

NEW CASTLE COUNTY COUNCIL

September 28, 2021

6:30 p.m.

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
Veto Announcement—Ordinance 21-089

D. Introduction of Ordinances

[°21-108](#): AMEND THE GRANTS BUDGET: APPROPRIATE \$188,726.83 IN PROGRAM INCOME AND REALIGN \$390,779.68 IN THE COMMUNITY DEVELOPMENT BLOCK GRANT FY2021, WHICH IS ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING. Introduced by: Mr. Hollins, Ms. Diller

[°21-109](#): AMEND THE GRANTS BUDGET: REALIGN \$152,198.19 IN THE FY2019 HOME INVESTMENT PARTNERSHIP PROGRAM (HOME) GRANT WHICH IS ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING. Introduced by: Mr. Hollins, Ms. Diller

[°21-110](#): TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 14 (“FINANCE AND TAXATION”), ARTICLE 1 (“IN GENERAL”) TO ESTABLISH THE AFFORDABLE HOUSING FUND. Introduced by: Mr. Hollins, Ms. Diller

[°21-111](#): TO AMEND THE FY2021 APPROVED OPERATING BUDGET: ALLOCATE \$15,000,000 FROM THE GENERAL FUND TAX STABILIZATION RESERVE ACCOUNT TO THE AFFORDABLE HOUSING FUND. Introduced by: Mr. Hollins, Ms. Diller

[°21-112](#): AMEND THE FY2021 APPROVED OPERATING BUDGET: REALIGN \$2,861,300 WITHIN THE GENERAL FUND AND \$336,000 WITHIN THE SEWER FUND IN ORDER TO PROVIDE FUNDING FOR SALARIES AND WAGES AND HEALTHCARE EXPENSES. Introduced by: Mr. Smiley, Mr. Cartier

[°21-113](#): TO PROVIDE FOR THE INSTALLATION OF GRANVILLE STREET LIGHTS WITH 150 WATT LIGHT EMITTING DIODE (LED) BULBS IN THE COLUMBIA PLACE SUBDIVISION LOCATED IN THE BRANDYWINE HUNDRED AND FOR A LIGHT TAX BASED ON THE COST OF STREET LIGHTS. Introduced by: Ms. Durham

[°21-114](#): TO PROVIDE FOR THE INSTALLATION OF TRADITIONAIRE STREET LIGHTS WITH HIGH PRESSURE SODIUM (HPS) 70-WATT BULBS IN THE WHITEWOOD VILLAGE SUBDIVISION LOCATED IN THE PENCADER HUNDRED AND FOR A LIGHT TAX BASED ON THE COST OF STREET LIGHTS. Introduced by: Mr. Tackett

[°21-115](#): TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 2 (“ADMINISTRATION”) TO ADOPT A REDISTRICTING PLAN AFTER A RECOMMENDATION AND REPORT BY THE NEW CASTLE COUNTY REDISTRICTING COMMISSION. Introduced by: MS. Hartley-Nagle, Mr. Hollins

[°21-116](#): TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 6 (“BUILDING CODE”), ARTICLE 3 (“ADMINISTRATION”) AND ARTICLE 10 (“ENERGY CONSERVATION CODE”) RELATING TO NEW RESIDENTIAL CONSTRUCTION, ELECTRIC VEHICLES, AND CHARGING INFRASTRUCTURE. Introduced by: Ms. Durham

E. Reports from Select and Special Committees

F. Consent Calendar

[R21-163](#): CONSENTING TO THE APPOINTMENT OF NINA P. DAVID TO THE NEW CASTLE COUNTY BOARD OF ADJUSTMENT. Introduced by: Ms. Kilpatrick

[R21-164](#): CONSENTING TO THE APPOINTMENT OF LEE JARMON TO THE NEW CASTLE COUNTY OPEN SPACE ADVISORY BOARD. Introduced by: Mr. Street

[R21-165](#): APPOINTING ROGER JONES TO THE NEW CASTLE COUNTY OPEN SPACE ADVISORY BOARD. Introduced by: Ms. Kilpatrick, Ms. Durham

[R21-166](#): REAPPOINTING ERASTUS MONG’ARE TO THE NEW CASTLE COUNTY DIVERSITY COMMISSION. Introduced by: Mr. Tackett

[R21-167](#): CONSENTING TO THE APPOINTMENT OF MATTHEW J. SARVER TO THE NEW CASTLE COUNTY OPEN SPACE ADVISORY BOARD. Introduced by: Ms. Durham

[R21-168](#): CONSENTING TO THE APPOINTMENT OF ELENA MARIE STEWART TO THE NEW CASTLE COUNTY OPEN SPACE ADVISORY BOARD. Introduced by: Ms. Hartley-Nagle

[R21-169](#): CONSENTING TO THE APPOINTMENT OF NANNETTE M. SWADEY, ESQUIRE TO THE NEW CASTLE COUNTY HISTORIC REVIEW BOARD. Introduced by: Mr. Cartier

[R21-170](#): APPOINTING DAVID YAN TO THE NEW CASTLE COUNTY OPEN SPACE ADVISORY BOARD. Introduced by: Ms. Kilpatrick

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**

[R21-171](#): AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT WITH 2 FISH HOME RENOVATIONS TO ASSIST WITH DEVELOPMENT OF AFFORDABLE HOUSING FOR THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING IN THE AMOUNT OF \$100,000.00. Introduced by: Mr. Smiley, Mr. Cartier

[R21-172](#): AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT WITH DUFFY'S HOPE TO ASSIST WITH DEVELOPMENT OF AN AFFORDABLE GROUP HOME FOR THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING IN THE AMOUNT OF \$150,000.00. Introduced by: Mr. Smiley, Mr. Cartier

[R21-173](#): AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT WITH HABITAT FOR HUMANITY OF NEW CASTLE COUNTY INC. TO ASSIST WITH DEVELOPMENT OF AFFORDABLE HOUSING IN MIDDLETOWN FOR THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING IN THE AMOUNT OF \$250,000.00. Introduced by: Mr. Smiley, Mr. Cartier

[R21-174](#): AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT WITH HABITAT FOR HUMANITY OF NEW CASTLE COUNTY INC. TO ASSIST WITH THE DEVELOPMENT OF AFFORDABLE HOUSING ALONG THE ROUTE 9 CORRIDOR FOR THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING IN THE AMOUNT OF \$250,000.00. Introduced by: Mr. Smiley, Mr. Cartier

[R21-175](#): AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT WITH INTERFAITH HOUSING DELAWARE, INC. TO ASSIST WITH DEVELOPMENT OF AFFORDABLE HOUSING ALONG ROUTE 9 CORRIDOR FOR THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING IN THE AMOUNT OF \$150,000.00. Introduced by: Mr. Smiley, Mr. Cartier

[R21-176](#): AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT WITH THE NEW CASTLE CONSERVATION DISTRICT FOR THE DEPARTMENT OF PUBLIC WORKS, DIVISION OF STORMWATER AND ENVIRONMENTAL PROGRAMS IN THE AMOUNT OF \$241,900.00. Introduced by: Mr. Smiley, Mr. Cartier

[R21-177](#): TO RENAME THE STREET KNOWN AS "GREMAR ROAD" TO "GRAEMAR ROAD" LOCATED IN THE HILLENDALE SUBDIVISION; [APPLICATION NO. 2021-0472](#); COUNCIL DISTRICT 8. Introduced by: Mr. Cartier

I. Consideration of Ordinances

[°21-105](#): AMEND THE FY2022 CAPITAL PROGRAM AND BUDGET: APPROPRIATE \$75,000 FROM THE NEW CASTLE COUNTY TECHNOLOGY FEE ACCOUNT WITHIN THE OFFICE OF THE RECORDER OF DEEDS AND \$100,000 FROM THE RECORDER OF DEEDS TECHNOLOGY FEE ACCOUNT TO THE DEPARTMENT OF ADMINISTRATION, HUMAN RESOURCES SCANNING CAPITAL PROJECT. Introduced by: Mr. Smiley, Mr. Cartier

[°21-106](#): AMEND THE GRANTS BUDGET: APPROPRIATE \$28,350.05 IN PROGRAM INCOME TO THE SENIOR HOME REPAIR PROGRAM GRANT, WHICH IS ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING. Introduced by: Mr. Hollins, Ms. Diller

[°21-107](#): AMEND THE FY2022 APPROVED SEWER FUND OPERATING BUDGET: APPROPRIATE \$2,460,000 OF SEWER RATE STABILIZATION RESERVE TO THE DEPARTMENT OF PUBLIC WORKS, SEWER FUND DIVISION OF ENVIRONMENTAL COMPLIANCE CONTRACTUAL SERVICES BUDGET LINE ITEM TO FUND LEGAL FEES. Introduced by: Mr. Sheldon, Mr. Woods

[°21-091](#): (STATUS: TABLED) TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 4 (“ANIMALS”), ARTICLE 2 (“ANIMAL CONTROL”), SECTION 4.02.001. (“LICENSES; RESTRAINT; IMPOUNDMENT; DESTRUCTION; NUISANCES; ENFORCEMENT GENERALLY”) AND SECTION 4.02.002. (“ENFORCEMENT OF SECTION 4.02.001”), AND *NEW CASTLE COUNTY CODE* CHAPTER 22 (“OFFENSES AND MISCELLANEOUS PROVISIONS”), ARTICLE 2 (“OFFENSES GENERALLY”), SECTION 22.02.008. (“NOISE CONTROL”) RELATING TO DOGS AND OTHER ANIMALS. Introduced by: Mr. Smiley, Mr. Carter

[SUBSTITUTE NO. 1 TO °21-094](#): (STATUS: TABLED) TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 6 (“BUILDING CODE”), ARTICLE 3 (“ADMINISTRATION”), SECTION 6.03.013 (“SUBMITTAL DOCUMENTS”), ARTICLE 4 (“THE BUILDING CODE”), SECTION 6.04.002. (“AMENDMENTS TO THE INTERNATIONAL BUILDING CODE”), AND ARTICLE 5 (“THE RESIDENTIAL CODE”), SECTION 6.05.002. (“AMENDMENTS TO THE INTERNATIONAL RESIDENTIAL CODE”) RELATING TO CERTAIN NEW RESIDENTIAL CONSTRUCTION, ELECTRIC VEHICLES, AND CHARGING INFRASTRUCTURE. Introduced by: Ms. Durham, Mr. Carter, Mr. Cartier, Mr. Tackett, Ms. Hartley-Nagle

- [Substitute No. 2 to °21-094](#)

J. Time Sensitive Congratulatory/Honorary Resolutions

[R21-178](#): IN HONOR OF THE 300th ANNIVERSARY OF THE LOWER BRANDYWINE PRESBYTERIAN CHURCH AS A VITAL PART OF THE NEW CASTLE COUNTY COMMUNITY. Introduced by: Ms. Durham

[R21-179](#): HONORING AND CELEBRATING THE LIFE AND LEGACY OF CARMELLA M. RAMONE KOZIKOWSKI DIOSSI. Introduced by: Ms. Hartley-Nagle, Mr. Woods

K. Introduction/Consideration of Emergency Ordinances

L. Public Comment/Other

°21-089: (VETO OVERRIDE) TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 26 (“HUMAN RESOURCES”), ARTICLE 1 (“IN GENERAL”), SECTION 26.01.003 (“RESERVED”) REGARDING RESIDENCY REQUIREMENTS FOR CERTAIN COUNTY EMPLOYEES. Introduced by: Mr. Carter, Ms. Durham

M. Motion to Adjourn**AGENDA POSTED: September 21, 2021**

*The agenda is posted (7) seven days in advance of the scheduled meeting in compliance with 29 *Del. C. Section 10004(e)(2)*.

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://nccde.org/AgendaCenter/County-Council-1>

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.