

**NEW CASTLE COUNTY COUNCIL**

**August 31, 2021**

**6:30 p.m.**

**VIRTUAL ZOOM WEBINAR MEETING\*\* &  
LOUIS L. REDDING CITY/COUNTY BUILDING  
1<sup>ST</sup> 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**

[°21-095](#): AMEND THE PAY PLAN AND RATES OF PAY FOR CLASSIFIED SERVICE MANAGERS AND ADMINISTRATORS AND THE PAY PLAN AND RATES OF PAY FOR CLASSIFIED SERVICE PROFESSIONAL EMPLOYEES REPRESENTED BY THE DELAWARE PUBLIC EMPLOYEES COUNCIL 81, AFSCME, AFFILIATE LOCAL 3109. Introduced by: Ms. Hartley-Nagle

[°21-096](#): AMEND THE FY2022 CAPITAL PROGRAM AND BUDGET: INCREASE BOND AUTHORIZATIONS \$1,200,000 AND AUTHORIZATIONS FROM THE STATE OF DELAWARE \$3,250,000 TO THE DEPARTMENT OF PUBLIC SAFETY, POLICE RANGE CAPITAL PROJECT. Introduced by: Mr. Bell, Ms. Hartley-Nagle

[°21-097](#): AUTHORIZING THE ISSUANCE OF \$1,200,000 IN GENERAL OBLIGATION BONDS OF NEW CASTLE COUNTY FOR THE DEPARTMENT OF PUBLIC SAFETY, POLICE RANGE CAPITAL PROJECT. Introduced by: Mr. Bell, Ms. Hartley-Nagle

[°21-098](#): AMEND THE GRANTS BUDGET: APPROPRIATE \$50,000 IN FUNDING FROM THE STATE OF DELAWARE DEPARTMENT OF SAFETY AND HOMELAND SECURITY TO THE FY2022 COLD CASE DNA GRANT TO BE ADMINISTERED BY THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF POLICE. Introduced by: Mr. Bell, Ms. Hartley-Nagle

[°21-099](#): AMEND THE GRANTS BUDGET: APPROPRIATE \$150,000 FROM THE STATE OF DELAWARE FY2022 OPERATING BUDGET TO THE FY2022 POLICE BEHAVIORAL HEALTH GRANT TO BE ADMINISTERED BY THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF POLICE

[°21-100](#): AMEND THE GRANTS BUDGET: APPROPRIATE \$5,688 IN ADDITIONAL STATE OF DELAWARE GRANT-IN-AID FUNDS TO THE ABSALOM JONES SENIOR CENTER FY2022 TO BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY RESOURCES. Introduced by: Mr. Hollins, Ms. Diller

[°21-101](#): AMEND THE FY2022 APPROVED OPERATING BUDGET: APPROPRIATE \$15,423 IN FUNDING RECEIVED FROM THE RECORDER OF DEEDS TECHNOLOGY FEE ACCOUNT TO THE RECORDER OF DEEDS EQUIPMENT BUDGET LINE ITEM TO PURCHASE A NEW PLOT/PRINTER SCANNER. Introduced by: Mr. Smiley, Mr. Cartier

[°21-102](#): AMEND THE FY2022 APPROVED OPERATING BUDGET: APPROPRIATE \$20,000 IN FUNDING RECEIVED FROM THE RECORDER OF DEEDS TECHNOLOGY FEE ACCOUNT TO THE RECORDER OF DEEDS EQUIPMENT BUDGET LINE ITEM FOR THE PURCHASE OF "ALERT ME" SOFTWARE. Introduced by: Mr. Smiley, Mr. Cartier

[°21-103](#): TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 2 ("ADMINISTRATION"), ARTICLE 5 ("DEPARTMENTS AND OFFICES") RELATING TO THE PROVISION OF FREE FEMININE PRODUCTS. Introduced by: Ms. Hartley-Nagle

[°21-104](#): TO AUTHORIZE THE ABATEMENT OF NEW CASTLE COUNTY REAL PROPERTY TAXES AND PENALTIES AND INTEREST ON THE PROPERTY OF THE HOCKESSIN HISTORICAL SOCIETY, LOCATED ON THE PROPERTY AT 1041 VALLEY ROAD, HOCKESSIN, [TAX PARCEL NUMBER 0800700044](#). Introduced by: Ms. Kilpatrick, Mr. Smiley

#### **E. Reports from Select and Special Committees**

#### **F. Consent Calendar**

[R21-143](#): IN MEMORY OF THE LIFE OF JOHN PATRICK BRADY AND IN HONOR OF HIS SERVICE TO NEW CASTLE COUNTY AND THE STATE OF DELAWARE. Introduced by: Ms. Durham

[R21-144](#): IN MEMORY OF THE LIFE OF PHILIP LAVELLE AND IN HONOR OF HIS LIFE AND SERVICE TO NEW CASTLE COUNTY. Introduced by: Ms. Durham

[R21-145](#): HONORING THE LIFE AND LEGACY OF DR. GWENDOLYN W. SANDERS. Introduced by: Mr. Street

[R21-146](#): HONORING AND COMMENDING THE CHINESE AMERICAN COMMUNITY CENTER FOR HOSTING THEIR 27<sup>TH</sup> ANNUAL CHINESE FESTIVAL. 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

[R21-147](#): PLAN OF COPPERLEAF AT BACK CREEK EAST AND WEST; ST. GEORGES HUNDRED; SOUTH SIDE OF CHURCHTOWN ROAD; 2400 FEET WEST OF CHOPTANK ROAD; MAJOR LAND DEVELOPMENT PLAN THAT PROPOSES TO CONSTRUCT A SINGLE-FAMILY CONSERVATION DESIGN DEVELOPMENT CONSISTING OF 153 SINGLE FAMILY HOMES AND ASSOCIATED SITE IMPROVEMENTS; S ZONING; [APPLICATION NO. 2016-0807-S](#); COUNCIL DISTRICT 6. Introduced by: Mr. Carter

- Supporting Documents:
  - [Land Use Memorandum](#)
  - [Plan of Copperleaf at Back Creek East and West](#)
  - [Traffic Impact Study \(TIS\)](#)

[R21-148](#): PLAN OF WINDSOR FOREST; NEW CASTLE HUNDRED; SOUTHWEST CORNER OF ROUTE 273 AND EDINBURGH DRIVE; MAJOR LAND DEVELOPMENT PLAN THAT PROPOSES TO COMBINE THREE TAX PARCELS, CREATE A TITLE SUBDIVISION LINE AND CONSTRUCT 18 APARTMENT UNITS WITH AN INTERNAL OFFICE/CLUBHOUSE ROOM; ST AND NCAP ZONING; [APPLICATION NO. 2017-0532-S](#); COUNCIL DISTRICT 7. Introduced by: Mr. Smiley

- Supporting Documents:
  - [Land Use Memorandum](#)
  - [Plan of Windsor Forest](#)

[R21-149](#): AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT WITH INFOR PUBLIC SECTOR INC. TO RENEW THE HANSEN SOFTWARE ANNUAL TECHNICAL SERVICES MAINTENANCE CONTRACT FOR THE DEPARTMENT OF ADMINISTRATION, OFFICE OF TECHNOLOGY AND ADMINISTRATIVE SERVICES IN THE AMOUNT OF \$190,149.57. Introduced by: Mr. Smiley, Mr. Cartier

[R21-150](#): AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER 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 \$286,196.12. Introduced by: Mr. Smiley, Mr. Cartier

[R21-151](#): AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT WITH FAMILY PROMISE OF NORTHERN NEW CASTLE COUNTY TO PROVIDE RAPID RE-HOUSING SERVICES FOR THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING IN THE AMOUNT OF \$111,486.10. Introduced by: Mr. Smiley, Mr. Cartier

[R21-152](#): AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT WITH WILMINGTON INSTITUTE LIBRARY (MAIN AND NORTH BRANCH) TO PROVIDE LIBRARY SERVICES FOR THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF LIBRARIES IN THE AMOUNT OF \$1,742,558.00. Introduced by: Mr. Hollins, Mr. Smiley, Mr. Cartier

[R21-153](#): AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT WITH AXON ENTERPRISE INC. TO PURCHASE EQUIPMENT FOR THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF POLICE IN THE AMOUNT OF \$641,902.99. Introduced by: Mr. Smiley, Mr. Cartier

[R21-154](#): AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT WITH RAVE MOBILE SAFETY TO RENEW THE RAVE PANIC BUTTON APPLICATION ANNUAL LICENSE AND SERVICE CONTRACT FOR THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF EMERGENCY COMMUNICATIONS IN THE AMOUNT OF \$133,000.00. Introduced by: Mr. Smiley, Mr. Cartier

[R21-155](#): AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT WITH THE STATE OF DELAWARE DIVISION OF COMMUNICATION TO RENEW THE VOLUNTEER FIRE SERVICE AND FIRST RESPONDER PAGING ALERT SYSTEM YEARLY MAINTENANCE CONTRACT FOR THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF EMERGENCY COMMUNICATIONS IN THE AMOUNT OF \$69,012.58. Introduced by: Mr. Smiley, Mr. Cartier

[R21-156](#): A RESOLUTION PRESCRIBING THE DETAILS AND FORM AND PROVIDING FOR THE SALE OF GENERAL OBLIGATION BONDS OF NEW CASTLE COUNTY. Introduced by: Mr. Smiley, Mr. Cartier

[R21-157](#): AUTHORIZING THE COUNTY EXECUTIVE TO SIGN THE DELAWARE PUBLIC EMPLOYEES COUNCIL 81, AFSCME (AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES) (AFL-CIO), AND ITS AFFILIATE LOCAL 3109, COLLECTIVE BARGAINING AGREEMENT. Introduced by: Ms. Hartley-Nagle

#### **I. Consideration of Ordinances**

[°21-091](#): 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

[°21-092](#): AMEND THE GRANTS BUDGET: APPROPRIATE ADDITIONAL FEDERAL FUNDS OF \$555,756 FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO THE EMERGENCY HOUSING CHOICE VOUCHERS GRANT, WHICH WILL BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING. Introduced by: Mr. Hollins, Ms. Diller

[°21-093](#): AMEND THE FY2021 APPROVED OPERATING BUDGET: APPROPRIATE STATE OF DELAWARE FUNDING RECEIVED FOR THE NEW CASTLE COUNTY POLICE EMPLOYEE’S RETIREMENT SYSTEM TO THE DEPARTMENT OF PUBLIC SAFETY EMPLOYEE BENEFITS BUDGETARY LINE ITEM. Introduced by: Mr. Smiley, Mr. Cartier

[°21-094](#): 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. 1 to °21-094](#)

[°21-013](#): TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 40 (“UNIFIED DEVELOPMENT CODE”), ARTICLE 31 (“PROCEDURES AND ADMINISTRATION”), SECTION 40.31.120. (“TEXT AMENDMENTS”) REGARDING THE PROCESS FOR TEXT AMENDMENTS. Introduced by: Ms. Durham, Mr. Carter, Ms. Hartley-Nagle

- Supporting Documents: [Department of Land Use and Planning Board Recommendation](#)

[°21-018](#): TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 40 (ALSO KNOWN AS THE UNIFIED DEVELOPMENT CODE OR “UDC”), ARTICLE 22 (“DRAINAGE, UTILITIES, SEPTIC SYSTEMS, PARKING, LOADING, AND LIGHTING”), REGARDING ON-SITE WASTEWATER TREATMENT (SEPTIC) SYSTEMS. Introduced by: Ms. Kilpatrick, Mr. Sheldon

- Supporting Documents: [Department of Land Use and Planning Board Recommendation](#)
- [Substitute No. 1 to °21-018](#)
- [Floor Amendment No. 1 to Substitute No. 1 to °21-018](#)

[°21-024](#): TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 40 (“UNIFIED DEVELOPMENT CODE”), ARTICLE 22 (“DRAINAGE, UTILITIES, SEPTIC SYSTEMS, PARKING, LOADING, AND LIGHTING”), DIVISION 40.22.700 (“EXTERIOR LIGHTING STANDARDS”) TO REQUIRE THAT ALL NEW CASTLE COUNTY APPROVED LIGHT SOURCES USE LIGHT EMITTING DIODE (LED) OR EQUALLY ENERGY EFFICIENT TECHNOLOGY. Introduced by: Ms. Durham, Mr. Carter, Mr. Tackett, Mr. Hollins

- Supporting Documents: [Department of Land Use and Planning Board Recommendation](#)
- [Substitute No. 1 to °21-024](#)

[°21-050](#): TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 40 (“UNIFIED DEVELOPMENT CODE”), ARTICLE 7 (“TRANSFER OF DEVELOPMENT RIGHTS AND OTHER INCENTIVES AND BONUSES”) RELATING TO THE ESTABLISHMENT OF TRANSFER OF DEVELOPMENT RIGHTS SENDING AND RECEIVING AREA MAPS. Introduced by: Mr. Carter

- Supporting Documents: [Department of Land Use and Planning Board Recommendation](#)

[SUBSTITUTE NO. 1 TO °21-065](#): TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 40 (ALSO KNOWN AS THE UNIFIED DEVELOPMENT CODE OR “UDC”), REGARDING ARTICLE 3 (“USE REGULATIONS”), AND ARTICLE 4 (“DISTRICT INTENSITY AND BULK STANDARDS”). Introduced by: Ms. Kilpatrick, Mr. Sheldon, Mr. Cartier, Mr. Bell

- Supporting Documents: [Department of Land Use and Planning Board Recommendation](#)

[°21-089](#): 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

- J. Time Sensitive Congratulatory/Honorary Resolutions
- K. Introduction/Consideration of Emergency Ordinances
- L. Public Comment/Other
- M. Motion to Adjourn

#### AGENDA POSTED: August 24, 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.