

NEW CASTLE COUNTY COUNCIL  
May 12, 2020  
6:30 p.m.  
VIRTUAL ZOOM WEBINAR MEETING\*\*\*

REVISED AGENDA

- A. Call to Order
  - Moment of Silence
  - Pledge of Allegiance
  - Roll Call
- B. Approval of Minutes
- C. Announcements
- D. Introduction of Ordinances

**°20-041: AMEND THE PAY PLAN AND RATES OF PAY FOR NON-UNION CLASSIFIED POLICE EXECUTIVE STAFF AND THE PAY PLAN AND RATES OF PAY FOR NON-UNION UNCLASSIFIED SERVICE EMPLOYEES OF THE EXECUTIVE OFFICE. Introduced by: Ms. Hartley-Nagle**

**°20-042: APPROPRIATE \$190,000 FROM THE GARSTIN TRUST PORTFOLIO TO THE GARSTIN TRUST FUND IN ORDER TO FUND PARK MAINTENANCE FOR FISCAL YEAR 2021, TO BE ADMINISTERED BY THE DEPARTMENT OF PUBLIC WORKS. Introduced by: Mr. Sheldon, Mr. Woods**

**°20-043: AMEND THE GRANTS BUDGET: APPROPRIATE \$2,427,355 FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND \$425,000 IN ESTIMATED PROGRAM INCOME TO THE COMMUNITY DEVELOPMENT BLOCK GRANT FY2021, WHICH WILL BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES. Introduced by: Mr. Hollins, Ms. Diller**

**°20-044: AMEND THE GRANTS BUDGET: FOR FY2021, APPROPRIATE FEDERAL FUNDS OF \$200,206 FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) TO THE EMERGENCY SOLUTIONS GRANT FY2021, WHICH WILL BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES. Introduced by: Mr. Hollins, Ms. Diller**

**°20-045: AMEND THE GRANTS BUDGET: FOR FY2021, APPROPRIATE FEDERAL FUNDS OF \$997,376 FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND ESTIMATED PROGRAM INCOME OF \$100,000 TO THE FY2021 HOME INVESTMENT PARTNERSHIP PROGRAM (HOME), WHICH IS ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES. Introduced by: Mr. Hollins, Ms. Diller**

**°20-046: AMEND THE GRANTS BUDGET: APPROPRIATE \$548,419 FROM THE U.S. DEPARTMENT OF JUSTICE TO THE CORONAVIRUS EMERGENCY FUNDS GRANT, TO BE ADMINISTERED BY THE DEPARTMENT OF PUBLIC SAFETY. Introduced by: Mr. Bell, Mr. Street**

**°20-047: REVISE ZONING MAP: NEW CASTLE HUNDRED, NORTH SIDE OF SOUTH CHERRY LANE AND ON THE NORTH EAST SIDE OF THE INTERSECTION OF UNIQEMA BOULEVARD AND CHERRY LANE; 900 AND 1000 UNIQEMA BOULEVARD, TAX PARCELS 10-015.00-021 AND 10-015.00-022; 6.178 ACRES FROM HI (HEAVY INDUSTRIAL) TO I (INDUSTRIAL) AND TO AMEND THE COMPREHENSIVE PLAN CONSISTENT THEREWITH (The purpose of this County-initiated rezoning is to change the zoning of parcel 10-015.00-021 as well as the west-most 4.185 acres of parcel 10-015.00-022 from HI to I. App. No. 2020-0176-Z). **Introduced by: Mr. Street****

**°20-048: TO PROVIDE RELIEF FROM CERTAIN PENALTIES, TAXES, AND FEES DUE TO A PUBLIC HEALTH THREAT. **Introduced by: Mr. Smiley, Mr. Cartier****

**°20-049: AMEND THE FY2020 APPROVED OPERATING BUDGET: APPROPRIATE \$1,000,000 OF TAX STABILIZATION RESERVE TO THE DEPARTMENT OF ADMINISTRATION, OFFICE OF FINANCE FOR THE PURPOSE OF FUNDING THE PURCHASE OF NEEDED SUPPLIES, TESTS, AND EQUIPMENT TO PROTECT NEW CASTLE COUNTY'S FIRST RESPONDERS AND RESIDENTS DURING A PUBLIC HEALTH EMERGENCY. **Introduced by: Mr. Smiley, Mr. Cartier****

**°20-050: AMEND THE FY2020 APPROVED OPERATING BUDGET: APPROPRIATE \$500,000 OF TAX STABILIZATION RESERVE TO THE DEPARTMENT OF ADMINISTRATION, OFFICE OF FINANCE FOR THE PURPOSE OF FUNDING THE DELAWARE COMMUNITY FOUNDATION IN SUPPORT OF THE NONPROFIT COLLABORATIVE COVID-19 EMERGENCY RESPONSE INITIATIVE. **Introduced by: Mr. Smiley, Mr. Cartier****

**°20-051: TO APPROPRIATE \$500,000 IN THE NEW CASTLE COUNTY HOUSING TRUST FUND TO BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES FOR THE PURPOSE OF ASSISTING NEW CASTLE COUNTY RESIDENTS BY PROVIDING FUNDING FOR THE DELAWARE STATE HOUSING AUTHORITY'S DELAWARE HOUSING ASSISTANCE PROGRAM. **Introduced by: Mr. Smiley, Mr. Cartier****

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

**F. Consent Calendar**

**R20-073: CONSENTING TO THE REAPPOINTMENT OF KAREN ANDERSON TO THE NEW CASTLE COUNTY HISTORIC REVIEW BOARD. **Introduced by: Ms. Durham****

**R20-074: REAPPOINTING TERRY STONE TO THE NEW CASTLE COUNTY EMPLOYEES' RETIREMENT SYSTEM BOARD OF TRUSTEES. **Introduced by: Ms. Kilpatrick****

**R20-075: CONSENTING TO THE APPOINTMENT OF ROSE PASSARELLA, Ph.D., J.D. TO THE NEW CASTLE COUNTY LIBRARY ADVISORY BOARD, A SUBCOMMITTEE OF THE DEPARTMENT OF COMMUNITY SERVICES BOARD. Introduced by: Ms. Durham**

**R20-076: APPOINTING WILLIAM E. SMITH TO THE NEW CASTLE COUNTY FINANCIAL ADVISORY COUNCIL. Introduced by: Mr. Cartier**

**R20-077: CONGRATULATING EILEEN LATHAM FOR OVER 21 YEARS OF SERVICE AND RETIREMENT AS AN EMPLOYEE OF THE NEW CASTLE COUNTY GOVERNMENT. Introduced by: Mr. Hollins, Ms. Diller**

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**

**R20-078: APPOINTING ROBERT HICKS, CPA, PMP, TO THE NEW CASTLE COUNTY ETHICS COMMISSION. Introduced by: Mr. Tackett**

**R20-079: PLAN OF LIDL; NEW CASTLE HUNDRED; SOUTH SIDE OF PULASKI HIGHWAY, APPROXIMATELY 1100 FEET EAST OF SALEM CHURCH ROAD; MAJOR LAND DEVELOPMENT PLAN THAT PROPOSES CONSTRUCTION OF A 29,089 SQUARE FOOT GROCERY STORE AND 7,200 SQUARE FOOT RETAIL BUILDING WITH ASSOCIATED SITE IMPROVEMENTS AND A TILE SUBDIVISION TO CREATE 3 SEPARATE LOTS ON 4.69 ACRES; CR ZONING; APPLICATION NO. 2018-0399-S/Z; COUNCIL DISTRICT 12. Introduced by: Mr. Bell**

**Substitute No. 1 to R20-080: NEW CASTLE COUNTY COUNCIL'S CURRENT NEW CASTLE COUNTY AIRPORT CONTRACT RECOMMENDATION. Introduced by: Mr. Smiley, Mr. Woods**

**I. Consideration of Ordinances**

**20-035: AMEND THE GRANTS BUDGET: FOR FY2021, APPROPRIATE \$1,924,805 FROM THE DEPARTMENT OF STATE, DELAWARE DIVISION OF LIBRARIES TO: (A) LIBRARY ADMINISTRATION \$1,698,488; (B) APPOQUINIMINK LIBRARY \$12,809; (C) BEAR LIBRARY \$30,318; (D) CLAYMONT LIBRARY \$12,707; (E) BRANDYWINE HUNDRED LIBRARY \$69,740; (F) ELSMERE LIBRARY \$12,706; (G) HOCKESSIN LIBRARY \$15,448; (H) KIRKWOOD LIBRARY \$19,150; (I) NEWARK LIBRARY \$26,727; (J) ROUTE 9 LIBRARY \$10,300; AND (K) WOODLAWN LIBRARY \$16,412 WHICH ARE ALL ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES. Introduced by: Mr. Hollins, Ms. Diller**

**°20-036: AMEND THE FY2020 APPROVED SEWER FUND OPERATING BUDGET: REALIGN BUDGETARY FUNDING OF \$315,000 WITHIN THE DEPARTMENT OF PUBLIC WORKS TO FUND LEGAL FEES. Introduced by: Mr. Sheldon, Mr. Woods**

**°20-037: AMEND THE PAY PLAN AND RATES OF PAY FOR CLASSIFIED SERVICE EMPLOYEES REPRESENTED BY FRATERNAL ORDER OF POLICE, NEW CASTLE COUNTY LODGE NO. 5. Introduced by: Ms. Hartley-Nagle**

**°20-039: AMEND THE GRANTS BUDGET: APPROPRIATE \$1,427,933 FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO A SPECIAL COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM DESIGNATED AS CDBG-CV TO BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES TO RESPOND TO THE CORONAVIRUS PANDEMIC. Introduced by: Mr. Hollins, Ms. Diller**

**°20-040: AMEND THE GRANTS BUDGET: APPROPRIATE \$690,366 FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO A SPECIAL EMERGENCY SOLUTIONS GRANT (ESG) PROGRAM DESIGNATED AS ESG-CV TO BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES TO RESPOND TO THE CORONAVIRUS PANDEMIC. Introduced by: Mr. Hollins, Ms. Diller**

**°20-021: TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 26 (“HUMAN RESOURCES”) REGARDING THE REEMPLOYMENT OF PENSIONERS. Introduced by: Ms. Kilpatrick, Ms. Sheldon**

**J. Time Sensitive Congratulatory/Honorary Resolutions**

**R20-081: HONORING BARBARA BENSON, PH.D. ON HER RETIREMENT FROM THE NEW CASTLE COUNTY HISTORIC REVIEW BOARD. Introduced by: Ms. Durham**

**R20-082: CELEBRATING AND HONORING THE LIFE OF MARY BERNADETTE MURPHY AND EXPRESSING CONDOLENCES TO HER FAMILY AND FRIENDS. Introduced by: Mr. Cartier**

**K. Introduction/Consideration of Emergency Ordinances**

**E°20-006: TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 2 (“ADMINISTRATION”), ARTICLE 2 (“COUNTY COUNCIL”) AND ARTICLE 5 (“DEPARTMENTS AND OFFICES”) TO CREATE EXCEPTIONS TO THE APPROVAL OF CONTRACTS BY COUNTY COUNCIL AND THE PURCHASING OF SUPPLIES AND CONTRACTUAL SERVICES REGARDING THE EXPENDITURE OF APPROPRIATED FEDERAL FUNDING RELATED TO THE COVID-19 PUBLIC HEALTH EMERGENCY. Introduced by: Mr. Smiley, Mr. Cartier**

**E°20-007: AMEND THE GRANTS BUDGET: APPROPRIATE \$322,766,668.80 FROM THE UNITED STATES DEPARTMENT OF TREASURY TO THE CORONAVIRUS RELIEF FUND GRANT TO RESPOND TO THE COVID-19 PUBLIC HEALTH EMERGENCY, TO BE ADMINISTERED BY THE OFFICE OF FINANCE. Introduced by: Mr. Smiley, Mr. Cartier**

**L. Public Comment/Other**

**M. Motion to Adjourn**

**AGENDA POSTED: May 5, 2020**  
**REVISED AGENDA POSTED: May 12, 2020 (12:00pm)**

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

\*\*The revised agenda was posted less than (7) seven days in advance of the scheduled meeting to include the addition of Emergency Ordinances Nos. 20-006 and 20-007. These ordinances address emergencies as a result of the COVID-19 pandemic.

\*\*In accordance with Governor Carney's recently issued *Proclamation*, coupled with the Governor's *Declaration of a State of Emergency*, New Castle County Council is holding this meeting as a telephone and video conference, utilizing **zoom** Webinar. The link to join the meeting via computer, smart device, or smart phone is: <https://zoom.us/j/377322142>

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>

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>

Members of the public joining the meeting utilizing the link or the call-in number will be provided an opportunity to make comments in real time. A comment period will be administered by a moderator to ensure everyone has an opportunity to comment. You will not be able to speak until called upon by the moderator. There are functions in the program that allow you to do this. Please see the link in the previous paragraph.

Finally, if you would like to submit comments or questions on legislation that will be considered during the meeting, please feel free to send them to [NCCCouncilPublic@newcastlede.us](mailto:NCCCouncilPublic@newcastlede.us) by 5:30pm. No attachments posted to the comment section of the webinar will be opened due to security reasons. All attachments should be sent to this email address.