NEW CASTLE COUNTY COUNCIL
COUNCIL MEETING

December 10, 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

°24-179: 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

E. Reports from Select and Special Committees

F. Consent Calendar

R24-196: APPOINTING GEORGE THOMPSON TO THE NEWCASTLE COUNTY ETHICS COMMISSION
Prime Sponsor(s): Mr. Street

R24-197: CONGRATULATING SAMANTHA BARGREN FOR ACHIEVING THE RANK OF EAGLE SCOUT
Prime Sponsor(s): Ms. Durham

R24-204: APPOINTING BRIAN MURPHY TO THE NEW CASTLE COUNTY BOARD OF ASSESSMENT REVIEW
Prime Sponsor(s): Mr. Hollins

R24-205: CONGRATULATING THE MIDDLETOWN HIGH SCHOOL CAVALIERS FOOTBALL TEAM AND COACHING STAFF ON WINNING THE 2024 CLASS 3A STATE CHAMPIONSHIP
Prime Sponsor(s): Mr. Caneco, Mr. Carter

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

R24-198: AUTHORIZING THE COUNTY EXECUTIVE TO SIGN AN AGREEMENT AND RELATED DOCUMENTS TO ACCEPT A DONATION FROM PAR 1, INC. OF 35.71 ACRES OF LAND VALUED AT $6,000,000 AND A DONATION FROM VERINO PETTINARO IN THE AMOUNT OF $70,000 TO APPLY TOWARDS MAINTENANCE COSTS
Prime Sponsor(s): Mr. Sheldon, Mr. Carter

R24-199: AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN AWARD AGREEMENT WITH THE UNITED STATES DEPARTMENT OF TREASURY TO ACCEPT AN AWARD UNDER THE SOCIAL IMPACT PARTNERSHIPS TO PAY FOR RESULTS ACT IN THE AMOUNT OF $9,640,323.00 FOR THE FAMILY HOUSING OPPORTUNITIES FOR PURPOSEFUL EMPLOYMENT PROJECT
Prime Sponsor(s): Mr. Smiley, Mr. Hollins, Mr. Street

R24-200: COMMENDING THE WORK OF THE NEW CASTLE COUNTY SUSTAINABILITY COORDINATOR AND THE INTERNAL AND EXTERNAL STAKEHOLDER GROUPS WHO DRAFTED NEW CASTLE COUNTY'S FIRST SUSTAINABILITY PLAN AND SUPPORTING THE GOALS AND IMPLEMENTATION STEPS OUTLINED IN THE PLAN
Prime Sponsor(s): Mr. Toole, Ms. Durham

R24-201: AUTHORIZING THE EXECUTION OF A SUBAWARD AGREEMENT WITH DAVITRON, LLC TO ASSIST WITH THE ACQUISITION OF NEW TOWNHOME STYLE RENTAL UNITS ON LIMESTONE RD. FOR THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING IN THE AMOUNT OF $5,000,000.00
Prime Sponsor(s): Mr. Smiley, Mr. Cartier

R24-202: AUTHORIZING THE EXECUTION OF THE NINTH AMENDMENT TO GROUND LEASE WITH THE DELAWARE RIVER AND BAY AUTHORITY REGARDING OPERATIONS AT THE NEW CASTLE AIRPORT
Prime Sponsor(s): Mr. Smiley

R24-203 : PLAN OF STANTON CHRISTIANA INDUSTRIAL DEVELOPMENT; WHITE CLAY HUNDRED; WEST SIDE OF THE TERMINUS OF STANTON CHRISTIANA ROAD, SOUTHEAST OF INTERSTATE 95; MAJOR LAND DEVELOPMENT PLAN THAT PROPOSES A 442,530 SQUARE FOOT WAREHOUSE WITH ASSOCIATED IMPROVEMENTS; BP ZONING; APPLICATION NO. 2022-0039; COUNCIL DISTRICT 1
Prime Sponsor(s): Mr. Toole

I. Consideration of Ordinances

°24-161: AMENDING NEW CASTLE COUNTY CODE CHAPTER 6, ARTICLE 10 RELATING TO THE INTERNATIONAL ENERGY CONSERVATION CODE
Prime Sponsor(s): Ms. Durham

°24-162: AMEND THE GRANTS BUDGET: APPROPRIATE $7,055.00 IN PROGRAM INCOME TO THE ABSALOM JONES SENIOR CENTER RECREATION GRANT TO BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY RESOURCES
Prime Sponsor(s): Mr. Hollins, Mr. Street
Co-sponsor(s): Mr. Toole

°24-163: AMEND THE GRANTS BUDGET: REALIGN $444,662.67 IN FUNDS FROM THE DEPARTMENT OF STATE, DELAWARE DIVISION OF LIBRARIES WITHIN THE FY2024 STATE AID FOR LIBRARIES GRANT, WHICH IS ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF LIBRARIES
Prime Sponsor(s): Mr. Hollins, Mr. Street

°24-164: AMEND THE GRANTS BUDGET: APPROPRIATE $160,000 FROM THE STATE OF DELAWARE FY2025 GRANT-IN-AID BILL TO THE FY2025 POLICE BEHAVIORAL HEALTH GRANT TO BE ADMINISTERED BY THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF POLICE
Prime Sponsor(s): Mr. Smiley; Mr. Cartier

°24-165: AMEND THE GRANTS BUDGET: APPROPRIATE $40,000.00 FROM THE UNITED STATES DEPARTMENT OF JUSTICE TO THE ASSET FORFEITURE-FEDERAL GRANT, WHICH IS ADMINISTERED BY THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF POLICE
Prime Sponsor(s): Mr. Smiley, Mr. Cartier

°24-166: AMEND THE GRANTS BUDGET: APPROPRIATE $506,644.98 FROM THE STATE OF DELAWARE DEPARTMENT OF SAFETY AND HOMELAND SECURITY TO THE FY2025 FUNDS TO COMBAT VIOLENT CRIME GRANT FOR THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF POLICE
Prime Sponsor(s): Mr. Smiley, Mr. Cartier

°24-167: AMEND THE FY2025 APPROVED OPERATING BUDGET: APPROPRIATE UP TO $880,000 FROM THE GENERAL FUND TAX STABILIZATION RESERVE ACCOUNT TO THE DEPARTMENT OF ADMINISTRATION, OFFICE OF LAW TO FUND ATTORNEY FEES AND LITIGATION EXPERT WITNESSES
Prime Sponsor(s): Mr. Smiley, Mr. Cartier

°24-168: 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 PUBLIC SAFETY, DIVISION OF EMERGENCY MEDICAL SERVICES FOR THE PURCHASE OF HANDTEVY
Prime Sponsor(s): Mr. Smiley, Mr. Cartier

°24-169: AMENDING NEW CASTLE COUNTY CODE CHAPTER 2 (“ADMINISTRATION”) AND CHAPTER 14 (“FINANCE AND TAXATION”) TO COMPENSATE CERTAIN MEMBERS OF COUNTY BOARDS, COMMITTEES, AND COMMISSIONS
Prime Sponsor(s): Ms. Durham

°24-170: AMENDING THE PAY PLANS AND RATES OF PAY FOR ELIGIBLE MEMBERS OF CERTAIN NEW CASTLE COUNTY BOARDS, COMMITTEES, AND COMMISSIONS
Prime Sponsor(s): Ms. Durham

°24-171: AMEND THE FY2025 APPROVED OPERATING BUDGET: TRANSFER FUNDING FROM THE GRANTS AND FIXED CHARGES BUDGET LINE ITEM OF COUNTY COUNCIL TO

THE MATERIALS AND SUPPLIES BUDGET LINE ITEM OF THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY RESOURCES TO PROVIDE FUNDING FOR THE SENIOR EMERGENCY FOOD VOUCHER PROGRAM
Prime Sponsor(s): Mr. Smiley

°24-173: TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 14 ("FINANCE AND TAXATION"), ARTICLE 6 ("EXEMPTION FROM REAL PROPERTY TAXATION"), SECTIONS 14.06.302 ("QUALIFICATIONS FOR AND AMOUNT OF ELDERLY EXEMPTION"), 14.06.303 ("QUALIFICATIONS FOR AND AMOUNT OF DISABILITY EXEMPTION"), 14.06.901 ("LANDFILL EXEMPTION"), AND 14.06.1103 ("FILING FREQUENCY"); AND CHAPTER 38 ("UTILITIES"), ARTICLE 2 ("SEWERS AND SEWAGE DISPOSAL"), SECTION 38.02.505 ("ESTIMATED EDU CHARGES AND MEASUREMENT OF WATER FOR CONSUMPTION CHARGES") REGARDING EXEMPTIONS
Prime Sponsor(s): Mr. Smiley

°24-174: AMEND THE GRANTS BUDGET: APPROPRIATE $147,509.12 IN ACTUAL PROGRAM INCOME AND $150,000.00 IN ANTICIPATED PROGRAM INCOME TO THE SUMMER RECREATION CAMPS GRANT
Prime Sponsor(s): Mr. Hollins, Mr. Street

°24-175: AMEND THE GRANTS BUDGET: APPROPRIATE ANTICIPATED FEDERAL FUNDS OF $18,917,337 FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO THE SECTION 8 HOUSING CHOICE VOUCHERS – 2025 GRANT, WHICH WILL BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING
Prime Sponsor(s): Mr. Hollins, Mr. Street

°24-176: AMEND THE GRANTS BUDGET: APPROPRIATE ANTICIPATED ADDITIONAL FEDERAL FUNDS OF $615,000.00 FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO THE EMERGENCY HOUSING CHOICE VOUCHERS GRANT, WHICH IS ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING
Prime Sponsor(s): Mr. Hollins, Mr. Street

°24-177: 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 RELATED POSITIONS
Prime Sponsor(s): Ms. Williams-Johns

°24-178 TO PROVIDE FOR THE INSTALLATION OF ARLINGTON STREET LIGHTS WITH LIGHT EMITTING DIODE (LED) BULBS (70 WATT EQUIVALENT) AND 8' POLE IN THE FOULKSTONE SUBDIVISION LOCATED IN THE BRANDYWINE HUNDRED AND FOR A LIGHT TAX BASED ON THE COST OF STREET LIGHTS
Prime Sponsor(s): Ms. Durham

°24-033: COMPREHENSIVE REZONING - TO REVISE THE NEW CASTLE COUNTY ZONING MAPS IN COUNTY COUNCIL DISTRICT 2 REGARDING THE FOLLOWING TAX PARCELS: BRANDYWINE HUNDRED: 06-040.00-002 (0 CONCORD PIKE OFF, WOODLAWN TRUSTEES), 06-077.00-274 (0 CONCORD PIKE OFF, FIRST UNITARIAN CHURCH), 06-127.00-001 (742 ALAPOCAS DR, E I DUPONT DENEMOURS), 26-014.10-006 (1600 N PARK DR, ABESSINIO STADIUM)
Prime Sponsor(s): Ms. Durham

°24-034: COMPREHENSIVE REZONING - TO REVISE THE NEW CASTLE COUNTY ZONING MAPS IN COUNTY COUNCIL DISTRICT 2 AND COUNTY COUNCIL DISTRICT 4 REGARDING THE FOLLOWING TAX PARCELS: CHRISTIANA HUNDRED: 07-030.20-015 (0 NEW BRIDGE RD)

Prime Sponsor(s): Ms. Durham, Mr. Hollins

°24-083: COMPREHENSIVE REZONING -TO REVISE THE NEW CASTLE COUNTY ZONING MAPS IN COUNTY COUNCIL DISTRICT 6 REGARDING THE FOLLOWING TAX PARCELS: APPOQUINIMINK HUNDRED: 14-010.00-002 (0 MIDDLETOWN WARWICK RD), 14-010.00-003 (0 STRAWBERRY LN), 14-010.00-009 (0 MIDDLETOWN WARWICK RD), 14-010.00-010 (1422 MIDDLETOWN WARWICK RD), 14-010.00-015 (0 STRAWBERRY LN), 14-010.00-016 (1352 MIDDLETOWN WARWICK RD), 14-010.00-017 (1330 MIDDLETOWN WARWICK RD, STARDEL INC), 14-010.00-018 (1280 MIDDLETOWN WARWICK RD), 14-010.00-026 (301 STRAWBERRY LN), 14-010.00-028 (0 MIDDLETOWN WARWICK RD, STARDEL INC), 14-010.00-032 (1416 MIDDLETOWN WARWICK RD, SHAHAN SUBDIVISION); PENCADER HUNDRED: 11-058.00-009 (4 TROOPERS WAY, SUMMIT AVIATION); ST GEORGES HUNDRED: 11-058.00-009 (4 TROOPERS WAY, SUMMIT AVIATION)
Prime Sponsor(s): Mr. Carter

SUBSTITUTE NO. 1 TO °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
Co-sponsor(s): Ms. Kilpatrick, Mr. Cartier, Ms. Williams-Johns, Ms. George

°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

SUBSTITUTE NO. 1 TO °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, Mr. Caneco

J. Time Sensitive Congratulatory/Honorary Resolutions

R24-206: HONORING THE LIFE OF BARBARA JEAN (SHERIDAN) FOXX
Prime Sponsor(s): Ms. Williams-Johns

K. Introduction/Consideration of Emergency Ordinances

L. Public Comment/Other

M. Motion to Adjourn

AGENDA POSTED: December 3, 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.