



NEW CASTLE COUNTY COUNCIL COUNCIL MEETING

August 29, 2023
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 06:30 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

-A motion was made by Mr. Smiley, seconded by Mr. Toole to approve the minutes from July 25, 2023. The minutes were approved by voice vote.

C. Announcements

-Mr. Hollins announced that he would be removing Resolution 23-144 from the Consent Calendar to discuss separately.

-Ms. Hartley-Nagle stated she would be making a motion to go out of order and move Resolution 23-159 under presentations. She also stated she would be presenting Resolution 23-139.

D. Introduction of Ordinances

°23-106: TO APPROPRIATE \$250,000 IN THE NEW CASTLE COUNTY AFFORDABLE HOUSING FUND, WITH FUNDS THAT ORIGINATED FROM THE GENERAL TAX STABILIZATION RESERVE, FOR A CONTRACT WITH BE READY COMMUNITY DEVELOPMENT CORPORATION TO BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES Introduced by: Mr. Hollins, Mr. Street

°23-107: TO APPROPRIATE \$400,000 IN THE NEW CASTLE COUNTY AFFORDABLE HOUSING FUND, WITH FUNDS THAT ORIGINATED FROM THE GENERAL TAX STABILIZATION RESERVE, FOR A CONTRACT WITH TODMORDEN FOUNDATION TO BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES Introduced by: Mr. Hollins, Mr. Street

°23-108: TO APPROPRIATE \$250,000 IN THE NEW CASTLE COUNTY AFFORDABLE HOUSING FUND, WITH FUNDS THAT ORIGINATED FROM THE GENERAL TAX STABILIZATION RESERVE, FOR A CONTRACT WITH STUART ALEXANDER AND ASSOCIATES INC. TO BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES Introduced by: Mr. Hollins, Mr. Street

°23-109: TO APPROPRIATE \$3,500,000 IN THE NEW CASTLE COUNTY AFFORDABLE HOUSING FUND, WITH FUNDS THAT ORIGINATED FROM THE GENERAL TAX STABILIZATION RESERVE, FOR A CONTRACT WITH DELAWARE VALLEY DEVELOPMENT CORPORATION TO BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES Introduced by: Mr. Hollins, Mr. Street

°23-110: AMEND THE PAY PLAN AND RATES OF PAY FOR CLASSIFIED SERVICE EMERGENCY SERVICES EMPLOYEES REPRESENTED BY THE DELAWARE PUBLIC EMPLOYEES COUNCIL 81, AFSCME, AFL-CIO, AFFILIATE LOCAL 3911 Introduced by: Ms. Hartley-Nagle

°23-111: TO APPROPRIATE \$20,000 IN THE NEW CASTLE COUNTY HOUSING TRUST FUND TO BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES Introduced by: Mr. Hollins, Mr. Street

°23-112: AMEND THE PAY PLAN AND RATES OF PAY FOR UNCLASSIFIED SERVICE, SCHOOL CROSSING GUARDS REPRESENTED BY THE INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS, LOCAL 2270, AFL-CIO Introduced by: Ms. Hartley-Nagle

°23-113: AMEND THE GRANTS BUDGET: APPROPRIATE \$58,844.44 IN ACTUAL PROGRAM INCOME TO THE INNOVATIVE DEVELOPMENT EMPOWERMENT AREA (IDEA) HOMEBUYER/HOMEOWNER REHAB GRANT, WHICH IS ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING Introduced by: Mr. Hollins, Mr. Street

°23-114: AMEND THE GRANTS BUDGET: APPROPRIATE \$6,128 IN ADDITIONAL STATE OF DELAWARE GRANT-IN-AID FUNDS TO THE ABSALOM JONES SENIOR CENTER FY2024 GRANT, WHICH WILL BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, COMMUNITY RESOURCES DIVISION Introduced by: Mr. Hollins, Mr. Street

°23-115: AMEND THE GRANTS BUDGET: APPROPRIATE FEDERAL FUNDS OF \$142,380 PASSED THROUGH THE CITY OF WILMINGTON FROM THEIR ESG-CV FUNDS TO THE HOPE CENTER ESG-CV COW GRANT, WHICH IS ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING Introduced by: Mr. Hollins, Mr. Street

°23-116: AMEND THE GRANTS BUDGET: APPROPRIATE \$50,500.00 FROM THE STATE OF DELAWARE, DEPARTMENT OF JUSTICE – SPECIAL LAW ENFORCEMENT ASSISTANCE FUND (SLEAF) TO THE SLEAF – VIKEN HANDHELD X-RAY IMAGER GRANT, TO BE ADMINISTERED BY THE DEPARTMENT OF PUBLIC SAFETY Introduced by: Mr. Bell, Ms. Hartley-Nagle

°23-117: TO PROVIDE FOR THE INSTALLATION OF TRADITIONAIRE STREET LIGHTS WITH LIGHT EMITTING DIODE (LED) BULBS IN THE COPPERLEAF AT BACK CREEK EAST AND WEST SUBDIVISION LOCATED IN THE ST. GEORGES HUNDRED AND FOR A LIGHT TAX BASED ON THE COST OF STREET LIGHTS Introduced by: Mr. Carter

°23-118: AMEND THE FY2024 CAPITAL PROGRAM AND BUDGET: APPROPRIATE \$100,000 IN FUNDING RECEIVED FROM THE STATE OF DELAWARE FISCAL YEAR 2024 BOND AND CAPITAL IMPROVEMENTS ACT TO THE DEPARTMENT OF PUBLIC WORKS, GENERAL PARKLAND IMPROVEMENTS 2021 CAPITAL PROJECT Introduced by: Mr. Sheldon, Mr. Carter

°23-119: AMEND THE FY2024 CAPITAL PROGRAM AND BUDGET: REALIGN AUTHORIZED FUNDING IN THE AMOUNT \$1,600,000 WITHIN THE DEPARTMENT OF PUBLIC WORKS, BRANDYWINE LIBRARY HVAC CAPITAL PROJECT FROM BOND FUNDING TO STATE FUNDING AND REALIGN AUTHORIZED FUNDING IN THE AMOUNT OF \$500,000 WITHIN THE DEPARTMENT OF PUBLIC WORKS, GENERAL ROOF RENOVATIONS CAPITAL PROJECT FROM BOND FUNDING TO STATE FUNDING Introduced by: Mr. Sheldon, Mr. Carter

°23-120: AMEND THE FY2024 APPROVED OPERATING BUDGET: APPROPRIATE \$16,000 IN FUNDING RECEIVED FROM THE RECORDER OF DEEDS TECHNOLOGY FEE ACCOUNT TO THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF EMERGENCY COMMUNICATIONS CONTRACTUAL SERVICES BUDGET LINE ITEM Introduced by: Mr. Bell, Ms. Hartley-Nagle

°23-121: TO AMEND NEW CASTLE COUNTY CODE CHAPTER 6 ("BUILDING CODE") REGARDING ARTICLE 1 ("GENERAL"), ARTICLE 2 ("DEFINITIONS"), ARTICLE 3 ("ADMINISTRATION"), ARTICLE 4 ("BUILDING CODE"), ARTICLE 5 ("RESIDENTIAL CODE"), ARTICLE 9 ("EXISTING BUILDING CODE"), ARTICLE 10 ("ENERGY CONSERVATION CODE"), ARTICLE 11 ("SWIMMING POOL AND SPA CODE"), ARTICLE 12 ("VIOLATIONS, ENFORCEMENT, AND PENALTIES") AND SCHEDULE OF PERMIT AND REVIEW FEES Introduced by: Mr. Bell, Mr. Cartier

°23-122: AMENDING NEW CASTLE COUNTY CODE CHAPTER 40 (THE "UNIFIED DEVELOPMENT CODE"), ARTICLE 22 ("DRAINAGE, UTILITIES, SEPTIC SYSTEMS, PARKING, LOADING, AND LIGHTING") AND ARTICLE 33 ("DEFINITIONS") RELATING TO LIGHT POLLUTION IN NEW CASTLE COUNTY Introduced by: Ms. Durham, Ms. George

E. Reports from Select and Special Committees

Land Use Committee: Ms. Kilpatrick announced there was discussion about Society Self Storage in Mr. Cartier's district and a rezoning in Mr. Bell's district.

Community Services Committee: Mr. Hollins discussed several items on the Agenda, two positions on Housing Programs and Grants going to utilize the Trust Funds.

Finance Committee: Mr. Smiley announced there were several Resolutions and Ordinances discussed, Checkbook and ARPA update, 3 ARPA Grants and a brief discussion on the Hope Center.

F. Consent Calendar

R23-140: CELEBRATING THE 100TH BIRTHDAY OF LOIS SCOTT BELL Introduced by: Mr. Bell

R23-141: HONORING FAITHFUL FRIENDS ANIMAL SOCIETY FOR ITS DEDICATION TO ANIMAL WELFARE AND CELEBRATING THE GRAND OPENING OF ITS HEADQUARTERS IN NEW CASTLE Introduced by: Ms. Hartley-Nagle

R23-142: HONORING ROBERT WASSERBACH FOR HIS UNWAVERING DEDICATION TO PUBLIC SERVICE AND ANIMAL WELFARE Introduced by: Ms. Hartley-Nagle

R23-143: HONORING AND RECOGNIZING BRIGADIER GENERAL KENNETH M. HALTOM FOR HIS DISTINGUISHED MILITARY CAREER AND SERVICE Introduced by: Ms. Hartley-Nagle

Consent Note

-Mr. Hollins made a motion, seconded by Mr. Smiley, to remove R23-144 from the Consent Calendar. All were in favor.

Consent Calendar -- Adopted

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

-Ms. Hartley-Nagle made a motion, seconded by Ms. Kilpatrick, to go out of order to consider and present R23-159.

R23-159: RECOGNIZING, HONORING, CONGRATULATING, AND CELEBRATING THE AUGUST QUARTERLY FESTIVAL AND THE 2023 MEMBERS OF THE 209TH AUGUST QUARTERLY FESTIVAL COMMITTEE, INC. Introduced by: Ms. Hartley-Nagle, Mr. Tackett, Mr. Street

-It was moved and seconded that Resolution 23-159 be read by title only and placed before Council for its consideration.

Resolution 23-159 -- Adopted

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

G. Presentations

-Ms. Hartley-Nagle presented R23-139 to Elder Allan Lloyd Young.

-Ms. Hartley-Nagle presented R23-159 to Rev. Dr. Whitaker from August Quarterly.

-Ms. Hartley-Nagle made a motion, seconded by Mr. Smiley, to return to the regular order of business. The motion was approved.

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

R23-144 COMMEMORATING THE 60TH ANNIVERSARY OF THE MARCH ON WASHINGTON FOR JOBS AND FREEDOM AND RENEWING THE COMMITMENT TO CIVIL RIGHTS AND JUSTICE FOR ALL Introduced by: Mr. Hollins, Mr. Street, Mr. Smiley

-It was moved by Mr. Hollins, seconded by Mr. Smiley, that R23-144 be read by title only and placed before Council for its consideration.

-Mr. Hollins and Mr. Street commented on the Resolution.

-No Public Comment.

Resolution 23-144 -- Adopted

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

R23-145: HONORING THE LIFE AND LEGACY OF JEFF BROSS Introduced by: Ms. Kilpatrick, Mr. Bell

-It was moved by Ms. Kilpatrick, seconded by Mr. Cartier, that R23-145 be read by title only and placed before Council for its consideration.

-Ms. Kilpatrick spoke on the Resolution.

-Comments were made by Mr. Bell, Mr. Hollins, and Mr. Street

-Ms. Hartley-Nagle requested that she be added as a co-sponsor.

-No Public Comment.

Resolution 23-145 -- Adopted

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

R23-146: PLAN OF SOCIETY SELF STORAGE; BRANDYWINE HUNDRED; NORTHWEST CORNER OF NAAMANS ROAD AND SOCIETY DRIVE; MAJOR LAND DEVELOPMENT PLAN THAT PROPOSES TO CONSTRUCT A 90,000 SQUARE FOOT SELF-STORAGE FACILITY; CR ZONING; [APPLICATION NO. 2021-0121](#); COUNCIL DISTRICT 8 Introduced by: Mr. Cartier

-It was moved by Mr. Cartier, seconded by Mr. Tackett, that R23-146 be read by title only and placed before Council for its consideration.
-No Public Comment.

Resolution 23-146 -- Adopted

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

R23-147: AUTHORIZING THE EXECUTION OF A GRANT AGREEMENT WITH PLANNED PARENTHOOD OF DELAWARE, INC. TO MITIGATE FINANCIAL HARDSHIP DURING THE COVID-19 PANDEMIC FOR THE DEPARTMENT OF ADMINISTRATION, OFFICE OF FINANCE IN THE AMOUNT OF \$55,000.00 Introduced by: Ms. Durham, Mr. Smiley

-It was moved by Ms. Durham, seconded by Mr. Smiley, that R23-147 be read by title only and placed before Council for its consideration.
-No Public Comment.

Resolution 23- 147-- Adopted

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

R23-148: AUTHORIZING THE EXECUTION OF A SUBAWARD AGREEMENT WITH THE LATIN AMERICAN COMMUNITY CENTER, INC. TO PARTIALLY FUND THE CONVERSION OF A PROPERTY INTO AN EARLY LEARNING CENTER FOR THE DEPARTMENT OF ADMINISTRATION, OFFICE OF FINANCE IN THE AMOUNT OF \$500,000.00 Introduced by: Mr. Smiley, Mr. Street

-It was moved by Mr. Smiley, seconded by Mr. Tackett, that R23-148 be read by title only and placed before Council for its consideration.
-No Public Comment.

Resolution 23- 148 -- Adopted

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

R23-149: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT WITH BFLY OPERATIONS, INC. FOR ULTRASOUND PROBES AND SUBSCRIPTION SERVICES FOR THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF EMERGENCY MEDICAL SERVICES IN THE AMOUNT OF \$66,210.00 Introduced by: Mr. Smiley, Mr. Cartier

-It was moved by Mr. Smiley, seconded by Mr. Tackett, that R23-149 be read by title only and placed before Council for its consideration.
-No Public Comment.

Resolution 23-149 -- Adopted

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

R23-150: AUTHORIZING THE EXECUTION OF ONE CONTRACT WITH FAMILY PROMISE OF NORTHERN NEW CASTLE COUNTY TO OPERATE THE RAPID RE-HOUSING PROGRAM FOR THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING IN THE AMOUNT OF \$116,560.00 Introduced by: Mr. Smiley, Mr. Cartier

-It was moved by Mr. Smiley, seconded by Mr. Tackett, that R23-150 be read by title only and placed before Council for its consideration.
-No Public Comment.

Resolution 23-150 -- Adopted

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

Absent: Timothy Sheldon

R23-151: AUTHORIZING THE EXECUTION OF A GRANT AGREEMENT WITH HUMANE ANIMAL PARTNERS TO MITIGATE FINANCIAL HARDSHIP DURING THE COVID-19 PANDEMIC

FOR THE DEPARTMENT OF ADMINISTRATION, OFFICE OF FINANCE IN THE AMOUNT OF \$150,000.00 Introduced by: Mr. Smiley, Mr. Cartier

-It was moved by Mr. Smiley, seconded by Mr. Tackett, that R23-151 be read by title only and placed before Council for its consideration.

-No Public Comment.

Resolution 23-151 -- Adopted

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

Absent: Jea Street

R23-152: AUTHORIZING THE EXECUTION OF A GRANT AGREEMENT WITH FORGOTTEN CATS, INC. TO MITIGATE FINANCIAL HARDSHIP DURING THE COVID-19 PANDEMIC FOR THE DEPARTMENT OF ADMINISTRATION, OFFICE OF FINANCE IN THE AMOUNT OF \$51,608.00 Introduced by: Mr. Smiley, Mr. Cartier

-It was moved by Mr. Smiley, seconded by Mr. Tackett, that R23-152 be read by title only and placed before Council for its consideration.

-No Public Comment.

Resolution 23-152 -- Adopted

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

Absent: Jea Street

R23-153: AUTHORIZING THE EXECUTION OF A GRANT AGREEMENT WITH FAITHFUL FRIENDS, INC. TO MITIGATE FINANCIAL HARDSHIP DURING THE COVID-19 PANDEMIC FOR THE DEPARTMENT OF ADMINISTRATION, OFFICE OF FINANCE IN THE AMOUNT OF \$150,000.00 Introduced by: Mr. Smiley, Mr. Cartier

-It was moved by Mr. Smiley, seconded by Mr. Tackett, that R23-153 be read by title only and placed before Council for its consideration.

-No Public Comment.

Resolution 23-153 -- Adopted

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

Absent: Jea Street

R23-154: AUTHORIZING THE EXECUTION OF A GRANT AGREEMENT WITH THE DELAWARE CENTER FOR CONTEMPORARY ART, INC. TO MITIGATE FINANCIAL HARDSHIP DURING THE COVID-19 PANDEMIC FOR THE DEPARTMENT OF ADMINISTRATION, OFFICE OF FINANCE IN THE AMOUNT OF \$100,000.00 Introduced by: Mr. Smiley, Mr. Cartier

-It was moved by Mr. Smiley, seconded by Mr. Tackett, that R23-154 be read by title only and placed before Council for its consideration.

-No Public Comment.

Resolution 23-154 -- Adopted

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

R23-155: AUTHORIZING THE EXECUTION OF A SUBAWARD AGREEMENT WITH GOOD NEIGHBORS, INC. TO ASSIST WITH DEVELOPMENT OF AFFORDABLE HOUSING FOR THE DEPARTMENT OF ADMINISTRATION, OFFICE OF FINANCE IN THE AMOUNT OF \$90,000.00 Introduced by: Ms. George, Mr. Smiley, Ms. Kilpatrick, Ms. Durham, Mr. Tackett

-It was moved by Ms. George, seconded by Mr. Tackett, that R23-155 be read by title only and placed before Council for its consideration.

-Ms. George thanked co-sponsors for their generosity.

-Ms. Hartley-Nagle requested to be added as a co-sponsor.

-No Public Comment.

Resolution 23- 155 -- Adopted

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

R23-156: AUTHORIZING THE COUNTY EXECUTIVE TO SIGN THE AMENDED DELAWARE PUBLIC EMPLOYEES COUNCIL 81, AFSCME (AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES) (AFL-CIO), AND ITS AFFILIATE LOCAL 3911, COLLECTIVE BARGAINING AGREEMENT Introduced by: Ms. Hartley-Nagle

-It was moved by Mr. Hartley-Nagle, seconded by Mr. Tackett, that R23-156 be read by title only and placed before Council for its consideration.

-Public Comment by Saul Polish.

Resolution 23-156 -- Adopted

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

Absent: George Smiley

R23-157: AUTHORIZING THE COUNTY EXECUTIVE TO SIGN THE COLLECTIVE BARGAINING AGREEMENT WITH THE INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS, LOCAL 2270, REPRESENTING NEW CASTLE COUNTY SCHOOL CROSSING GUARDS Introduced by: Ms. Hartley-Nagle

-It was moved by Ms. Hartley-Nagle, seconded by Mr. Tackett, that R23-157 be read by title only and placed before Council for its consideration.

-No Public Comment.

Resolution 23-157-- Adopted

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

I. Consideration of Ordinances

°23-096: TO AMEND THE PAY PLAN AND RATES OF PAY FOR CLASSIFIED SERVICE EMPLOYEES REPRESENTED BY THE DELAWARE PUBLIC EMPLOYEES COUNCIL 81, AFSCME, AFL-CIO, AFFILIATE LOCAL 1607 AND ADOPT THE REVISED CLASS SPECIFICATION FOR STOREKEEPER Introduced by: Ms. Hartley-Nagle

-It was moved by Ms. Hartley-Nagle, seconded by Mr. Tackett, that °23-096 be read by title only and placed before Council for its consideration.

-No Public Comment.

Ordinance 23-096 -- Adopted

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

°23-097: TO REVISE THE CLASS SPECIFICATION OF PUBLIC WORKS PROJECT MANAGER TO FACILITIES PROJECT MANAGER AND AMEND THE PAY PLAN AND RATES OF PAY FOR NON-UNION CLASSIFIED SERVICE EMPLOYEES FOR THE DEPARTMENT OF PUBLIC WORKS Introduced by: Ms. Hartley-Nagle

-It was moved by Ms. Hartley-Nagle, seconded by Mr. Cartier, that °23-097 be read by title only and placed before Council for its consideration.

-No Public Comment.

Ordinance 23-097 -- Adopted

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

°23-098: TO AMEND THE PAY PLAN AND RATES OF PAY FOR CLASSIFIED SERVICE EMPLOYEES REPRESENTED BY THE DELAWARE PUBLIC EMPLOYEES COUNCIL 81, AFSCME, AFL-CIO, AFFILIATE LOCAL 1607 AND TO ADOPT THE CLASS SPECIFICATIONS FOR THE POSITION TITLES OF ENVIRONMENTAL PROGRAM MANAGER I,

ENVIRONMENTAL PROGRAM MANAGER II AND ENVIRONMENTAL PROGRAM MANAGER
III Introduced by: Ms. Hartley-Nagle

-It was moved by Ms. Hartley-Nagle, seconded by Mr. Tackett, that °23-098 be read by title only and placed before Council for its consideration.

-No Public Comment.

Ordinance 23-098 -- Adopted

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

°23-099: AMEND THE GRANTS BUDGET: APPROPRIATE \$8,942.44 IN PROGRAM INCOME TO THE ABSALOM JONES SENIOR CENTER RECREATION GRANT TO BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY RESOURCES Introduced by: Mr. Hollins, Mr. Street

-It was moved by Mr. Hollins, seconded by Mr. Tackett, that °23-099 be read by title only and placed before Council for its consideration.

-No Public Comment.

Ordinance 23-099 -- Adopted

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

°23-100: AMEND THE GRANTS BUDGET: APPROPRIATE \$748,853 TO THE CONTRACTED POLICE DUTY REVOLVING FUND, WHICH IS ADMINISTERED BY THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF POLICE Introduced by: Mr. Bell, Ms. Hartley-Nagle

-It was moved by Mr. Bell, seconded by Mr. Tackett, that °23-100 be read by title only and placed before Council for its consideration.

-No Public Comment.

Ordinance 23-100 -- Adopted

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

°23-101: TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 6 ("BUILDING CODE"), CHAPTER 13 ("STORMWATER MAINTENANCE DISTRICTS"), AND CHAPTER 14 ("FINANCE AND TAXATION") REGARDING BILLING AND COLLECTION OF STORMWATER MAINTENANCE FEES AND THE REFUND OF CODE ENFORCEMENT FEES PAID THROUGH ERROR Introduced by: Ms. Kilpatrick, Mr. Sheldon

-It was moved by Ms. Kilpatrick, seconded by Mr. Tackett, that °23-101 be read by title only and placed before Council for its consideration.

-No Public Comment.

Ordinance 23-101 -- Adopted

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

°23-102 - AMEND THE FY2024 APPROVED OPERATING BUDGET: TRANSFER FUNDS FROM THE GRANTS AND FIXED CHARGES BUDGET LINE ITEM OF COUNTY COUNCIL TO THE SALARIES AND WAGES, EMPLOYEE BENEFITS AND MATERIALS AND SUPPLIES BUDGET LINE ITEMS FOR THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF EMERGENCY COMMUNICATIONS AND TO THE CONTRACTUAL SERVICES BUDGET LINE ITEM FOR THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING Introduced by: Mr. Smiley

-It was moved by Mr. Smiley, seconded by Mr. Tackett, that °23-102 be read by title only and placed before Council for its consideration.

-No Public Comment.

Ordinance 23-102 -- Adopted

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

°23-103: TO AMEND NEW CASTLE COUNTY CODE CHAPTER 26 ("HUMAN RESOURCES"), ARTICLE 3 ("MERIT SYSTEM"), SECTION 26.03.910 ("RETIREE HEALTH CARE INSURANCE") Introduced by: Mr. Smiley, Mr. Cartier

-It was moved by Mr. Smiley, seconded by Mr. Tackett, that °23-103 be read by title only and placed before Council for its consideration.

-No Public Comment.

Ordinance 23-103 -- Adopted

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

°23-105: TO AMEND NEW CASTLE COUNTY CODE CHAPTER 13 ("STORMWATER MAINTENANCE DISTRICTS") REGARDING STORMWATER MAINTENANCE AND WHISPERING WOODS COMMUNITY Introduced by: Mr. Carter

-It was moved by Mr. Carter, seconded by Mr. Tackett, that °23-105 be read by title only and placed before the Council for its consideration.

-No Public Comment.

Ordinance 23-105 -- Adopted

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

°23-020: REVISE ZONING MAP: APPOQUINIMINK HUNDRED, EAST OF TAYLORS BRIDGE ROAD, APPROXIMATELY 1,700 FEET SOUTH OF THOMAS LANDING ROAD; 165 TAYLORS BRIDGE ROAD, [TAX PARCEL NO. 14-008.00-046](#); 12.44 ± ACRES FROM "NC40" (NEIGHBORHOOD CONSERVATION) TO "S" (SUBURBAN). (The purpose of this County-initiated rezoning is to change the zoning of tax parcel 14-008.00-046 from NC40 to S. [Application No. 2022-0834-Z](#)) Introduced by: Mr. Bell

-It was moved by Mr. Bell, seconded by Mr. Tackett, that °23-020 be read by title only and placed before Council for its consideration.

-A motion was made by Mr. Bell, seconded by Mr. Smiley, to suspend Rule 5.4 to proceed with °23-020 rezoning and poll vote.

-Mr. Bell discussed the Ordinance.

-No Public Comment.

Ordinance 23-020-Adopted

Poll Vote

-Mr. Bell -Yes, based upon the positive recommendation from the Department of Land Use.

-Mr. Cater -Yes, based upon the positive recommendation from the Planning Board and valuable asset.

-Mr. Cartier -Yes, based upon the positive recommendation from the Department of Land Use and District Councilman.

-Ms. Durham -Yes, based on equestrian operations and the support of Councilman.

-Ms. George -Yes, based upon the positive recommendation from the Department of Land Use and Councilman.

-Ms. Hartley-Nagle -Yes, based upon the positive recommendation from the Department of Land Use.

-Mr. Hollins -Yes, based upon the positive recommendation from the Department of Land Use and Councilman.

-Ms. Kilpatrick -Yes, based upon the positive recommendation from the Department of Land Use and happy to bring it into County Code.

-Mr. Sheldon -Yes, based upon the positive recommendation from the Department of Land Use.

-Mr. Smiley -Yes, based upon the positive recommendation from the Department of Land Use.

-Mr. Street -Yes, based upon the positive recommendation from the Department of Land Use.

-Mr. Tackett -Yes, based upon the positive recommendation from the Department of Land Use.

-Mr. Toole - Yes, based upon the positive recommendation from the Department of Land Use, Councilman and continued use of a horse farm

°23-088: TO AMEND NEW CASTLE COUNTY CODE CHAPTER 26 ("HUMAN RESOURCES") ARTICLE 3 ("MERIT SYSTEM"), SECTION 26.03.206 ("DEFERRED COMPENSATION PLAN") REGARDING PERSONAL LOANS FROM PLAN Introduced by: Mr. Smiley

- It was moved by Mr. Smiley, seconded by Mr. Tackett, that °23-088 be read by title only and placed before Council for its consideration.
- Public Comment by Saul Polish.

Ordinance 23-088 -- Adopted

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

J. Time Sensitive Congratulatory/Honorary Resolutions

R23-158: HONORING AND CELEBRATING THE LIFE AND LEGACY OF JEFFREY BROSS Introduced by: Ms. Hartley-Nagle

- It was moved by Ms. Hartley-Nagle, seconded by Mr. Tackett, that R23-158 be read by title only and placed before Council for its consideration.
- Ms. Hartley-Nagle discussed the Resolution.
- Comments by Mr. Tackett, Ms. Kilpatrick, Mr. Hollins, Mr. Smiley and Mr. Bell.
- No Public Comment.

Resolution 23-158 -- Defeated

Yes: Karen Hartley-Nagle, Dee Durham, David Tackett, Penrose Hollins, Brandon Toole

Not Voting: Timothy Sheldon, John Cartier, Valerie George, George Smiley, J. William Bell, Janet Kilpatrick, David Carter

Here: Jea Street,

R23-160: CONGRATULATING ANN ARCHER FOR HER DEDICATED SERVICE TO THE CLAYMONT LIBRARY Introduced by: Mr. Cartier

- It was moved by Mr. Cartier, seconded by Mr. Tackett, that R23-160 be read by title only and placed before Council for its consideration.
- Mr. Cartier commented on the resolution.
- No Public Comment.

Resolution 23-160 -- Adopted

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

K. Introduction/Consideration of Emergency Ordinances

-None

L. Public Comment/Other

- Mr. Street questioned voting on R23-139. It was stated that the vote took place at the July 25, 2023 Council Meeting.

M. Motion to Adjourn

-Mr. Smiley made a motion, seconded by Mr. Carter, to adjourn the meeting. The meeting was adjourned at 8:18 p.m.

Respectfully submitted by Ruby Dillmore, Legislative Assistant to Ms. Karen Hartley-Nagle, President of County Council. The meeting was recorded and available on-line.