NEW CASTLE COUNTY COUNCIL
COUNCIL MEETING

August 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

REVISED AGENDA

A. Call to Order

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

B. Approval of Minutes

C. Announcements

D. Introduction 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

°24-136: 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), TAX PARCEL 06-060.00-012 (0 OFF PHILADELPHIA PIKE), TAX PARCEL 06-072.00-098 (6.05 ACRES), 06-072.00-198 (110 TRANSIT CENTER DR, CITISTEEL) (12.36 ACRES), 06-072.00-199 (150 TRANSIT CENTER DR, CITISTEEL) (4.71 ACRES), AND TAX PARCEL 06-073.00-001 (5988 PHILADELPHIA PIKE, COLORADO FUEL & IRON) (258.38 ACRES), FROM "HI" (HEAVY INDUSTRY) TO "CR" (COMMERCIAL REGIONAL)
Prime Sposor(s): Mr. Cartier

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

R24-159: AUTHORIZING THE EXECUTION OF ONE CONTRACT WITH THE CITY OF NEWARK TO PROVIDE A PASS-THROUGH GRANT FOR THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING IN THE AMOUNT OF $289,911.98
Prime Sponsor: Mr. Smiley, Mr. Cartier

R24-160: AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE A GROUND LEASE FOR A CELL TOWER ON A PORTION OF TAX PARCEL NO. 08-008.30-102, DESIGNATED PARKLAND
Prime Sponsor(s): Ms. Kilpatrick

R24-161: APPROVING THE RECREATIONAL PROPERTY TAX EXEMPT STATUS OF THE MAPLE VALLEY SWIM CLUB LOCATED AT 8 OLD POSSUM PARK ROAD, NEWARK, DELAWARE TAX PARCEL NO. 08-053.00-039
Prime Sponsor(s): Mr. Sheldon

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

°24-124: AMEND THE FY2025 CAPITAL PROGRAM AND BUDGET: TRANSFER $500,000 FROM THE AGRICULTURAL PRESERVATION CAPITAL PROJECT TO THE OPEN SPACE PRESERVATION CAPITAL PROJECT
Prime Sponsor(s): Ms. Durham, Mr. Smiley

°24-125: AMEND THE FY2025 CAPITAL PROGRAM AND BUDGET: APPROPRIATE $3,500,000 IN FUNDING RECEIVED FROM THE STATE OF DELAWARE FISCAL YEAR 2025 BOND AND CAPITAL IMPROVEMENTS ACT TO THE DEPARTMENT OF COMMUNITY SERVICES, NEWARK LIBRARY CAPITAL PROJECT
Prime Sponsor(s): Mr. Hollins, Mr. Street

°24-126: AMEND THE GRANTS BUDGET: APPROPRIATE $10,818 ADDITIONAL 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

°24-127: AMEND THE GRANTS BUDGET: APPROPRIATE $853,500 TO THE CONTRACTED POLICE DUTY REVOLVING FUND, WHICH IS ADMINISTERED BY THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF POLICE
Prime Sponsor(s): Mr. Bell, Ms. Hartley-Nagle

°24-128: AMEND THE GRANTS BUDGET: APPROPRIATE $244,149 TO THE CONTRACTED PARAMEDIC DUTY REVOLVING FUND, WHICH IS ADMINISTERED BY THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF EMERGENCY MEDICAL SERVICES
Prime Sponsor(s): Mr. Bell, Ms. Hartley-Nagle

°24-131: 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
Prime Sponsor(s): Ms. Kilpatrick

°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.)
Prime Sponsor(s): Mr. Carter

°24-031: AMENDING NEW CASTLE COUNTY CODE CHAPTER 40 (“UNIFIED DEVELOPMENT CODE”), ARTICLE 31 (“PROCEDURES AND ADMINISTRATION”) RELATING TO COUNTY COUNCIL REFERRALS
Prime Sponsor(s): Mr. Carter

SUBSTITUTE NO. 1 TO °24-059: TO AMEND NEW CASTLE COUNTY CODE CHAPTER 40 (“UNIFIED DEVELOPMENT CODE”), SECTION 40.03.410 (“ACCESSORY USES, RESIDENTIAL”) RELATING TO FENCE STANDARDS
Prime Sponsor(s): Mr. Cartier

°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

R24-162: HONORING THE LIFE AND LEGACY OF SHIRLEY ANN AGNOR, ESTEEMED FORMER CLERK OF NEW CASTLE COUNTY COUNCIL
Prime Sponsor(s): Mr. Hollins
Co-sponsor(s): Mr. Bell, Mr. Carter, Mr. Cartier, Ms. Durham, Ms. George, Ms. Hartley-Nagle, Ms. Kilpatrick, Mr. Sheldon, Mr. Smiley, Mr. Street, Mr. Tackett, Mr. Toole

R24-163: RECOGNIZING AND CELEBRATING THE CONTRIBUTIONS OF WORKERS ON LABOR DAY 2024
Prime Sponsor(s): Mr. Sheldon, Mr. Smiley, Mr. Cartier, Mr. Tackett
Co-sponsor(s):

K. Introduction/Consideration of Emergency Ordinances

L. Public Comment/Other

M. Motion to Adjourn

REVISED AGENDA POSTED: August 26, 2024
AGENDA POSTED: August 20, 2024

*The revised agenda was posted on 8/26/24 to add 24-136 under introductions, which was inadvertently left off the agenda. 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.