



NEW CASTLE COUNTY COUNCIL COUNCIL MEETING

January 11, 2022
6:30 PM
VIRTUAL ZOOM WEBINAR MEETING**
MINUTES

A. Call to Order

Moment of Silence

Pledge of Allegiance

Roll Call

The meeting was called to order by President Hartley-Nagle at 06:30 PM.

A moment of silence was recognized; members of Council performed the Pledge of Allegiance.

Roll Call:

Present: David Carter, John Cartier, Lisa Diller, Dee Durham, Karen Hartley-Nagle, Janet Kilpatrick, Timothy Sheldon, George Smiley, Jea Street, David Tackett, Kenneth Woods

Absent: J. William Bell, Penrose Hollins

B. Approval of Minutes

12-14-2021 Council Meeting minutes

George Smiley moved to approve the December 14, 2021 council meeting minutes. The motion was seconded and approved by voice vote.

C. Announcements

-Mr. Cartier announced that he would lift Ordinance 21-136 from the table and withdraw it.

D. Introduction of Ordinances

°22-001: AMEND THE GRANTS BUDGET: APPROPRIATE \$47,837 FROM THE STATE OF DELAWARE, DEPARTMENT OF TRANSPORTATION TO THE CRANSTON HEIGHTS FIRE COMPANY TRAFFIC SAFETY VEHICLES GRANT FOR THE DEPARTMENT OF PUBLIC SAFETY Introduced by: Mr. Bell, Ms. Hartley-Nagle, Ms. Kilpatrick

°22-002: AMEND THE GRANTS BUDGET: FOR FY2022, APPROPRIATE STATE OF DELAWARE FUNDS OF \$35,000 FROM THE HOME4GOOD PARTNERSHIP BETWEEN THE DELAWARE STATE HOUSING AUTHORITY AND THE FEDERAL HOME LOAN BANK OF PITTSBURGH TO THE NEW CASTLE COUNTY (NCC) HOUSING EVERYONE LOCATOR PROGRAM (HELP) HOME4GOOD 2022 GRANT, WHICH WILL BE ADMINISTERED BY THE

DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING Introduced by: Mr. Hollins, Ms. Diller

°22-003: AMEND THE FY2022 APPROVED OPERATING BUDGET: APPROPRIATE UP TO \$1,300,000 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

°22-004: AMEND THE FY2022 APPROVED ANNUAL OPERATING BUDGET: APPROPRIATE \$1,700,000 FROM THE GENERAL FUND TAX STABILIZATION RESERVE ACCOUNT TO THE DEPARTMENT OF ADMINISTRATION, RISK MANAGEMENT Introduced by: Mr. Smiley, Mr. Cartier

°22-005: REVISE ZONING MAP: BRANDYWINE HUNDRED, NORTHWEST OF THE INTERSECTION OF NAAMANS ROAD AND SOCIETY DRIVE; 1000 SOCIETY DRIVE, [TAX PARCEL NO. 06-036.00-100](#), 2.31 ACRES FROM ON (OFFICE NEIGHBORHOOD) TO CR (COMMERCIAL REGIONAL); COUNCIL DISTRICT 8 (The Exploratory Major Land Development Plan and Rezoning for Society Drive Self Storage proposes to rezone the 2.31 acres to CR (Commercial Regional) to construct a 90,000 SF self-storage facility. [2021-0121-S/Z](#).) Introduced by: Mr. Cartier

°22-006: REVISE ZONING MAP: BRANDYWINE HUNDRED, WEST SIDE OF NEWARK UNION PUBLIC ROAD, NORTH OF THE INTERSECTION WITH BAYNARD BOULEVARD; 8 & 20 NEWARK UNION PUBLIC ROAD, [TAX PARCELS 06-103.00-101](#) & [06-103.00-100](#), 2.31+ ACRES FROM NC10 (NEIGHBORHOOD CONSERVATION) TO NC10 (NEIGHBORHOOD CONSERVATION) AND H (HISTORIC OVERLAY ZONE); COUNCIL DISTRICT 8 (The property owner is requesting the H (Historic Overlay Zone) for the subject parcels. [2021-0557-R/Z](#)) Introduced by: Mr. Cartier

°22-007: REVISE ZONING MAP: ST. GEORGES HUNDRED, NORTH SIDE BOYDS CORNER ROAD, 3,400 FEET EAST OF JAMISON CORNER ROAD; 601 N. BAYBERRY PARKWAY, [TAX PARCEL NO. 13-013.00-067](#), 80.67 ACRES FROM S (SUBURBAN) TO ST (SUBURBAN TRANSITION); COUNCIL DISTRICT 12 (The Exploratory Major Land Development Plan and Rezoning for Bayberry Town Center – Residential East proposes to rezone the 80.67 acres to ST (Suburban Transition) to construct an age restricted single family development with 182 single family detached lots. [2021-0503-S/Z](#).) Introduced by: Mr. Bell

°22-008: REVISE ZONING MAP: ST. GEORGES HUNDRED, NORTH SIDE BOYDS CORNER ROAD, 1,400 FEET WEST OF JAMISON CORNER ROAD; 701 BOYDS CORNER ROAD, [TAX PARCEL NO. 13-013.00-002](#), 71.91 ACRES FROM S (SUBURBAN) TO ST (SUBURBAN TRANSITION); COUNCIL DISTRICT 6 (The Exploratory Major Land Development Plan and Rezoning for Bayberry Town Center – Residential West proposes to rezone the 71.91 acres to ST (Suburban Transition) to construct a single-family development with 171 single family detached lots. [2021-0504-S/Z](#).) Introduced by: Mr. Carter

E. Reports from Select and Special Committees

F. Consent Calendar

[R22-001](#): REMEMBERING AND HONORING THE LIFE OF ROBERT PAUL (BOB) REEDER Introduced by: Ms. Hartley-Nagle

[R22-002](#): CONGRATULATING THE OFFICE OF FINANCE FOR EARNING THE DISTINGUISHED BUDGET PRESENTATION AWARD FOR NEW CASTLE COUNTY'S COMPREHENSIVE ANNUAL BUDGET SUMMARY FOR 32 CONSECUTIVE YEARS. Introduced by: Mr. Smiley, Mr. Cartier

R22-003: CONGRATULATING AND COMMENDING COLONEL VAUGHN BOND ON HIS RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT Introduced by: Mr. Bell, Ms. Hartley-Nagle

R22-004: CONGRATULATING AND COMMENDING MAJOR ROBERT MCLUCAS ON HIS RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT Introduced by: Mr. Bell, Ms. Hartley-Nagle

R22-005: CONGRATULATING AND COMMENDING SENIOR LIEUTENANT RICHARD A. DUNNING ON HIS RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT Introduced by: Mr. Bell, Ms. Hartley-Nagle

R22-006: CONGRATULATING AND COMMENDING SENIOR LIEUTENANT GERALD TATUM ON HIS RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT Introduced by: Mr. Bell, Ms. Hartley-Nagle

R22-007: CONGRATULATING AND COMMENDING SENIOR SERGEANT REGINALD LASTER ON HIS RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT Introduced by: Mr. Bell, Ms. Hartley-Nagle

R22-008: CONGRATULATING AND COMMENDING MASTER CORPORAL JILL KOTOWSKI ON HER RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT Introduced by: Mr. Bell, Ms. Hartley-Nagle

R22-009: CONGRATULATING AND COMMENDING MASTER CORPORAL RONALD W. BREITIGAN ON HIS RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT Introduced by: Mr. Bell, Ms. Hartley-Nagle

R22-010: CONGRATULATING AND COMMENDING MASTER CORPORAL STEVEN L. BURSE ON HIS RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT Introduced by: Mr. Bell, Ms. Hartley-Nagle

R22-011: CONGRATULATING AND COMMENDING MASTER CORPORAL GINI COLLINI ON HIS RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT Introduced by: Mr. Bell, Ms. Hartley-Nagle

R22-012: CONGRATULATING AND COMMENDING MASTER CORPORAL ROMI DUNNING ON HER RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT Introduced by: Mr. Bell, Ms. Hartley-Nagle

R22-013: CONGRATULATING AND COMMENDING MASTER CORPORAL COREY D. HAMILTON ON HIS RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT Introduced by: Mr. Bell, Ms. Hartley-Nagle

R22-014: CONGRATULATING AND COMMENDING MASTER CORPORAL MICHAEL R. HENDERSON ON HIS RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT Introduced by: Mr. Bell, Ms. Hartley-Nagle

R22-015: CONGRATULATING AND COMMENDING MASTER CORPORAL MICHAEL P. MURPHY ON HIS RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT Introduced by: Mr. Bell, Ms. Hartley-Nagle

R22-016: CONGRATULATING AND COMMENDING MASTER CORPORAL BRIAN C. SHAHAN ON HIS RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT Introduced by: Mr. Bell, Ms. Hartley-Nagle

R22-017: CONGRATULATING AND COMMENDING MASTER CORPORAL BRIAN TAYLOR ON HIS RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT Introduced by: Mr. Bell, Ms. Hartley-Nagle

Consent Calendar -- Adopted

Yes: David Carter, John Cartier, Lisa Diller, Dee Durham, Karen Hartley-Nagle, Janet Kilpatrick, Timothy Sheldon, George Smiley, Jea Street, David Tackett, Kenneth Woods

Absent: J. William Bell, Penrose Hollins

Consent Note

G. Presentations

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

R22-018: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT WITH RAVE WIRELESS INC. FOR CAD-HUD INTEGRATION SOFTWARE FOR THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF EMERGENCY COMMUNICATIONS IN THE AMOUNT OF \$33,000.00 Introduced by: Mr. Smiley, Mr. Cartier, Ms. Hartley-Nagle

-It was moved and seconded that R22-018 be read by title only and placed before Council for its consideration.

Resolution 22-018 -- Adopted

Yes: David Carter, John Cartier, Lisa Diller, Dee Durham, Karen Hartley-Nagle, Janet Kilpatrick, Timothy Sheldon, George Smiley, Jea Street, David Tackett, Kenneth Woods

Absent: J. William Bell, Penrose Hollins

R22-019: PLAN OF FORGE DRIVE SELF STORAGE; WHITE CLAY CREEK HUNDRED; SOUTHWEST SIDE OF FORGE DRIVE ALONG MARROWS ROAD; MAJOR LAND DEVELOPMENT PLAN THAT PROPOSES TO DEMOLISH THE EXISTING BUILDING SHELL AND DEVELOP A SELF STORAGE FACILITY INCLUDING 109,210 SQUARE FEET OF SELF-STORAGE SPACE AND AN 1,137 SF OFFICE AND RETAIL DISPLAY AREA, AND ASSOCIATED IMPROVEMENTS; I ZONING; [APPLICATION NO. 2020-0533-S](#); COUNCIL DISTRICT 5 Introduced by: Ms. Diller

-It was moved and seconded that R22-019 be read by title only and placed before Council for its consideration.

Resolution 22-019 -- Adopted

Yes: David Carter, John Cartier, Lisa Diller, Dee Durham, Karen Hartley-Nagle, Janet Kilpatrick, Timothy Sheldon, George Smiley, Jea Street, David Tackett, Kenneth Woods

Absent: J. William Bell, Penrose Hollins

I. Consideration of Ordinances

21-137: AMEND THE FY2022 APPROVED OPERATING BUDGET: APPROPRIATE \$18,600 IN FUNDING RECEIVED FROM THE NEW CASTLE COUNTY TECHNOLOGY FEE ACCOUNT WITHIN THE OFFICE OF THE RECORDER OF DEEDS TO THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY RESOURCES EQUIPMENT BUDGET LINE ITEM Introduced by: Mr. Hollins, Ms. Diller

-It was moved and seconded that Ordinance 21-137 be read by title only and placed before Council for its consideration.

Ordinance 21- 137 -- Adopted

Yes: David Carter, John Cartier, Lisa Diller, Dee Durham, Karen Hartley-Nagle, Janet Kilpatrick, Timothy Sheldon, George Smiley, Jea Street, David Tackett, Kenneth Woods

Absent: J. William Bell, Penrose Hollins

°21-138: AMEND THE GRANTS BUDGET: APPROPRIATE \$40,000 FROM THE STATE OF DELAWARE, DEPARTMENT OF TRANSPORTATION TO THE MILL CREEK FIRE COMPANY TRAFFIC SAFETY VEHICLES GRANT FOR THE DEPARTMENT OF PUBLIC SAFETY Introduced by: Mr. Bell, Ms. Hartley-Nagle, Mr. Sheldon, Ms. Kilpatrick

-It was moved and seconded that Ordinance 21-138 be read by title only and placed before Council for its consideration.

Ordinance 21-138 -- Adopted

Yes: David Carter, John Cartier, Lisa Diller, Dee Durham, Karen Hartley-Nagle, Janet Kilpatrick, Timothy Sheldon, George Smiley, Jea Street, David Tackett, Kenneth Woods

Absent: J. William Bell, Penrose Hollins

°21-139: AMEND THE GRANTS BUDGET: APPROPRIATE FEDERAL FUNDING OF \$121,530.88 TO THE HOLISTIC OFFICER WELLNESS GRANT FOR THE NEW CASTLE COUNTY DEPARTMENT OF PUBLIC SAFETY, DIVISION OF POLICE Introduced by: Mr. Bell, Ms Hartley-Nagle

-It was moved and seconded that Ordinance 21-139 be read by title only and placed before Council for its consideration.

Ordinance 21-139 -- Adopted

Yes: David Carter, John Cartier, Lisa Diller, Dee Durham, Karen Hartley-Nagle, Janet Kilpatrick, Timothy Sheldon, George Smiley, Jea Street, David Tackett, Kenneth Woods

Absent: J. William Bell, Penrose Hollins

°21-140: AMEND THE GRANTS BUDGET: APPROPRIATE FEDERAL FUNDING OF \$198,701 TO THE COPS DE-ESCALATION TRAINING GRANT FOR THE NEW CASTLE COUNTY DEPARTMENT OF PUBLIC SAFETY, DIVISION OF POLICE Introduced by: Mr. Bell, Ms. Hartley-Nagle

-It was moved and seconded that Ordinance 21-140 be read by title only and placed before Council for its consideration.

Ordinance 22-140 -- Adopted

Yes: David Carter, John Cartier, Lisa Diller, Dee Durham, Karen Hartley-Nagle, Janet Kilpatrick, Timothy Sheldon, George Smiley, David Tackett, Kenneth Woods

Not Voting: Jea Street

Absent: J. William Bell, Penrose Hollins

°21-141: AMEND THE GRANTS BUDGET: APPROPRIATE FEDERAL FUNDING OF \$179,385 TO THE JUSTICE ASSISTANCE GRANT (JAG) 2021 GRANT FOR THE NEW CASTLE COUNTY DEPARTMENT OF PUBLIC SAFETY, DIVISION OF POLICE Introduced by: Mr. Bell, Ms. Hartley-Nagle

-It was moved and seconded that Ordinance 21-141 be read by title only and placed before Council for its consideration.

Ordinance 21-141-- Adopted

Yes: David Carter, John Cartier, Lisa Diller, Dee Durham, Karen Hartley-Nagle, Janet Kilpatrick, Timothy Sheldon, George Smiley, David Tackett, Kenneth Woods

Not Voting: Jea Street

Absent: J. William Bell, Penrose Hollins

°21-142: AMEND THE FY2022 APPROVED OPERATING BUDGET: INCREASE THE AUTHORIZED POSITION COUNT FOR THE DEPARTMENT OF PUBLIC SAFETY BY TEN PARAMEDIC POSITIONS TO ALLOW CONTINUED HIRING OF PRE-CERTIFIED PARAMEDICS WHILE UPCOMING 2022 NEW CASTLE COUNTY PARAMEDIC CLASS IS IN TRAINING Introduced by: Mr. Bell, Ms. Hartley-Nagle

-It was moved and seconded that Ordinance 21-142 be read by title only and placed before Council for its consideration.

Ordinance 21- 142 -- Adopted

Yes: David Carter, John Cartier, Lisa Diller, Dee Durham, Karen Hartley-Nagle, Janet Kilpatrick, Timothy Sheldon, George Smiley, Jea Street, David Tackett, Kenneth Woods

Absent: J. William Bell, Penrose Hollins

°21-143: AMEND THE FY2022 CAPITAL PROGRAM AND BUDGET: APPROPRIATE \$1,000,000 IN FUNDING FROM THE STATE OF DELAWARE FISCAL YEAR 2022 GRANTS-IN-AID BILL TO THE DEPARTMENT OF PUBLIC SAFETY, EMS REALIGNMENT AND BUILDING CAPITAL PROJECT Introduced by: Mr. Bell, Ms. Hartley-Nagle

-It was moved and seconded that Ordinance 21-143 be read by title only and placed before Council for its consideration.

Ordinance 21-143 -- Adopted

Yes: David Carter, John Cartier, Lisa Diller, Dee Durham, Karen Hartley-Nagle, Janet Kilpatrick, Timothy Sheldon, George Smiley, Jea Street, David Tackett, Kenneth Woods

Absent: J. William Bell, Penrose Hollins

°21-144: TO AMEND NEW CASTLE COUNTY CODE TO CREATE A NEW CHAPTER 13 RELATING TO STORMWATER MAINTENANCE DISTRICTS Introduced by: Ms. Kilpatrick, Mr. Sheldon

-It was moved and seconded that Substitute No. 1 to Ordinance 21-144 be read by title only and placed before Council for its consideration.

Substitute No. 1 to Ordinance 21-144 -- Adopted

Yes: David Carter, John Cartier, Lisa Diller, Dee Durham, Karen Hartley-Nagle, Janet Kilpatrick, Timothy Sheldon, George Smiley, David Tackett, Kenneth Woods

No: Jea Street

Absent: J. William Bell, Penrose Hollins

°21-136: (STATUS: TABLED) 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

-It was moved and seconded to lift Ordinance 21-136 from the table and withdrawn.

Ordinance 21-136 -- Withdrawn

°21-091: (STATUS: TABLED) TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 4 ("ANIMALS"), ARTICLE 2 ("ANIMAL CONTROL"), SECTION 4.02.001. ("LICENSES; RESTRAINT; IMPOUNDMENT; DESTRUCTION; NUISANCES; ENFORCEMENT GENERALLY") AND SECTION 4.02.002. ("ENFORCEMENT OF SECTION 4.02.001"), AND *NEW CASTLE COUNTY CODE* CHAPTER 22 ("OFFENSES AND MISCELLANEOUS PROVISIONS"), ARTICLE 2 ("OFFENSES GENERALLY"), SECTION 22.02.008. ("NOISE CONTROL") RELATING TO DOGS AND OTHER ANIMALS. Introduced by: Mr. Smiley, Mr. Carter

-It was moved and seconded that Ordinance 21-091 be lifted from the table and withdrawn.

Ordinance 21-091 -- Withdrawn

J. Time Sensitive Congratulatory/Honorary Resolutions

R22-020: CONGRATULATING TIMOTHY J. ARMSTRONG JR. FOR ACHIEVING THE RANK OF EAGLE SCOUT Introduced by: Ms. Durham

It was moved and seconded that Resolution 22-020 be read by title only and placed before Council for its consideration.

Resolution 22-020 -- Adopted

Yes: David Carter, John Cartier, Lisa Diller, Dee Durham, Karen Hartley-Nagle, Janet Kilpatrick, Timothy Sheldon, George Smiley, Jea Street, David Tackett, Kenneth Woods

Absent: J. William Bell, Penrose Hollins

R22-021: CONGRATULATING KATHLEEN P. HARRIS ON HER RETIREMENT AND THANKING HER FOR MORE THAN 30 YEARS OF SERVICE TO THE CITIZENS OF NEW CASTLE COUNTY Introduced by: Ms. Hartley-Nagle, Mr. Bell, Mr. Carter, Mr. Cartier, Ms. Diller, Ms. Durham, Ms. Kilpatrick, Mr. Sheldon, Mr. Smiley, Mr. Street, Mr. Tackett, Mr. Woods

-It was moved and seconded that R21-021 be read by title only and placed before Council for its consideration.

Resolution 22-021-- Adopted

Yes: David Carter, John Cartier, Lisa Diller, Dee Durham, Karen Hartley-Nagle, Janet Kilpatrick, Timothy Sheldon, George Smiley, Jea Street, David Tackett, Kenneth Woods

Absent: J. William Bell, Penrose Hollins

K. Introduction/Consideration of Emergency Ordinances

L. Public Comment/Other

-Malika Yates thanked Kathleen Harris for her service to New Castle County.

-Comments were added by Mr. Street relating to body camera footage and police officers retiring.

-Col. Block spoke to Mr. Street's concerns.

M. Motion to Adjourn

.-There being no further testimony, a motion was made by Mr. Smiley to adjourn, it was seconded, and the meeting was adjourned at 7:25 pm.

A recording of the meeting is available upon request.

Respectfully submitted by C. Linwood Jackson, Legislative Assistant.

