

NEW CASTLE COUNTY COUNCIL
Louis L. Redding City/County Building
City/County Council Chambers
800 French Street, Wilmington, DE 19801
November 20, 2018
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

°18-115: AMEND THE GRANTS BUDGET: APPROPRIATE ANTICIPATED FEDERAL FUNDS OF \$17,082,673 FROM THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO THE SECTION 8 HOUSING CHOICE VOUCHERS – 2019 GRANT, WHICH WILL BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES. Introduced by: Mr. Hollins, Ms. Diller

°18-116: AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE A PURCHASE AGREEMENT AND OTHER DOCUMENTS NECESSARY TO SELL APPROXIMATELY 3.3728± ACRES OF PROPERTY LOCATED IN MIDDLETOWN, DELAWARE AT 617 MARL PIT ROAD, TAX PARCEL NO. 13-017.00-036 FOR \$71,800.00, TO BE USED TO IMPROVE THE INTERSECTION AT CEDAR LANE AND MARL PIT ROAD. Introduced by: Mr. Bell

°18-117: AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE A PURCHASE AGREEMENT AND OTHER DOCUMENTS NECESSARY TO SELL APPROXIMATELY 0.6329± ACRES OF PROPERTY LOCATED IN MIDDLETOWN, DELAWARE AT 729 MARL PIT ROAD, TAX PARCEL NO. 13-017.00-040 FOR \$12,700.00, TO BE USED TO IMPROVE THE INTERSECTION AT CEDAR LANE AND MARL PIT ROAD. Introduced by: Mr. Bell

°18-118: AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE A PURCHASE AGREEMENT AND OTHER DOCUMENTS NECESSARY TO SELL APPROXIMATELY 1.0730± ACRES OF PROPERTY LOCATED IN MIDDLETOWN, DELAWARE AT 0 W. MIDDLEPARK DRIVE, TAX PARCEL NO. 23-064.00-001, FOR \$55,000.00, TO BE USED TO IMPROVE THE INTERSECTION AT CEDAR LANE AND MARL PIT ROAD. Introduced by: Mr. Carter

°18-119: TO AMEND THE PAY PLAN AND RATES OF PAY FOR CLASSIFIED SERVICE EMPLOYEES REPRESENTED BY THE DELAWARE PUBLIC EMPLOYEES COUNCIL 81, AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES (“AFSCME”), AFFILIATE LOCAL 459 AND UPGRADE THE POSITION TITLE OF UTILITY TECHNICIAN PURSUANT TO *NEW CASTLE COUNTY CODE* SECTION 26.03.104. Introduced by: Ms. Hartley-Nagle

°18-120: TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 2 (“ADMINISTRATION”), ARTICLE 5 (“DEPARTMENTS AND OFFICES”), DIVISION 2.05.500 (“DEPARTMENT OF ADMINISTRATION”), SECTION 2.05.514 (“OFFICE OF LAW”), REGARDING RETENTION OF LEGAL CONSULTANTS AND MONTHLY REPORTS TO COUNTY COUNCIL. Introduced by: Mr. Smiley

°18-121: AMEND THE GRANTS BUDGET: APPROPRIATE \$40,743.50 IN ACTUAL PROGRAM INCOME TO THE COMMUNITY POLICING GRANT, WHICH IS ADMINISTERED BY THE DEPARTMENT OF PUBLIC SAFETY. Introduced by: Mr. Bell, Mr. Street

°18-122: AMEND THE GRANTS BUDGET: APPROPRIATE FEDERAL FUNDING OF \$172,973 TO THE JAG (JUSTICE ASSISTANCE GRANT) 2018 – FORTIFYING OFFICER AND COMMUNITY SAFETY GRANT FOR THE NEW CASTLE COUNTY DEPARTMENT OF PUBLIC SAFETY. Introduced by: Mr. Bell, Mr. Street

°18-123: TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 7 (“PROPERTY MAINTENANCE CODE”), ARTICLE 1 (“STANDARDS FOR PROPERTY MAINTENANCE”), TO ADOPT THE 2018 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE, AND AMENDMENTS THERETO. Introduced by: Mr. Tackett, Ms. Kilpatrick

°18-124: TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 26 (“HUMAN RESOURCES”), ARTICLE 3 (“MERIT SYSTEM”), SECTION 26.03.206. (“DEFERRED COMPENSATION PLAN”) REGARDING DISTRIBUTION OF PLAN PROCEEDS. Introduced by: Mr. Smiley

E. Reports from Select and Special Committees

F. Consent Calendar

R18-185: HONORING THE LIFE AND LEGACY OF JEROLD “JERRY” SCHULTZ. Introduced by: Ms. Kilpatrick, 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

R18-186: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT FOR MERIT CONSTRUCTION FOR UPGRADE OF EXISTING SANITARY SEWER LINE IN THE COMMUNITY OF CLAYMONT HEIGHTS FOR THE DEPARTMENT OF PUBLIC WORKS IN THE AMOUNT OF \$33,800.00. Introduced by: Mr. Smiley, Mr. Cartier

R18-187: AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE A SALES AGREEMENT AND OTHER DOCUMENTS NECESSARY TO PURCHASE APPROXIMATELY 8± ACRES OF PROPERTY LOCATED IN MIDDLETOWN, DELAWARE, AT 1001 PROMENADE PLACE, TAX PARCEL NO. 23-009.00-157, TO BE USED FOR THE SITE OF THE SOUTHERN REGIONAL LIBRARY AND RELATED EDUCATIONAL AND COMMUNITY PURPOSES. Introduced by: Mr. Carter

R18-188: TO AMEND RULE NO. 13 OF NEW CASTLE COUNTY COUNCIL RULES OF PROCEDURE REGARDING “LAME DUCK” COUNCIL MEMBERS. Introduced by: Mr. Smiley

R18-189: NEW CASTLE COUNTY COUNCIL REQUESTS THAT THE DELAWARE GENERAL ASSEMBLY AMEND DELAWARE CODE TITLE 9, SECTIONS 334(b), 1141 AND 1145 IN RELATION TO THE OFFICE OF NEW CASTLE COUNTY COUNCIL PRESIDENT. Introduced by: Mr. Smiley

I. Consideration of Ordinances

°18-106: AMEND THE FY2019 APPROVED OPERATING BUDGET: TRANSFER \$12,500 FROM THE GRANTS AND FIXED CHARGES BUDGET LINE ITEM OF COUNTY COUNCIL TO THE CONTRACTUAL SERVICES BUDGET LINE ITEM FOR THE DEPARTMENT OF PUBLIC WORKS, FOR THE PURPOSE OF FUNDING A FLEET MANAGEMENT STUDY. Introduced by: Mr. Smiley

°18-107: AMEND THE GRANTS BUDGET: APPROPRIATE \$28,668 FROM THE STATE OF DELAWARE, DEPARTMENT OF TRANSPORTATION (DELDOT) TO THE FIVE POINTS FIRE COMPANY ALL TERRAIN VEHICLES GRANT FOR THE DEPARTMENT OF PUBLIC SAFETY. Introduced by: Mr. Bell, Mr. Street, Mr. Woods

°18-108: AMEND THE GRANTS BUDGET: APPROPRIATE \$526,086.69 FROM THE STATE OF DELAWARE DEPARTMENT OF SAFETY AND HOMELAND SECURITY TO THE FY2019 FUND TO COMBAT VIOLENT CRIME GRANT FOR THE DEPARTMENT OF PUBLIC SAFETY. Introduced by: Mr. Bell, Mr. Street

°18-109: TO PROVIDE FOR THE INSTALLATION OF GRANVILLE WITH RIBS – 12 FOOT POLE WITH OPTIONAL FLUTED BASE STREET LIGHTS IN THE TRADITIONS AT WHITEHALL SUBDIVISION LOCATED IN THE ST. GEORGES HUNDRED AND FOR A LIGHT TAX BASED ON THE COST OF STREET LIGHTS. Introduced by: Mr. Bell

°18-110: AMEND THE FY19 APPROVED OPERATING BUDGET: TRANSFER \$104,154 IN THE NEW CASTLE COUNTY DEPARTMENT OF PUBLIC SAFETY, DIVISION OF POLICE FY19 APPROVED BUDGET *MATERIALS AND SUPPLIES* BUDGET LINE ITEM TO THE COMMUNITY SERVICES FY19 APPROVED BUDGET *CONTRACTUAL SERVICES* BUDGET LINE ITEM TO SUPPORT THE COMMUNITY INTERVENTION TEAM. Introduced by: Mr. Street

°18-111: TO AUTHORIZE ABATEMENT OF OUTSTANDING NEW CASTLE COUNTY REAL PROPERTY TAXES AND PENALTIES AND INTEREST ON THE PROPERTY OF THE EDGEMOOR COMMUNITY CENTER, DBA “BELLEVUE COMMUNITY CENTER,” LOCATED AT 510 DUNCAN ROAD, WILMINGTON, DE, TAX PARCEL NUMBER 06-132.00-229. Introduced by: Mr. Cartier

°18-112: TO REVISE NEW CASTLE COUNTY CODE CHAPTER 2 (“ADMINISTRATION”), ARTICLE 5 (“DEPARTMENTS AND OFFICES”), DIVISION 2.05.300 (“DEPARTMENT OF PUBLIC WORKS”) REGARDING ALCOHOL AND DRUG TESTING OF EMPLOYEES OF GENERAL CONTRACTORS AND SUBCONTRACTORS WORKING ON PUBLIC WORKS PROJECTS AND WORKSITES. Introduced by: Mr. Sheldon, Ms. Kilpatrick, Mr. Woods

°18-114: TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 6 (“BUILDING CODE”) REGARDING ARTICLE 1 (“GENERAL”), ARTICLE 2 (“DEFINITIONS”), ARTICLE 3 (“ADMINISTRATION”), ARTICLE 4 (“BUILDING CODE”), ARTICLE 5 (“RESIDENTIAL CODE”), ARTICLE 6 (“MECHANICAL CODE”), ARTICLE 7 (“PLUMBING CODE”), ARTICLE 8 (“FUEL GAS CODE”), ARTICLE 9 (“EXISTING BUILDING CODE”), ARTICLE 10 (“ENERGY CONSERVATION CODE”), ARTICLE 11 (“SWIMMING POOL AND SPA CODE”) AND ARTICLE 12 (“VIOLATIONS, ENFORCEMENT, AND PENALTIES”). Introduced by: Mr. Tackett, Ms. Kilpatrick

°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: November 13, 2018

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