

NEW CASTLE COUNTY COUNCIL  
Louis L. Redding City/County Building  
City/County Council Chambers  
800 French Street, Wilmington, DE 19801  
December 11, 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

**°18-129: REVISE ZONING MAP: MILL CREEK HUNDRED, EAST SIDE VALLEY ROAD, 2100' NORTH OF LIMESTONE ROAD; 701 VALLEY ROAD, TAX PARCEL NO. 08-012.00-032, 1.56 ACRES FROM S (SUBURBAN) TO CN (COMMERCIAL NEIGHBORHOOD) AND TO AMEND THE COMPREHENSIVE PLAN CONSISTENT THEREWITH** (The Exploratory Minor Land Development Plan for Hockessin Commons proposes to rezone the property to CN for development of an 11,760 square foot retail building on 1.56 acres. 2018-0076-S/Z.). **Introduced by: Ms. Kilpatrick**

**°18-130: REVISE PREVIOUSLY APPROVED EXPLORATORY MAJOR LAND DEVELOPMENT PLAN WITH REZONING FOR AVON COMMONS; WHITE CLAY CREEK HUNDRED; NORTH SIDE OF OGLETOWN ROAD (SR 273), 3699 FEET WEST OF RED MILL ROAD; TAX PARCEL NO. 09-016.00-007 (2100 OGLETOWN ROAD)** (The revised plan for Avon Commons proposes to revise the previously approved design of the exploratory major land development plan by increasing the gross floor area from 612,380 square feet to 700,347 square feet. This new plan will supersede the previously approved exploratory major land development plan and rezoning. Section 40.31.113 of the *New Castle County Code* requires that the submitted record plan be in general conformance with the development on the approved exploratory plan that was relied upon by County Council when it granted the rezoning. County Council adopted Ordinance 15-004 in July 2015. CR (Commercial Regional) zoning district. App. 2018-0531-S/Z.). **Introduced by Ms. Diller**

**°18-131: REVISE ZONING MAP: RED LION HUNDRED, EAST SIDE OF SOUTH DUPONT HIGHWAY (SR 7) AND ON THE NORTHEAST SIDE OF THE INTERSECTION OF WRANGLE HILL ROAD AND SOUTH DUPONT HIGHWAY; 1386 SCHOOL HOUSE ROAD, TAX PARCEL NUMBER 12-013.00-007; 51.01 ACRES FROM CR (COMMERCIAL REGIONAL) TO HI (HEAVY INDUSTRIAL) AND TO AMEND THE COMPREHENSIVE PLAN CONSISTENT THEREWITH** (The purpose of this County-initiated rezoning is to change the zoning of the west-most portion of the site to reflect the historical and existing heavy industrial use and zoning on the site. App. No. 2018-0679-Z). **Introduced by: Mr. Bell**

**°18-132: REVISE PREVIOUSLY APPROVED PRELIMINARY MAJOR LAND DEVELOPMENT PLAN WITH REZONING FOR MERIDIAN CROSSING; NEW CASTLE HUNDRED, SOUTHWEST SIDE OF CHURCH ROAD, SOUTH OF THE CSX RAILROAD; TAX PARCEL NUMBERS 10-048.30-257 THROUGH 297 & 10-048.30-228 THROUGH 256; ADDRESSES 11 THROUGH 41 GRISSOM DRIVE, 1001 THROUGH 1033 EDWARD WHITE AVENUE, 1024 THROUGH 1042 EDWARD WHITE AVENUE, 761 THROUGH 775 OBSERVATORY DRIVE, 931 THROUGH 949 SHEPARD AVENUE, AND 1102 THROUGH 1116 GODDARD WAY** (The Exploratory Plan for Meridian Crossing proposes to develop a plan that will revise the previously approved and recorded lot widths, provide changes to open space, change rear loaded units to front load units, and eliminate lots. Section 40.31.113 of the *New Castle County Code* requires that all subsequent land development plans to a previously approved preliminary and rezoning plan be in general conformity with the development on the approved preliminary plan that was relied upon by County Council when it granted the rezoning. County Council adopted Ordinance 02-021 in June 2002. ST (Suburban Transition) zoning district. App.2018-0540-S/Z). **Introduced by: Mr. Bell**

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

**F. Consent Calendar**

**R18-198: HONORING VICTORIA BANDY ON HER RETIREMENT FROM THE NEW CASTLE COUNTY BOARD OF ASSESSMENT REVIEW. Introduced by: Ms. Diller**

**R18-199: CONGRATULATING AND CELEBRATING WITH THE GREATER CLAYMONT COMMUNITY ON THE 20<sup>TH</sup> ANNIVERSARY OF THE CLAYMONT CHRISTMAS PARADE AND THE 25<sup>TH</sup> ANNIVERSARY OF THE FABLED CLAYMONT CHRISTMAS WEED. Introduced by: Mr. Cartier**

**R18-201: HONORING COUNCILMAN JOSEPH M. REDA FOR HIS LIFETIME OF SERVICE TO NEW CASTLE COUNTY AND NEW CASTLE COUNTY COUNCIL AND HEREBY NAMING THE HONORABLE JOSEPH M. REDA CONFERENCE ROOM. Introduced by: Mr. Bell, Mr. Woods**

**R18-202: HONORING THE LIFE AND LEGACY OF JAMES D. BLACKBURN. 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**

**R18-187: (STATUS: TABLED) 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**

**I. Consideration 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

**SUBSTITUTE NO. 1 TO °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

**°18-125:** AMEND THE FY2019 APPROVED OPERATING BUDGET: TRANSFER \$2,500 FROM THE GRANTS AND FIXED CHARGES BUDGET LINE ITEM OF COUNTY COUNCIL TO THE SALARIES AND WAGES AND EMPLOYEE BENEFITS BUDGET LINE ITEMS FOR THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF EMERGENCY COMMUNICATIONS. Introduced by: Mr. Smiley

**°18-126:** AMEND THE GRANTS BUDGET: APPROPRIATE THE MONETARY VALUE OF 400 DONATED LAPTOPS \$478,996 TO THE LOCAL LAW ENFORCEMENT (LLE) 400 LAPTOP COMPUTERS 2019 GRANT FOR THE DEPARTMENT OF PUBLIC SAFETY. Introduced by: Mr. Bell, Mr. Street

**°18-127:** AMEND THE GRANTS BUDGET: APPROPRIATE \$2,992.38 IN INTEREST INCOME AND \$110,611.82 IN PROGRAM INCOME TO THE HOME INVESTMENT PARTNERSHIP PROGRAM (HOME) FY2018 GRANT, WHICH WILL BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES. Introduced by: Mr. Hollins, Ms. Diller

**°18-128:** AMEND THE GRANTS BUDGET: APPROPRIATE \$97,994.96 IN PROGRAM INCOME FUNDS TO THE COMMUNITY DEVELOPMENT BLOCK GRANT FY2018, WHICH WILL BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES. Introduced by: Mr. Hollins, Ms. Diller

**SUBSTITUTE NO. 1 TO '18-112:** (STATUS: TABLED) 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

**'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: December 4, 2018**

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