

KENT COUNTY LEVY COURT COMBINED MEETING NOTICE AND AGENDA
Kent County Administrative Complex
555 Bay Road, Dover, DE 19901
Tuesday, September 29, 2020
Levy Court Chamber (Room 203)

Commissioners will meet in the Levy Court Chamber.

While the public is welcome to attend, capacity is limited due to social distancing. Telephone Conference calling will be available:

Call In Number is: 1-800-377-8846

Participant Passcode: 92535882#

7:00 P.M., BUSINESS MEETING

Call to Order

Invocation

Pledge of Allegiance

Moment of Silence for our Troops

Roll Call and Determination of Quorum

Adoption of Agenda

Consent Agenda 20-10

Items on the Consent Agenda are considered routine and/or non-controversial and will be acted upon by a single roll call vote of the Levy Court. There will be no separate discussion of these items unless a Commissioner so requests, in which event the items shall be removed from the Consent Agenda and considered separately under New Business.

- **Approval of Levy Court Business Meeting Minutes of Tuesday, September 15, 2020**
 - **September 22nd Committee Meeting Item:**
 - Central Square Maintenance Renewal
-

PRESENTATIONS:

1. **Resolution 3806**, In Recognition of Drug Addiction Awareness in Kent County, Delaware
2. **Resolution 3801**, for Retirement of Cathleen M. McLean
3. **Employee of the Month** for October 2020
4. ~~**Tribute** to Public Works Department in recognition for immediate & empathetic Tropical Storm Isaias Response (Colby Harrington; Skylar Willey; Shawn O'Toole; Raymond Jason; Jesse Wallace; Eric Adolf; Cordae Showell) rescheduled to October 13, 2020~~

****4. Recognition of June 2020 EOM**

PUBLIC HEARINGS

STORMWATER MAINTENANCE DISTRICT EXTENSION FOR THE ORCHARDS:

Mr. Sweeney:

1. **Resolution 3802**, A Resolution to extend the Kent County Stormwater Maintenance District pursuant to Chapter 52, Title 9 of the Delaware Code and Section 90.4.E(10), Chapter 187 of the Kent County Code – “The Orchards”

PUBLIC HEARINGS, continued

PETITIONS FOR CONDITIONAL USE APPROVAL:

Mr. Sweeney:

1. **Application #:** C-20-06; **Applicant & Owner:** Valerie & Damond Collins; **Zoning District / Proposed Use:** RMH (Residential Manufactured Home) / Home Daycare; **Area & Location / ID#:** 0.34+/- acre on the east side of Cypress Dr., 115' from Evergreen Rd, further described as lot #32 of the Cypress Gardens subdivision, south of Dover. / NM-00-095.20-02-21.00-000

Mr. Howell:

1. **Application #:** C-20-07; **Applicant & Owner:** Raymond W. & Lisa Mae Miller; **Zoning District / Proposed Use:** AR (Agricultural Residential) / farm machinery/equipment repair and service; **Area & Location / ID#:** 9.5+/- acres on the west side of Tower Rd (Co. Rd. 218), 426' from Westville Rd. (Co. Rd. 52), west of Wyoming. / WD-00-091.00-01-27.21-000

PETITION FOR CONDITIONAL USE REQUIRING SITE PLAN APPROVAL:

Mr. Howell:

1. **Application # / Name:** CS-20-07 / County Line Investments; **Applicant & Owner:** County Line Investments, LLC; **Zoning District / Proposed Use:** BG (General Business) / Contractors Establishment w/ Storage Yard; **Area & Location / ID#:** 2.88+/- acres located on S. Dupont Highway, approx. 1,874' south of Coverdale Lane and approx. 1,459' north of the Sussex County line, south of Farmington / MN-00-199.00-01-51.07-000

PETITION TO AMEND COMPREHENSIVE PLAN MAP AND ZONING MAP:

Mr. Buckson:

1. **Ordinance LC20-05;** An Ordinance to amend the Comprehensive Plan Map Designation and the Official Zoning Map of Kent County, Delaware pursuant to the provisions of Kent County Code, Vol. II, Chapter 205 Zoning, Article III, Section 205-8 and Section 205-9, and Article XXVIII (changes and amendments) effective December 01, 2000, as amended
*(Re: **Application:**CZ-20-02; **Applicant & Owner:** Bay Road Properties, LLC; **Proposed Zoning District:** BG (General Business); **Area & Location / ID#:** 19.92 + acres located on the east side of Bay Road, approx. 2,550' north of Spring Hill Drive and approx. 5,738' south of Old Milford Neck Road, north of Milford. / MD-00-152.00-01-37.03-000)*

PUBLIC HEARINGS, continued

KENT COUNTY ORDINANCE:

Mr. Buckson:

1. **Ordinance LC20-08 Street Bonds** - An Ordinance to amend Kent County Code, Vol. II, Chapter 187 Subdivision and Land Development, as amended, Article X, Required Improvements, §187-55, Completion Bond and Article XIII, Enforcement and penalties, § 187-83, Building and occupancy permits; guaranties in order to modify the requirement for street bonds and clarify additional items for which bonds may be required.

CLOSE PUBLIC HEARINGS

RECESS TO COMMITTEE MEETINGS

COMMITTEE MEETINGS

Public Safety Committee

Mr. Pepper, Chairman

1. Policy 30 Community Projects Assistance Grant Request – Bowers Beach and South Bowers Beach Lifesaving Rings

Public Comments

Adjourn

Community Services Committee

Mr. Sweeney, Chairman

1. Phone system Hardware and Software upgrade by MTM Technologies

Public Comments

Adjourn

RECONVENE BUSINESS MEETING

BUSINESS MEETING, continued

NEW BUSINESS

Mr. Pepper:

1. **Potential Action Item from Public Safety Committee Meeting:** Policy 30 Community Projects Assistance Grant Request – Bowers Beach and South Bowers Beach Lifesaving Rings

Mr. Sweeney:

1. **Potential Action Item from Community Services Committee Meeting:** Phone system Hardware and Software upgrade by MTM Technologies

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NEW BUSINESS, continued

Mr. Pepper:

Action Items from the September 22nd Public Safety Committee:

1. *West Kent County Paramedic Substation Construction Bid Review and Action*
2. *Sheriff's Office – Proposed Policy Amendments: P20-3/§13-1 Firearm Policy; P20-4/§13-2 Use of Force; P20-5/§13-3 Transporting Detainees; P20-6/§13-4 Use of Sheriff's Office Vehicles*

End of Committee Meeting Action Items

OTHER BUSINESS

1. Move to go into Executive Session immediately following the meeting for preliminary discussion on site acquisition for a publicly funded capital improvement; legal strategy session regarding collective bargaining or pending or potential litigation; and personnel matters pursuant to 29 Del.C. 10004(b)(2), (4), and (9)
2. Move to go into Executive Session immediately following the Committee Meetings of October 6, 2020 for preliminary discussion on site acquisition for a publicly funded capital improvement; legal strategy session regarding collective bargaining or pending or potential litigation; and personnel matters pursuant to 29 Del.C. 10004(b)(2), (4), and (9)

INFORMATION ITEMS

PUBLIC COMMENTS

COMMISSIONERS' COMMENTS

ADJOURN

EXECUTIVE SESSION

Immediately following the Business Meeting
Caucus Room

For preliminary discussion on site acquisition for a publicly funded capital improvement; legal strategy session regarding collective bargaining or pending or potential litigation; and personnel matters

Pursuant to 29 Del.C. 10004(b)(2), (4), & (9)

Posted: 9/22/20

Revised:9/24/20

Posted by: L. Tanaka

Time: 5:50PM

Take down: Upon Replacement or on 9/30/20

29 Del.C. §10004(e)(2). The Agenda items as listed may not be considered in sequence. This Agenda is subject to change to include additional items including Executive Sessions or the deletion of items including Executive Sessions, which arise at the time of the meeting.