NEW CASTLE COUNTY COUNCIL
COUNCIL MEETING

June 25, 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

°24-113: AMENDING CHAPTER 14 ("FINANCE AND TAXATION"), ARTICLE 1 ("IN GENERAL") RELATING TO CERTAIN RESERVE ACCOUNTS AND VOTING REQUIREMENTS RELATED THERETO
Prime Sponsor(s): Mr. Smiley, Mr. Hollins

°24-114: AMEND THE FY2024 CAPITAL PROGRAM AND BUDGET: APPROPRIATE $1,393,900.65 IN FUNDING FROM THE STATE OF DELAWARE, DEPARTMENT OF TRANSPORTATION TO THE DEPARTMENT OF PUBLIC WORKS, WATER QUALITY IMPROVEMENT PLAN CAPITAL PROJECT
Prime Sponsor(s): Mr. Sheldon, Mr. Carter

°24-115: TO AMEND NEW CASTLE COUNTY CODE CHAPTER 34 ("TRAFFIC AND VEHICLES"), BY ADDING ARTICLE 4 ("TRUCK MONITORING SYSTEM") TO ASSIST IN ENFORCEMENT OF TITLE 21 § 4505 OF THE DELAWARE CODE
Prime Sponsor(s): Mr. Street

°24-116: TO AMEND NEW CASTLE COUNTY CODE CHAPTER 40 ("UNIFIED DEVELOPMENT CODE"), ARTICLE 31 ("PROCEDURES AND ADMINISTRATION"), SECTION 40.31.120. ("TEXT AMENDMENTS") REGARDING TEXT AMENDMENTS
Prime Sponsor(s): Ms. Durham

°24-117: TO AMEND NEW CASTLE COUNTY CODE CHAPTER 40 ("UNIFIED DEVELOPMENT CODE"), ARTICLE 31

("PROCEDURES AND ADMINISTRATION"), SECTION 40.31.120. ("TEXT AMENDMENTS") REGARDING TEXT AMENDMENTS AND SCHEDULING
Prime Sponsor(s): 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

R24-145: 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: 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

R24-147: PLAN OF 2805 PULASKI HIGHWAY; PENCADER HUNDRED; NORTH SIDE OF PULASKI HIGHWAY, 885 FEET EAST OF PLEASANT VALLEY ROAD; MAJOR LAND DEVELOPMENT PLAN THAT PROPOSES TO COMBINE TAX PARCELS 11-026.00-002 AND 003 INTO ONE PARCEL TO CONSTRUCT 89,400 SQUARE FEET OF SELF-STORAGE WAREHOUSE, EXTERIOR STORAGE AREA FOR VEHICLES AND ASSOCIATED IMPROVEMENTS; RECONFIRMATION OF CR ZONING; APPLICATION NO. 2021-0004-S/Z; COUNCIL DISTRICT 5
Prime Sponsor(s): Ms. George

R24-148: TO AMEND NEW CASTLE COUNTY COUNCIL EMPLOYEE HANDBOOK CHAPTER 3 ("APPROPRIATE APPEARANCE") REGARDING THE APPEARANCE OF COUNCIL EMPLOYEES
Prime Sponsor(s): Mr. Sheldon, Ms. George, Mr. Hollins
Co-sponsor(s): Mr. Smiley

R24-149: TO AMEND NEW CASTLE COUNTY COUNCIL PROCEDURAL RULE 8.1.9 REGARDING VIRTUAL PARTICIPATION OF COUNCIL MEMBERS DURING COUNCIL MEETINGS
Prime Sponsor(s): Mr. Carter
Co-sponsor(s): Mr. Cartier, Ms. Durham, Mr. Smiley

I. Consideration of Ordinances

°24-094: AMEND THE GRANTS BUDGET: REALIGN $128,227.78 IN FUNDS FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO A SPECIAL COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM DESIGNATED AS CDBG-CV, WHICH IS ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES
Prime Sponsor(s): Mr. Hollins, Mr. Street

°24-095: AMEND THE GRANTS BUDGET: REALIGN $79,701.78 IN FEDERAL FUNDS WITHIN THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM DESIGNATED AS CDBG-CARES ACT ROUND III, WHICH IS ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES
Prime Sponsor(s): Mr. Hollins, Mr. Street

°24-096: AMEND THE GRANTS BUDGET: APPROPRIATE $2,452,724 FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND $350,000 IN ESTIMATED PROGRAM INCOME TO THE FY2025 COMMUNITY DEVELOPMENT BLOCK GRANT, WHICH WILL BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING
Prime Sponsor(s): Mr. Hollins, Mr. Street

°24-097: AMEND THE GRANTS BUDGET: FOR FY2025, APPROPRIATE FEDERAL FUNDS OF $964,060 FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND ESTIMATED PROGRAM INCOME OF $50,000 TO THE FY2025 HOME INVESTMENT PARTNERSHIP PROGRAM (HOME) GRANT, WHICH IS ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING
Prime Sponsor(s): Mr. Hollins, Mr. Street

°24-098: AMEND THE GRANTS BUDGET: FOR FY2025, APPROPRIATE FEDERAL FUNDS OF $209,446 FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) TO THE FY2025 EMERGENCY SOLUTIONS GRANT, WHICH WILL BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING
Prime Sponsor(s): Mr. Hollins, Mr. Street

°24-099: AMEND THE GRANTS BUDGET: APPROPRIATE $225,490 IN ANTICIPATED STATE OF DELAWARE GRANT-IN-AID FUNDS TO THE ABSALOM JONES SENIOR CENTER FY2025 GRANT, WHICH WILL BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, COMMUNITY RESOURCES DIVISION
Prime Sponsor(s): Mr. Hollins, Mr. Street

°24-100: AMEND THE GRANTS BUDGET: APPROPRIATE $75,000 FROM THE STATE OF DELAWARE, DEPARTMENT OF HEALTH AND SOCIAL SERVICES, DIVISION OF SERVICES FOR AGING AND ADULTS WITH PHYSICAL DISABILITIES TO THE HEALTHY HOMES-DHSS GRANT, TO BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING
Prime Sponsor(s): Mr. Hollins, Mr. Street

°24-101: AMEND THE GRANTS BUDGET: FOR FY2025, APPROPRIATE ANTICIPATED $2,841,311 FROM THE DEPARTMENT OF STATE, DELAWARE DIVISION OF LIBRARIES TO: (A) LIBRARY ADMINISTRATION $2,575,961; (B) APPOQUINIMINK LIBRARY $19,547; (C) BEAR LIBRARY $34,431; (D) CLAYMONT LIBRARY $14,431; (E) BRANDYWINE HUNDRED LIBRARY $82,530; (F) ELSMERE LIBRARY $14,430; (G) HOCKESSIN LIBRARY $17,544; (H) KIRKWOOD LIBRARY $21,748; (I) NEWARK LIBRARY $30,353; (J) ROUTE 9 LIBRARY $11,697; AND (K) WOODLAWN LIBRARY $18,639 WHICH ARE ALL ADMINISTERED BY THE DEPARTMENT OF

COMMUNITY SERVICES, DIVISION OF LIBRARIES
Prime Sponsor(s): Mr. Hollins, Mr. Street

°24-102: AMEND THE FY2025 APPROVED OPERATING BUDGET: APPROPRIATE $1,800,000 IN ROOM RENTAL FEES AND $491,389 FROM THE HOPE CENTER RESERVE (GENERAL FUND SUB-FUND) TO THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING TO FUND HOPE CENTER OPERATIONS
Prime Sponsor(s): Mr. Hollins, Mr. Street

°24-103: AMEND THE FY2025 APPROVED OPERATING BUDGET: APPROPRIATE FUNDING FROM THE GRANTS AND FIXED CHARGES BUDGET LINE ITEM OF COUNTY COUNCIL TO THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY RESOURCES FOR YOUTH EMPLOYMENT
Prime Sponsor(s): Mr. Hollins, Mr. Street, Mr. Smiley

°24-104: AMEND THE GRANTS BUDGET: APPROPRIATE $83,000 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 FY2025
Prime Sponsor(s): Mr. Bell, Ms. Hartley-Nagle

°24-105: AMEND THE GRANTS BUDGET: APPROPRIATE $83,600 IN FEDERAL FUNDING FROM THE DEPARTMENT OF HOMELAND SECURITY FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) TO THE FY2025 HMGP HAZARD MITIGATION PLAN UPDATE GRANT
Prime Sponsor(s): Mr. Bell, Ms. Hartley-Nagle

°24-106: AMEND THE GRANTS BUDGET: APPROPRIATE $26,785.00 FROM THE STATE OF DELAWARE, DEPARTMENT OF JUSTICE – SPECIAL LAW ENFORCEMENT ASSISTANCE FUND (SLEAF) TO THE SLEAF AUTO LICENSE PLATE READERS GRANT, TO BE ADMINISTERED BY THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF POLICE
Prime Sponsor(s): Mr. Bell, Ms. Hartley-Nagle

°24-107: AMEND THE GRANTS BUDGET: APPROPRIATE $76,000 OF FEDERAL FUNDS FROM THE UNITED STATES DEPARTMENT OF JUSTICE VICTIMS OF CRIME ACT (VOCA) VICTIM ASSISTANCE PROGRAM THROUGH THE DELAWARE CRIMINAL JUSTICE COUNCIL (CJC) TO THE CRIMINAL JUSTICE COUNCIL NEW CASTLE COUNTY POLICE DEPARTMENT EXPANSION OF VICTIM SERVICES – EIGHTH YEAR GRANT, TO BE ADMINISTERED BY THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF POLICE
Prime Sponsor(s): Mr. Bell, Ms. Hartley-Nagle

°24-108: AMEND THE FY2024 APPROVED OPERATING BUDGET: TRANSFER FUNDS FROM THE GRANTS AND FIXED CHARGES BUDGET LINE ITEM OF COUNTY COUNCIL TO THE SOUTHERN REGIONAL PARK CAPITAL PROJECT FOR ASSISTANCE IN CREATING A WORKING SPACE FOR MAINTENANCE OPERATIONS
Prime Sponsor(s): Mr. Carter

°24-109: AMEND THE FY2024 CAPITAL PROGRAM AND BUDGET: APPROPRIATE FUNDING FROM THE NEW CASTLE COUNTY COUNCIL FY2024 APPROVED OPERATING BUDGET TO THE DEPARTMENT OF PUBLIC WORKS, SOUTHERN REGIONAL PARK CAPITAL PROJECT
Prime Sponsor(s): Mr. Carter

°24-110: AMEND THE GRANTS BUDGET: APPROPRIATE $100,000 FROM THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES, SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION THROUGH THE STATE OF DELAWARE, DELAWARE DEPARTMENT OF HEALTH AND SOCIAL SERVICES, DIVISION OF SUBSTANCE ABUSE AND MENTAL HEALTH TO THE WASTEWATER GRANT DHSS 2024 FOR THE DEPARTMENT OF

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

°24-111: TO APPROPRIATE $190,000 IN THE GARSTIN TRUST TO BE ADMINISTERED BY THE DEPARTMENT OF PUBLIC WORKS
Prime Sponsor(s): Mr. Sheldon, Mr. Carter

°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

J. Time Sensitive Congratulatory/Honorary Resolutions

K. Introduction/Consideration of Emergency Ordinances

L. Public Comment/Other

M. Motion to Adjourn

AGENDA POSTED: June 18, 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 ZOOM 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.