

NEW CASTLE COUNTY COUNCIL
Louis L. Redding City/County Building
City/County Council Chambers
800 French Street, Wilmington, DE 19801
August 27, 2019
6:30 p.m.

AGENDA

A. Call to Order
Moment of Silence
Pledge of Allegiance
Roll Call

B. Approval of Minutes

C. Announcements

D. Introduction of Ordinances

°19-077: REVISE ZONING MAP: PENCADER HUNDRED, NORTH SIDE PULASKI HIGHWAY, 2800 FEET WEST OF GLASGOW AVENUE; 2675 PULASKI HIGHWAY, TAX PARCEL NO. 11-026.10-202 AND 11-026.20-002, 10.27 ACRES FROM S (SUBURBAN) AND H (HISTORIC OVERLAY) TO CR (COMMERCIAL REGIONAL) AND H (HISTORIC OVERLAY). Introduced by: Mr. Tackett

°19-078: 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: Mr. Tackett, Ms. Kilpatrick

°19-079: REVISE ZONING MAP: APPOQUINIMINK HUNDRED, NORTH OF STRAWBERRY LANE AND ST. GEORGE’S HUNDRED, EAST OF MIDDLETOWN WARWICK ROAD, 176.21 ACRES FROM COMMERCIAL REGIONAL (CR) TO SUBURBAN RESERVE (SR), AND TO AMEND THE COMPREHENSIVE DEVELOPMENT PLAN CONSISTENT THEREWITH. Introduced by: Mr. Carter

°19-080: TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 6 (“BUILDING CODE”), ARTICLE 3 (“ADMINISTRATION”), SEC. 6.03.020. (“SPECIAL GUIDELINES FOR WORK DONE ON HISTORIC STRUCTURES”) REGARDING ISSUANCE OF A DEMOLITION PERMIT BY THE HISTORIC REVIEW BOARD. Introduced by: Ms. Durham, Mr. Carter

°19-081: AMEND THE FY2020 CAPITAL BUDGET: APPROPRIATE \$50,000 IN FUNDING FROM THE STATE OF DELAWARE FISCAL YEAR 2020 BOND AND CAPITAL IMPROVEMENTS ACT TOWARD THE DEPARTMENT OF PUBLIC WORKS, GENERAL PARKLAND IMPROVEMENTS CAPITAL PROJECT. Introduced by: Mr. Sheldon, Mr. Woods

°19-082: AMEND THE GRANTS BUDGET: APPROPRIATE \$33,755 FROM THE STATE OF DELAWARE, DEPARTMENT OF TRANSPORTATION TO THE EZION FAIR CHURCH – PARKING LOT IMPROVEMENTS GRANT FOR THE DEPARTMENT OF PUBLIC WORKS. Introduced by: Mr. Sheldon, Mr. Woods

°19-083: TO AMEND THE PAY PLAN AND RATES OF PAY FOR CLASSIFIED SERVICE MANAGERS AND ADMINISTRATORS, REPRESENTED BY THE DELAWARE PUBLIC EMPLOYEES COUNCIL 81, AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES (AFSCME), AFL-CIO, AFFILIATE LOCAL 3109, TO REVISE THE POSITION TITLE OF TRANSPORTATION DIVISION MANAGER TO FLEET SERVICES MANAGER AND TO ADOPT THE REVISED CLASS SPECIFICATION. Introduced by: Ms. Hartley-Nagle

°19-084: AMEND THE GRANTS BUDGET: APPROPRIATE \$400,000 IN FUNDS FROM THE DELAWARE STATE HOUSING AUTHORITY TO THE STRONG NEIGHBORHOODS HOUSING PROGRAM III GRANT TO BE ADMINISTERED BY THE NEW CASTLE COUNTY DEPARTMENT OF COMMUNITY SERVICES. Introduced by: Mr. Hollins, Ms. Diller

°19-085: AMEND THE GRANTS BUDGET: APPROPRIATE \$150,000 IN ANTICIPATED STATE OF DELAWARE GRANT-IN-AID FUNDS TO THE POLICE BEHAVIORAL HEALTH GRANT TO BE ADMINISTERED BY THE NEW CASTLE COUNTY DEPARTMENT OF PUBLIC SAFETY. Introduced by: Mr. Bell, Mr. Street

°19-086: AMEND THE GRANTS BUDGET: APPROPRIATE \$50,000 IN FUNDING FROM THE STATE OF DELAWARE DEPARTMENT OF SAFETY AND HOMELAND SECURITY TO THE COLD CASE DNA GRANT TO BE ADMINISTERED BY THE NEW CASTLE COUNTY DEPARTMENT OF PUBLIC SAFETY. Introduced by: Mr. Bell, Mr. Street

°19-087: TO PROVIDE FOR THE INSTALLATION OF TRADITIONAIRE STREET LIGHTS IN THE COLONY AT SUMMIT BRIDGE - EAST SUBDIVISION LOCATED IN THE PENCADER HUNDRED AND FOR A LIGHT TAX BASED ON THE COST OF STREET LIGHTS. Introduced by: Mr. Carter

E. Reports from Select and Special Committees

F. Consent Calendar

R19-140: CONGRATULATING GRANT FARABAUGH ON ACHIEVING THE RANK OF EAGLE SCOUT. Introduced by: Ms. Hartley-Nagle

R19-141: CELEBRATING THE 60TH ANNIVERSARY OF THE CAPITOL LITTLE LEAGUE. Introduced by: Mr. Sheldon

R19-142: CONGRATULATING BOB KLESZICS ON RECEIVING THE INDEPENDENT NATURAL FOODS RETAILERS ASSOCIATION “SERVICE TO THE INDUSTRY” AWARD. Introduced by: Ms. Kilpatrick

R19-143: CONGRATULATING CHARLES AND KATHY SHATTUCK ON RECEIVING DNREC'S OUTSTANDING VOLUNTEER OF THE YEAR 2019 AWARD. Introduced by: Ms. Kilpatrick

R19-144: CONSENTING TO THE APPOINTMENT OF CHARLES NAGLE TO THE NEW CASTLE COUNTY DESIGN REVIEW ADVISORY COMMITTEE (DRAC) OF NORTH ST. GEORGE'S BRIDGE. Introduced by: Mr. Bell

R19-145: CONSENTING TO THE APPOINTMENT OF SUBIRA IBRAHIM TO THE NEW CASTLE COUNTY LIBRARY ADVISORY BOARD, A SUBCOMMITTEE OF THE DEPARTMENT OF COMMUNITY SERVICES BOARD. Introduced by: Mr. Hollins

R19-146: CONSENTING TO THE REAPPOINTMENT OF ROBERT B. SNOWDEN TO THE NEW CASTLE COUNTY PLANNING BOARD. Introduced by: Ms. Durham

R19-147: CONSENTING TO THE REAPPOINTMENT OF RUTH M. VISVARDIS TO THE NEW CASTLE COUNTY PLANNING BOARD. Introduced by: Mr. Bell

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

R19-148: AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE A SALES AGREEMENT AND OTHER DOCUMENTS NECESSARY TO PURCHASE PROPERTY LOCATED IN NEW CASTLE, DELAWARE AT 15 & 17 STANTON AVENUE, TAX PARCEL NOS. 10-005.30-069 AND 10-005.30-070 TO BE USED TO ENHANCE THE USE OF THE CPL. PAUL J. SWEENEY PUBLIC SAFETY BUILDING SITE. Introduced by: Mr. Bell, Mr. Street

R19-149: APPROVING THE TAX EXEMPT STATUS OF THE WILMINGTON YOUTH ROWING ASSOCIATION FOR RECREATIONAL PROPERTY LOCATED AT 500 EAST FRONT STREET, WILMINGTON, DELAWARE TAX PARCEL NO. 26-043.00-035. Introduced by: Mr. Street

R19-150: AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN AGREEMENT WITH THE DELAWARE SUSTAINABLE ENERGY UTILITY TO PARTICIPATE IN THE DELAWARE VOLUNTARY COMMERCIAL PROPERTY ASSESSED CLEAN ENERGY PROGRAM TO ENCOURAGE COMMERCIAL CLEAN ENERGY PROJECTS. Introduced by: Mr. Sheldon, Mr. Carter, Mr. Cartier, Ms. Diller, Ms. Durham, Mr. Woods

R19-151: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT FOR AZTECA SYSTEMS, INC. FOR LICENSE AND SUPPORT FOR CITYWORKS® SOFTWARE FOR THE OFFICE OF TECHNOLOGY AND ADMINISTRATIVE SERVICES IN THE AMOUNT OF \$72,500.00. Introduced by: Mr. Smiley, Mr. Cartier

R19-152: PLAN OF SUMMIT CIRCLE; PENCADER HUNDRED; SOUTH SIDE OF BETHEL CHURCH ROAD, EAST SIDE OF SUMMIT BRIDGE ROAD, DIRECTLY ACROSS FROM SUMMIT BRIDGE FARMS; MAJOR LAND DEVELOPMENT PLAN THAT PROPOSES CONSTRUCTION OF A SUBDIVISION ON 18.14 ACRES, CONSISTING OF 14 DETACHED LOTS; S ZONING, COUNCIL DISTRICT 12. Introduced by: Mr. Bell

R19-153: PLAN OF 451 BOYD'S CORNER ROAD; ST GEORGE'S HUNDRED, NORTH SIDE OF BOYD'S CORNER ROAD (ROUTE 896), 1250 FEET EAST OF SUMMIT BRIDGE ROAD; MAJOR LAND DEVELOPMENT PLAN THAT PROPOSES TO CONSTRUCT 107,100 SQUARE FEET OF MINI-WAREHOUSE BUILDINGS AND A 2,000 SQUARE FOOT OFFICE; I ZONING, COUNCIL DISTRICT 12. Introduced by: Mr. Bell

R19-154: PLAN OF COUNTRY HOUSE; CHRISTIANA HUNDRED, WEST SIDE OF KENNETT PIKE, 480 FEET SOUTH OF OLD GATEHOUSE ROAD; MAJOR LAND DEVELOPMENT PLAN THAT PROPOSES TO EXPAND EXISTING FACILITIES BY 213,444 SQUARE FEET TO INCLUDE 55 ADDITIONAL INDEPENDENT LIVING APARTMENTS WITH PRIVATE ASSIGNED SURFACE PARKING UNDER THE BUILDING, S ZONING, COUNCIL DISTRICT 2. Introduced by: Ms. Durham

R19-155: TO RENAME THE RESIDENTIAL APARTMENT COMPLEX RECORDED AS "TOWN COURT APARTMENTS," TAX PARCEL NUMBER 09-020.00-009, TO "THORN FLATS," COUNCIL DISTRICT 5. Introduced by: Ms. Diller

I. Consideration of Ordinances

°19-075: TO AMEND THE PAY PLAN AND RATES OF PAY FOR NON-UNION CLASSIFIED SERVICE EMPLOYEES, TO REVISE THE POSITION TITLE OF ENGINEERING AND ENVIRONMENTAL SERVICES MANAGER TO ENGINEERING SERVICES MANAGER AND TO APPROVE THE REVISED CLASS SPECIFICATION. Introduced by: Ms. Hartley-Nagle

°19-076: TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 2 ("ADMINISTRATION"), ARTICLE 2 ("COUNTY COUNCIL") REGARDING PUBLIC ACCESS AND MEETINGS OF COUNTY COUNCIL. Introduced by: Mr. Carter

°19-046: TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 40 ("UNIFIED DEVELOPMENT CODE"), ARTICLE 3 ("USE REGULATIONS") AND ARTICLE 33 ("DEFINITIONS") REGARDING LANDFILLS. Introduced by: Mr. Street, Mr. Carter, Ms. Durham, Mr. Smiley, Mr. Bell

°19-047: REVISE ZONING MAP: NEW CASTLE HUNDRED, SOUTH SIDE OF PULASKI HIGHWAY, APPROXIMATELY 1100 FEET EAST OF SALEM CHURCH ROAD; 1604, 1612, 1616 AND 0 PULASKI HIGHWAY, TAX PARCEL NOS. 10-048.00-001, 10-048.00-002, 10-048.00-003 AND 10-048.00-004, 4.69 ACRES FROM NC21 (NEIGHBORHOOD CONSERVATION) TO CR (COMMERCIAL REGIONAL) The Exploratory Major Land Development Plan for **Lidl proposes to rezone the property to CR for development of a 29,089 square foot grocery store and a 7,200 square foot specialty retail building with associated site improvements on 4.69 acres. **2018-0399-S/Z. Introduced by: Mr. Bell****

°19-074: (STATUS: TABLED) AMEND THE FY2020 APPROVED OPERATING BUDGET: APPROPRIATE \$31,513 OF TAX STABILIZATION RESERVE TO THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF POLICE GRANTS AND FIXED CHARGES BUDGET LINE ITEM. Introduced by: Mr. Bell, Mr. Street

°17-095: (STATUS: TABLED) REVISE PREVIOUSLY APPROVED PRELIMINARY MAJOR LAND DEVELOPMENT PLAN WITH REZONING FOR VISTA AT RED LION – SECTION 1; RED LION HUNDRED; NORTH SIDE OF OLD PORTER ROAD, WEST OF RED LION ROAD, EAST OF GRISSOM LANE. Introduced by: Mr. Bell

°17-096: (STATUS: TABLED) REVISE PREVIOUSLY APPROVED PRELIMINARY MAJOR LAND DEVELOPMENT PLAN WITH REZONING FOR VISTA AT RED LION – SECTION 2; RED LION HUNDRED; SOUTH SIDE OF OLD PORTER ROAD, WEST OF RED LION ROAD, EAST OF GRISSOM LANE. Introduced by: Mr. Bell

J. Time Sensitive Congratulatory/Honorary Resolutions

K. Introduction/Consideration of Emergency Ordinances

L. Public Comment/Other

M. Motion to Adjourn

AGENDA POSTED: August 20, 2019

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