



NEW CASTLE COUNTY COUNCIL COUNCIL MEETING

November 22, 2022
6:30 PM

VIRTUAL ZOOM WEBINAR MEETING &
LOUIS L. REDDING CITY/COUNTY BUILDING
1ST FLOOR COUNCIL CHAMBERS
800 N. FRENCH STREET, WILMINGTON, DE 19801**

MINUTES

A. Call to Order

Moment of Silence

Pledge of Allegiance

Roll Call

The meeting was called to order by President Hartley-Nagle at 06:33 PM.
A moment of silence was recognized; members of Council performed the Pledge of Allegiance.

Members present: J. William Bell, David Carter, John Cartier, Dee Durham, Valerie George, Karen Hartley-Nagle, Penrose Hollins, Janet Kilpatrick, Timothy Sheldon, George Smiley, Jea Street, David Tackett, Brandon Toole

B. Approval of Minutes

-Mr. Smiley moved to approve the minutes from the October 25, 2022 Council Meeting. The motion was seconded by Mr. Cartier and the minutes were approved.

C. Announcements

-Mr. Street announced that he would table Resolution 22-212 until next Tuesday, November 29, 2022.

D. Introduction of Ordinances

°22-134: AMENDING NEW CASTLE COUNTY CODE CHAPTER 14 ("FINANCE AND TAXATION"), ARTICLE 1 ("IN GENERAL"), SECTION 14.01.020. ("AFFORDABLE HOUSING FUND") RELATING TO THE AFFORDABLE HOUSING FUND AND FUNDING SOURCES Introduced by: Mr. Hollins

°22-135: IMPLEMENTING A MORATORIUM ON MAJOR AND MINOR LAND DEVELOPMENT APPLICATIONS PROPOSING A WAREHOUSE OR SIMILAR BUILDING OR

FACILITY 150,000 SQUARE FEET OR LARGER IN NEW CASTLE COUNTY Introduced by: Mr. Carter

°22-136: AMEND THE GRANTS BUDGET: APPROPRIATE INVESTMENT AND PROGRAM INCOME TO JUSTICE ASSISTANCE GRANTS (JAG) 2019 AND 2020 AND REALIGN \$570.23 IN THE JAG 2019 GRANT FOR THE NEW CASTLE COUNTY DEPARTMENT OF PUBLIC SAFETY, DIVISION OF POLICE Introduced by: Mr. Bell, Ms. Hartley-Nagle

°22-137: AMEND THE GRANTS BUDGET: APPROPRIATE FEDERAL FUNDING OF \$185,335 TO THE JUSTICE ASSISTANCE GRANT (JAG) 2022 GRANT FOR THE NEW CASTLE COUNTY DEPARTMENT OF PUBLIC SAFETY, DIVISION OF POLICE Introduced by: Mr. Bell, Ms. Hartley-Nagle

°22-138: AMEND THE GRANTS BUDGET: APPROPRIATE \$30,000.00 FROM THE UNITED STATES DEPARTMENT OF JUSTICE TO THE ASSET FORFEITURE-FEDERAL GRANT, WHICH IS ADMINISTERED BY THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF POLICE Introduced by: Mr. Bell, Ms. Hartley-Nagle

°22-139: AMEND THE GRANTS BUDGET: APPROPRIATE \$7,184.36 FROM SALE OF ASSETS AND REALIGN \$13,421.00 IN THE ASSET SEIZURE GRANT, WHICH IS ADMINISTERED BY THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF POLICE Introduced by: Mr. Bell, Ms. Hartley-Nagle

°22-140: AMEND THE GRANTS BUDGET: APPROPRIATE ANTICIPATED FEDERAL FUNDS OF \$17,265,000 FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO THE SECTION 8 HOUSING CHOICE VOUCHERS – 2023 GRANT, WHICH WILL BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING Introduced by: Mr. Hollins

°22-141: AMEND THE FY2023 APPROVED OPERATING BUDGET: APPROPRIATE \$700,000 FROM THE GENERAL FUND TAX STABILIZATION RESERVE ACCOUNT TO THE DEPARTMENT OF COUNTY EXECUTIVE TO FUND THE ROSE HILL COMMUNITY CENTER ROOF IMPROVEMENT PROJECT Introduced by: Mr. Street

°22-142: AMEND THE FY2023 CAPITAL PROGRAM AND BUDGET: TRANSFER \$1,100,000 FROM THE GOVERNMENT CENTER PARKING LOT CAPITAL PROJECT TO THE BRANDYWINE LIBRARY HVAC UPGRADE CAPITAL PROJECT Introduced by: Mr. Sheldon

°22-143: REVISE ZONING MAP: NEW CASTLE HUNDRED, SOUTH SIDE OF CHURCHMANS ROAD, 2900 FEET EAST OF CHURCHMANS ROAD; REZONE TAX PARCEL 10-024.00-219, 61.37+ ACRES, FROM S (SUBURBAN) TO I (INDUSTRIAL). (The Exploratory Plan and rezoning for Walker Farm Industrial Development proposes to rezone tax parcel 10-024.00-219, 61.37+ acres, from “S” (Suburban) to “I” (Industrial) to construct 837,200 square feet of warehousing with associated parking, utilities, stormwater management and landscaping improvements. [App. 2022-0335-S/Z.](#)) Introduced by: Mr. Smiley

°22-144: REVISE ZONING MAP: ST GEORGES HUNDRED, EAST SIDE OF DUPONT PARKWAY, 2320 FEET NORTH OF POLE BRIDGE ROAD; REZONE AN 8.2270 ACRE PORTION OF TAX PARCEL 13-008.00-027 (235.2127 ACRES), AND ALL OF TAX PARCEL 13-013.00-083 (1.9890 ACRES) FROM “S” (SUBURBAN) TO “CN” (COMMERCIAL NEIGHBORHOOD) (The Exploratory Plan and rezoning for 2256 DuPont Parkway proposes to subdivide an 8.2270 acre portion of tax parcel 13-008.00-027 (235.2127 acres) and combine it with tax parcel 13-013.00-083 (1.9890 acres), and to rezone the combined new parcel (10.216 acres) from “S” (Suburban) to “CN” (Commercial Neighborhood) to construct a 5,585 square foot convenience store, 9,372 square feet of retail shops, and a 4,979 square foot bank with associated improvements. [App. 2019-0698-S/Z.](#)) Introduced by: Mr. Bell

°22-145: MANDATING THAT NEW CASTLE COUNTY GOVERNMENT ESTABLISH A POLICY TO SAFEGUARD CERTAIN HISTORICALLY-IMPORTANT, ANTIQUE, AND UNIQUE PROPERTY OF NEW CASTLE COUNTY Introduced by: Ms. Hartley-Nagle, Mr. Cartier

E. Reports from Select and Special Committees

-Land Use Committee - Mr. Tackett reported that LU met today and discussed items on tonight's agenda and received an update from Rich Hall.

-Public Safety Committee - Ms. Hartley-Nagle reported that the Public Safety Committee met today and reviewed items on tonight's agenda, received an update on the new police academy, discussed the police and princess ball, and the committee chair appointments.

-Finance Committee - Mr. Cartier reported that the Finance Committee met today and reviewed items on tonight's agenda, approved grants, approved the hiring of 3 Legislative Assistants.

F. Consent Calendar

R22-208: CELEBRATING AND HONORING GORDON W. DAY FOR HIS SERVICE TO BRANDYWINE HUNDRED FIRE COMPANY NO. 1 Introduced by: Mr. Cartier

R22-209: CELEBRATING AND HONORING STEVE J. HAMMERER FOR HIS SERVICE TO BRANDYWINE HUNDRED FIRE COMPANY NO. 1 Introduced by: Mr. Cartier

R22-210: CELEBRATING AND HONORING EDWARD W. LENNON FOR HIS SERVICE TO BRANDYWINE HUNDRED FIRE COMPANY NO. 1 Introduced by: Mr. Cartier

R22-211: CELEBRATING AND HONORING WAYNE J. LUZZO FOR HIS SERVICE TO BRANDYWINE HUNDRED FIRE COMPANY NO. 1 Introduced by: Mr. Cartier

Consent Note

-Ms. Durham asked if she could be added as a co-sponsor to R22-208.

Consent Calendar -- Adopted

Yes: J. William Bell, David Carter, John Cartier, Dee Durham, Valerie George, Karen Hartley-Nagle, Penrose Hollins, Janet Kilpatrick, Timothy Sheldon, George Smiley, Jea Street, David Tackett, Brandon Toole

G. Presentations

-None

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

R22-212: RESOLUTION APPROVING REISSUANCE OF CERTAIN BONDS OR NOTES BY THE HOLLOWAY TERRACE FIRE COMPANY Introduced by: Mr. Street

-It was moved and seconded that Resolution 22-212 be read by title only and placed before Council for its consideration.

-Mr. Street moved to table Resolution 22-212. The motion was seconded by Mr. Cartier and was approved.

Resolution 22- 212 -- Tabled

I. Consideration of Ordinances

°22-129: AMEND THE GRANTS BUDGET: APPROPRIATE \$749,000 FROM THE U.S. DEPARTMENT OF JUSTICE TO THE BEHAVIORAL HEALTH UNIT EXPANSION GRANT, TO BE ADMINISTERED BY THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF POLICE Introduced by: Mr. Bell, Ms. Hartley-Nagle

-It was moved and seconded that °22-129 be read by title only and placed before Council for its consideration.

Ordinance 22-129 -- Adopted

Yes: J. William Bell, David Carter, John Cartier, Dee Durham, Valerie George, Karen Hartley-Nagle, Penrose Hollins, Janet Kilpatrick, Timothy Sheldon, George Smiley, Jea Street, David Tackett, Brandon Toole

°22-130: AMEND THE GRANTS BUDGET: APPROPRIATE \$494,932.36 FROM THE STATE OF DELAWARE DEPARTMENT OF SAFETY AND HOMELAND SECURITY TO THE FY2023 FUNDS TO COMBAT VIOLENT CRIME GRANT FOR THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF POLICE Introduced by: Mr. Bell, Ms. Hartley-Nagle

-It was moved and seconded that °22-130 be read by title only and placed before Council for its consideration.

Ordinance 22-130 -- Adopted

Yes: J. William Bell, David Carter, John Cartier, Dee Durham, Valerie George, Karen Hartley-Nagle, Penrose Hollins, Janet Kilpatrick, Timothy Sheldon, George Smiley, Jea Street, David Tackett, Brandon Toole

°22-131: TO PROVIDE FOR THE INSTALLATION OF TRADITIONAIRE STREET LIGHTS WITH LIGHT EMITTING DIODE (LED) BULBS IN THE CASCADES SUBDIVISION LOCATED IN THE PENCADER HUNDRED AND FOR A LIGHT TAX BASED ON THE COST OF STREET LIGHTS Introduced by: Ms. Hartley-Nagle, Ms. George

-It was moved and seconded that °22-131 be read by title only and placed before Council for its consideration.

Ordinance 22-131 -- Adopted

Yes: J. William Bell, David Carter, John Cartier, Dee Durham, Valerie George, Karen Hartley-Nagle, Penrose Hollins, Janet Kilpatrick, Timothy Sheldon, George Smiley, Jea Street, David Tackett, Brandon Toole

°22-132: AMEND THE FY2023 CAPITAL PROGRAM AND BUDGET: APPROPRIATE \$1,000,000 IN FUNDING FROM THE GENERAL FUND TAX STABILIZATION RESERVE ACCOUNT TO THE DEPARTMENT OF PUBLIC WORKS, GENERAL PARKLAND IMPROVEMENTS 2021 CAPITAL PROJECT Introduced by: Mr. Sheldon, Mr. Woods

-It was moved and seconded that °22-132 be read by title only and placed before Council for its consideration.

Ordinance 22-132 -- Adopted

Yes: J. William Bell, David Carter, John Cartier, Dee Durham, Valerie George, Karen Hartley-Nagle, Penrose Hollins, Janet Kilpatrick, Timothy Sheldon, George Smiley, Jea Street, David Tackett, Brandon Toole

J. Time Sensitive Congratulatory/Honorary Resolutions

-None

K. Introduction/Consideration of Emergency Ordinances

-None

L. Public Comment/Other

-None

M. Motion to Adjourn

Mr. Smiley moved to adjourn the meeting. The motion was seconded by Mr. Cartier and approved. The meeting was adjourned at 06:51 PM.