AFSCME, AFL-CIO, AFFILIATE LOCAL 1607 AND TO ADOPT NEW AND AMEND CLASS SPECIFICATIONS FOR LAND USE LICENSING RELATED POSITIONS

Prime Sponsor(s): Ms. Williams-Johns

°24-180: AMEND THE GRANTS BUDGET: APPROPRIATING BUDGET FOR A DONATION OF LAND FROM PAR 1, INC. AND A DONATION FROM VERINO PETTINARO IN THE AMOUNT OF \$70,000 TO BE USED FOR MAINTENANCE COSTS

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

°24-112: TO AMEND NEW CASTLE COUNTY CODE CHAPTER 40 ("UNIFIED DEVELOPMENT CODE"), SECTION 40.26.430 ("COMMUNITY REDEVELOPMENT PLAN") RELATING TO COMMUNITY DEVELOPMENT PLANS AND DESIGN GUIDELINES

Prime Sponsor(s): Ms. Durham

°23-007: (TO BE VOTED 1/28/25) REVISE ZONING MAP: PENCADER HUNDRED, SOUTH SIDE OF BETHEL CHURCH ROAD, APPROXIMATELY 1,850 FEET WEST OF CHOPTANK ROAD, 3500 FEET SOUTH OF BETHEL CHURCH ROAD; REZONE 2.08 + ACRES OF TAX PARCEL 11-061.00-005 FROM S (SUBURBAN) TO S (SUBURBAN) AND H (HISTORIC) OVERLAY ZONE; COUNCIL DISTRICT 6

Prime Sponsor(s): Mr. Carter

SUBSTITUTE NO. 1 TO °24-161: (STATUS: VETOED) AMENDING NEW CASTLE COUNTY CODE CHAPTER 6, ARTICLE 10 RELATING TO THE INTERNATIONAL ENERGY CONSERVATION CODE

Prime Sponsor(s): Ms. Durham

SUBSTITUTE NO. 1 TO °24-008: (STATUS: VETOED) 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, Mr. Caneco

J. Time Sensitive Congratulatory/Honorary Resolutions

R25-021: CELEBRATING AND HONORING ALAN BROWN FOR HIS 50 YEARS OF SERVICE TO THE BRANDYWINE HUNDRED FIRE COMPANY

Prime Sponsor(s): Mr. Cartier

R25-022: CELEBRATING AND HONORING DOROTHY "DOTTIE" MARX FOR HER 41 YEARS OF SERVICE TO THE BRANDYWINE HUNDRED FIRE COMPANY

Prime Sponsor(s): Mr. Cartier

R25-023: TO HONOR AND REMEMBER JOHN D. DANIELLO, THE ULTIMATE PUBLIC SERVANT

Prime Sponsor(s): Mr. Cartier

Co-sponsor(s): Mr. Caneco, Mr. Carter, Ms. Durham, Ms. George, Mr. Hollins, Ms. Kilpatrick, Mr. Smiley, Mr. Sheldon, Mr. Street, Mr. Tackett, Mr. Toole, Ms. Williams-Johns

R25-024: TO HONOR AND REMEMBER RICHARD "MOUSE" SMITH, A FRIEND AND CHAMPION, FOR A LIFE WELL LIVED

Prime Sponsor(s): Mr. Street, Mr. Hollins, Ms. Williams-Johns

Co-sponsors(s): Mr. Caneco, Mr. Carter, Mr. Cartier, Ms. Durham, Ms. George, Ms. Kilpatrick, Mr. Sheldon, Mr. Smiley, Mr. Tackett, Mr. Toole

K. Introduction/Consideration of Emergency Ordinances

L. Public Comment/Other

M. Motion to Adjourn

REVISED AGENDA POSTED: January 10, 2025

AGENDA POSTED: January 7, 2025

*The revised agenda was posted less than (7) seven days in advance of the meeting to denote that R25-020 and 23-007 will not be voted on by Council until the 1/28/25 Council meeting. 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.