

**REGULAR MEETING OF THE NEW CASTLE COUNTY COUNCIL
VIRTUAL ZOOM WEBINAR MEETING**

MINUTES

Tuesday, November 23, 2021

- A.** The meeting was called to order by President Hartley-Nagle at 6:30 p.m.
A moment of silence was recognized; members of Council performed the Pledge of Allegiance.

Roll Call

Present

William J. Bell
David Carter
John J. Cartier
Elisa Diller
Dee Durham
Karen Hartley-Nagle
Janet T. Kilpatrick
Timothy P. Sheldon
George Smiley
Jea P. Street
David L. Tackett
Kenneth R. Woods

Absent

Penrose Hollins

B. Approval of Minutes:

- Councilman Smiley moved to approve the November 9, 2021 council meeting minutes, it was seconded, all were in favor.

C. Announcements: None

D. Introduction of Ordinances:

°21-134: AMEND THE GRANTS BUDGET: APPROPRIATE ANTICIPATED FEDERAL FUNDS OF \$17,539,120 FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO THE SECTION 8 HOUSING CHOICE VOUCHERS – 2022 GRANT, WHICH WILL BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING Introduced by: Mr. Hollins, Ms. Diller

°21-135: AMEND THE GRANTS BUDGET: FOR FY2022, APPROPRIATE FEDERAL FUNDS OF \$3,672,176 FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR THE HOME INVESTMENT PARTNERSHIP PROGRAM (HOME) AMERICAN RESCUE PLAN ACT (ARPA) GRANT, WHICH IS ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING Introduced by: Mr. Hollins, Ms. Diller

°21-136: AMEND THE FY2022 APPROVED OPERATING BUDGET: APPROPRIATE UP TO \$2,100,000 FROM THE GENERAL FUND TAX STABILIZATION RESERVE ACCOUNT TO THE DEPARTMENT OF ADMINISTRATION, OFFICE OF LAW TO FUND ATTORNEY FEES Introduced by: Mr. Smiley, Mr. Cartier

E. Reports from Select and Special Committee:

- Boards & Commissions Subcommittee – Ms. Durham reported they had four new appointments and two re-appointments to the boards.
- Land Use Committee - Mr. Tackett stated they met and reviewed one resolution.
- Executive Committee - Mr. Smiley, reported that the Executive Committee met and discussed the American Rescue Plan Act (ARPA), and approved 3 Telecommuting requests.
- Community Services – Ms. Diller, reported they met and reviewed four ordinances.
- Finance Committee - Mr. Smiley reported they met and reviewed items on the agenda and approved one grant request.

F. Consent Calendar:

R21-213: CONSENTING TO THE APPOINTMENT OF JIMMY C. KROON TO THE NEW CASTLE COUNTY AGRICULTURAL LAND PRESERVATION ADVISORY COMMITTEE Introduced by: Ms. Hartley-Nagle

R21-214: CONSENTING TO THE APPOINTMENT OF ROURKE A. MOORE TO THE NEW CASTLE COUNTY DIVERSITY COMMISSION Introduced by: Mr. Hollins

R21-215: CONSENTING TO THE APPOINTMENT OF LINDA GOODMAN TO THE NEW CASTLE COUNTY LIBRARY ADVISORY BOARD Introduced by: Mr. Carter

R21-216: CONSENTING TO THE APPOINTMENT OF KENNETH DUNN TO THE STATE OF DELAWARE PRESCRIPTION OPIOID SETTLEMENT DISTRIBUTION COMMISSION, A SUBCOMMITTEE OF THE DELAWARE BEHAVIORAL HEALTH CONSORTIUM Introduced by: Mr. Woods

R21-217: CONSENTING TO THE REAPPOINTMENT OF KAYODE ABEGUNDE TO THE NEW CASTLE COUNTY FINANCIAL ADVISORY COUNCIL Introduced by: Ms. Hartley-Nagle

R21-218: REAPPOINTING ROBERT RALSTON, ESQUIRE, TO THE NEW CASTLE COUNTY ETHICS COMMISSION Introduced by: Ms. Durham

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.

Consent Calendar—Approved

12 Yes: Bell, Carter, Cartier, Diller, Durham, Hartley-Nagle, Kilpatrick, Sheldon, Smiley, Street, Tackett, Woods

1 Absent: Hollins

G. Presentations: None

H. Consideration of Resolutions Removed from the Consent Calendar and Other Resolutions:

R21-219: PLAN OF PLEASANTON; ST. GEORGES HUNDRED; 1405 CEDAR LANE ROAD, EAST SIDE OF ROUTE 301, 4,600 FEET SOUTH OF BOYDS CORNER ROAD; MAJOR LAND DEVELOPMENT PLAN THAT PROPOSES TO SUBDIVIDE TAX PARCELS 13-012.00-039 AND 13-012.00-045 INTO 237 LOTS FOR SINGLE FAMILY DETACHED DWELLING UNITS WITH ASSOCIATED IMPROVEMENTS UTILIZING THE OPEN SPACE SUBDIVISION, OPTION 2 DEVELOPMENT OPTION AND CREATE A LOT FOR THE EXISTING FARMHOUSE (HISTORIC OVERLAY ZONE, APPLICATION 2020-0556-H); 180.70 +/- ACRES; S AND H ZONING; APPLICATION NO. 2020-0210-S/Z; COUNCIL DISTRICT 6 Introduced by: Mr. Carter

--It was moved and seconded that R21-219 be read by title only and placed before Council for its consideration.

Resolution 21-219—Adopted

12 Yes: Bell, Carter, Cartier, Diller, Durham, Hartley-Nagle, Kilpatrick, Sheldon, Smiley, Street, Tackett, Woods

1 Absent: Hollins

R21-220: AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE A PURCHASE AGREEMENT WITH STRYKER MEDICAL FOR THE PURCHASE OF CARDIAC MONITORS Introduced by: Mr. Bell, Ms. Hartley-Nagle

--It was moved and seconded that R21-220 be read by title only and placed before Council for its consideration.

Resolution 21-220—Adopted

12 Yes: Bell, Carter, Cartier, Diller, Durham, Hartley-Nagle, Kilpatrick, Sheldon, Smiley, Street, Tackett, Woods

1 Absent: Hollins

I. Consideration of Ordinances:

°21-130: TO AMEND THE PAY PLAN AND RATES OF PAY FOR UNCLASSIFIED TEMPORARY SEASONAL AND PART-TIME RECURRING EMPLOYEES OF NEW CASTLE COUNTY Introduced by: Ms. Hartley-Nagle

--It was moved and seconded that °21-130 be read by title only and placed before Council for its consideration.

Ordinance 21-130—Adopted

12 Yes: Bell, Carter, Cartier, Diller, Durham, Hartley-Nagle, Kilpatrick, Sheldon, Smiley, Street, Tackett, Woods

1 Absent: Hollins

°21-131: AMEND THE GRANTS BUDGET: APPROPRIATE \$2,435,650 FROM THE STATE OF DELAWARE FISCAL YEAR 2022 BOND AND CAPITAL IMPROVEMENTS ACT TO THE FY2022 COMMUNITY REDEVELOPMENT/REINVESTMENT FUND GRANT FOR THE DEPARTMENT OF ADMINISTRATION, OFFICE OF FINANCE Introduced by: Mr. Smiley, Mr. Cartier

--It was moved and seconded that °21-131 be read by title only and placed before Council for its consideration.

Ordinance 21-131—Adopted

12 Yes: Bell, Carter, Cartier, Diller, Durham, Hartley-Nagle, Kilpatrick, Sheldon, Smiley, Street, Tackett, Woods

1 Absent: Hollins

°21-132: AMEND THE GRANTS BUDGET: REALIGN \$28,359.52 IN STATE OF DELAWARE GRANT-IN-AID FUNDS WITHIN THE ABSALOM JONES SENIOR CENTER FY2021, WHICH IS ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY RESOURCES Introduced by: Mr. Hollins, Ms. Diller

--It was moved and seconded that °21-132 be read by title only and placed before Council for its consideration.

Ordinance 21-132—Adopted

12 Yes: Bell, Carter, Cartier, Diller, Durham, Hartley-Nagle, Kilpatrick, Sheldon, Smiley, Street, Tackett, Woods

1 Absent: Hollins

°21-133: AMEND THE GRANTS BUDGET: FOR FY2022, APPROPRIATE \$100,000 FROM THE DELAWARE DEPARTMENT OF HEALTH AND SOCIAL SERVICES THROUGH THE DELAWARE DIVISION OF LIBRARIES WITH FEDERAL FUNDS TO THE COVID 19 TEST KIT GRANT TO BE DISTRIBUTED EQUALLY TO THE TEN NEW CASTLE COUNTY LIBRARIES WHICH ARE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF LIBRARIES Introduced by: Mr. Hollins, Ms. Diller

--It was moved and seconded that °21-133 be read by title only and placed before Council for its consideration.

Ordinance 21-133—Adopted

12 Yes: Bell, Carter, Cartier, Diller, Durham, Hartley-Nagle, Kilpatrick, Sheldon, Smiley, Street, Tackett, Woods

1 Absent: Hollins

SUBSTITUTE NO. 1 TO °21-049: AMENDING NEW CASTLE COUNTY CODE CHAPTER 6 ("BUILDING CODE"), SECTION 6.04.002. ("AMENDMENTS TO THE INTERNATIONAL BUILDING CODE") AND SECTION 6.05.002. ("AMENDMENTS TO THE INTERNATIONAL RESIDENTIAL CODE"), AND CHAPTER 40 ("UNIFIED DEVELOPMENT CODE"), APPENDIX 1 ("APPLICATION AND PLAN REQUIREMENTS") RELATING TO CONSTRUCTION AND RECYCLING OF CERTAIN RELATED MATERIALS Introduced by: Ms. Durham, Mr. Hollins, Mr. Carter, Mr. Sheldon

--It was moved and seconded that Substitute No.1 to °21-049 be read by title only and placed before Council for its consideration.

Substitute No. 1 to °21-049—Defeated

4 Yes: Carter, Cartier, Durham, Street

7 No: Bell, Diller, Hartley-Nagle, Kilpatrick, Smiley, Tackett, Woods

1 Absent: Hollins

1 Recuse: Sheldon

J. Time Sensitive Congratulatory/Honorary Resolutions:

R21-221: CONGRATULATING ANDREW DEMES ON ACHIEVING THE RANK OF EAGLE SCOUT. Introduced by: Mr. Tackett

--It was moved and seconded that R21-221 be read by title only and placed before Council for its consideration.

Resolution 21-221—Adopted

12 Yes: Bell, Carter, Cartier, Diller, Durham, Hartley-Nagle, Kilpatrick, Sheldon, Smiley, Street, Tackett, Woods

1 Absent: Hollins

R21-222: CONGRATULATING AUSTIN GREENE ON ACHIEVING THE RANK OF EAGLE SCOUT. Introduced by: Ms. Diller

--It was moved and seconded that R21-222 be read by title only and placed before Council for its consideration.

Resolution 21-222—Adopted

12 Yes: Bell, Carter, Cartier, Diller, Durham, Hartley-Nagle, Kilpatrick, Sheldon, Smiley, Street, Tackett, Woods

1 Absent: Hollins

K. Introduction/Consideration of Emergency Ordinances: None

L. Public Comment/Other:

- Ms. Donna Marie spoke about resources not being available for homeless people, and she is being turned away for help.
- Kenneth Dunn, Executive Office, stated he and others have assisted Ms. Marie on numerous times and gave her all the information that she needs to receive the assistance that she requested.

M. Motion to Adjourn:

There being no further testimony, a motion was made by Councilman Smiley to adjourn, it was seconded and adjourned at 7:35 pm.

A recording of the meeting is available upon request.

Respectfully submitted by Linwood Jackson, Legislative Assistant.