



NEW CASTLE COUNTY COUNCIL COUNCIL MEETING

March 26, 2024
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

Roll Call The meeting was called to order by Council President Hartley-Nagle at 6:34 p.m. A moment of silence was recognized, followed by the Pledge of Allegiance.

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

B. Approval of Minutes

-A motion was made by Mr. Smiley, seconded by Mr. Cartier to approve the minutes from March 12, 2024. The minutes were approved by voice vote.

C. Announcements

-Mr. Carter stated that R23-220 will remain tabled.
-Ms. Durham stated that Substitute No. 2 to Ordinance 23-122 will be tabled.
-Mr. Street stated that at the appropriate time he will ask that R24-088 be read in by title and a Motion made to table it.

D. Introduction of Ordinances

°24-035: AMEND NEW CASTLE COUNTY CODE CHAPTER 7 ("PROPERTY MAINTENANCE CODE") Introduced by: Ms. George , Ms. Durham

°24-036: AMEND *NEW CASTLE COUNTY CODE*, CHAPTER 2 AND CHAPTER 26, BY REALLOCATING THE ADMINISTRATION OF THE PENSION AND RETIREMENT SYSTEM

FROM THE OFFICE OF HUMAN RESOURCES TO THE OFFICE OF FINANCE WITHIN THE DEPARTMENT OF ADMINISTRATION Introduced by: Mr. Cartier, Mr. Smiley

°24-037: AMEND THE GRANTS BUDGET: APPROPRIATE \$137,650.40 IN ACTUAL PROGRAM INCOME AND \$100,000.00 IN ANTICIPATED PROGRAM INCOME TO THE SUMMER RECREATION CAMPS GRANT Introduced by: Mr. Hollins, Mr. Street

°24-038: 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 FOR THE CLASS SPECIFICATION OF ASSISTANT PROCUREMENT AGENT FOR THE DEPARTMENT OF ADMINISTRATION, DIVISION OF TECHNOLOGY AND ADMINISTRATIVE SERVICES Introduced by: Ms. Hartley-Nagle

°24-039: AMEND THE FY2024 APPROVED OPERATING BUDGET APPROPRIATE \$299,595 FROM THE GENERAL FUND TAX STABILIZATION RESERVE ACCOUNT TO THE DEPARTMENT OF PUBLIC SAFETY, GRANTS TO FIRE COMPANIES GRANTS AND FIXED CHARGES BUDGET LINE ITEM Introduced by: Mr. Smiley, Mr. Cartier, Mr. Bell, Ms. Hartley-Nagle

°24-040: COMPREHENSIVE REZONING - TO REVISE THE NEW CASTLE COUNTY ZONING MAPS IN COUNTY COUNCIL DISTRICT 5 REGARDING THE FOLLOWING TAX PARCEL: PENCADER HUNDRED: 11-025.00-026 (0 PULASKI HWY OFF, UPPER CHESAPEAKE CORPORATE CTR) Introduced by: Ms. George

°24-041: COMPREHENSIVE REZONING - TO REVISE THE NEW CASTLE COUNTY ZONING MAPS IN COUNTY COUNCIL DISTRICT 5 REGARDING THE FOLLOWING TAX PARCEL: WHITE CLAY CREEK HUNDRED: 09-033.00-038 (475 GENDER RD, BREEZEWOOD SEC III) Introduced by: Ms. George

°24-042: COMPREHENSIVE REZONING - TO REVISE THE NEW CASTLE COUNTY ZONING MAPS IN COUNTY COUNCIL DISTRICT 7 REGARDING THE FOLLOWING TAX PARCELS: NEW CASTLE HUNDRED: 10-017.00-003 (251 CHURCHMANS RD, CHURCHMANS OFFICE COMPLEX) Introduced by: Mr. Smiley

°24-043: COMPREHENSIVE REZONING - TO REVISE THE NEW CASTLE COUNTY ZONING MAPS IN COUNTY COUNCIL DISTRICT 11 REGARDING THE FOLLOWING TAX PARCELS: PENCADER HUNDRED: 11-014.00-044 (904 OLD BALTIMORE PIKE, DAYETT MILLS INC), 11-014.00-045 (2029 SUNSET LAKE RD), 11-018.00-012 (0 EGGERTS LN), 11-018.00-060 (0 OLD COOCHS BRIDGE RD, GLASGOW COMMONS), 11-018.00-061 (2001 OLD COOCHS BRIDGE RD, GLASGOW COMMONS), 11-018.00-062 (0 DUSK RUN RD, GLASGOW COMMONS), 11-022.00-014 (2199 PULASKI HWY, GLASGOW REGIONAL PARK), 11-022.00-016 (0 DUSK RUN RD, GLASGOW COMMONS), 11-032.00-001 (210 BENJAMIN BLVD), 11-032.00-259 (209 BENJAMIN BLVD); WHITE CLAY CREEK HUNDRED: 09-029.00-003 (39 E REGAL BLVD), 09-029.00-015 (0 CHAPMAN RD) Introduced by: Mr. Tackett

E. Reports from Select and Special Committees

Boards and Commissions: Ms. Durham stated there were 2 nominations and 3 reappointments discussed.

Land Use: Mr. Tackett stated there were 5 resolutions and 1 ordinance discussed.

Community Services: Mr. Hollins stated that 3 ordinances were discussed. Jane Rattenni gave a presentation on the County Youth Employment. Kristen Peers, Program Manager, gave a presentation on the Weatherization Assistance Program.

Finance: Mr. Smiley stated that 3 ordinances were discussed, and several grants were approved.

Budget Address: President Hartley-Nagle stated that Matt Meyer, County Executive, gave the 2025 Budget Address.

F. Consent Calendar

R24-080: CONSENTING TO THE APPOINTMENT OF BISHOP GEORGE E. GIBSON II TO THE NEW CASTLE COUNTY POLICE ACCOUNTABILITY BOARD Introduced by: Mr. Toole

R24-081: CONSENTING TO THE APPOINTMENT OF CHERYL MACK AS CHAIR TO THE NEW CASTLE COUNTY PUBLIC ARTS COMMISSION Introduced by: Ms. George

R24-082 CONSENTING TO THE RE-APPOINTMENT OF DENNIS E. GODEK TO THE FIRE AND AMBULANCE ADVISORY BOARD Introduced by: Ms. Durham

R24-083: CONSENTING TO THE RE-APPOINTMENT OF ERIC "CEASAR" HALEY TO THE FIRE AND AMBULANCE ADVISORY BOARD Introduced by: Mr. Sheldon

R24-084: CONSENTING TO THE RE-APPOINTMENT OF EDWARD THOMAS TO THE NEW CASTLE COUNTY BOARD OF ADJUSTMENT Introduced by: Mr. Hollins

Consent Note

-Motion by Mr. Smiley, seconded by Mr. Tackett to adopt the Consent Calendar.

- 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 (virtual), David Tackett, and Brandon Toole.

G. Presentations

-None.

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

R24-085: PLAN OF 2229 DUPONT PARKWAY; ST. GEORGES HUNDRED; SOUTHWESTERLY CORNER OF HYETTS CORNER ROAD AND DUPONT PARKWAY; MAJOR LAND DEVELOPMENT PLAN THAT PROPOSES TO CREATE TWO (2) TITLE SUBDIVISION LOTS AND CONSTRUCT 76,309 SQUARE FEET OF MINI-WAREHOUSE BUILDINGS, AN 890 SQUARE FOOT OFFICE AND A 28,000 SQUARE FOOT FLEX WAREHOUSE BUILDING; CR ZONING; [APPLICATION NO. 2021-0780](#); COUNCIL DISTRICT 12 Introduced by: Mr. Bell

- It was moved by Mr. Bell and seconded by Mr. Tackett that Resolution 24-085 be read by title only and placed before Council for its consideration.

- Mr. Bell briefly discussed the Resolution.

-No comments or discussion by Council.

- No public comment.

Resolution 24-085 - 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 (virtual), David Tackett, and Brandon Toole.

R24-086: PLAN OF BAYBERRY TOWN CENTER; ST. GEORGES HUNDRED; NORTHEAST OF THE INTERSECTION OF BOYD'S CORNER ROAD AND JAMISON CORNER ROAD; MAJOR LAND DEVELOPMENT PLAN THAT PROPOSES A TITLE SUBDIVISION TO CONSTRUCT A MIXED USE DEVELOPMENT CONSISTING OF 279,655 SQUARE FEET OF NONRESIDENTIAL GROSS FLOOR AREA AND 145 DWELLING UNITS; CR ZONING; [APPLICATION NO. 2019-0675](#); COUNCIL DISTRICT 12 Introduced by: Mr. Bell

- It was moved by Mr. Bell and seconded by Mr. Tackett that Resolution 24-086 be read by title only and placed before Council for its consideration.

- Mr. Bell briefly discussed the Resolution.

-No comments or discussion by Council.

- No public comment.

Resolution 24-085 - 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 (virtual), David Tackett, and Brandon Toole.

R24-087: TO AMEND THE MAINTENANCE DECLARATION FOR FRENCH PARK TO MAKE CHANGES CONSISTENT WITH MODIFICATIONS TO THE SUBDIVISION OF FRENCH PARK Introduced by: Mr. Tackett

- It was moved by Mr. Tackett and seconded by Ms. George that Resolution 24-087 be read by title only and placed before Council for its consideration.
- No comments or discussion by Council.
- No public comment.

Resolution 24-087 - 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 (virtual), David Tackett, and Brandon Toole.

R24-088: PLAN OF LOT E - WAREHOUSE; NEW CASTLE HUNDRED; EAST SIDE OF PIGEON POINT ROAD, 1100 FEET SOUTH OF TERMINAL AVENUE; MAJOR LAND DEVELOPMENT PLAN THAT PROPOSES TO CONSTRUCT A 108,000 SQUARE FOOT WAREHOUSE; HI ZONING; [APPLICATION NO. 2021-0400](#); COUNCIL DISTRICT 10 Introduced by: Mr. Street

- Mr. Street requested that R24-088 be read by title only. Mr. Street then made a motion, seconded by Mr. Cartier to table the resolution and return the resolution to the Department of Land Use to review the truck traffic issue.

R24-089: PLAN OF TRADITIONS AT WHITEHALL; ST. GEORGES HUNDRED; SOUTH SIDE OF LOREWOOD GROVE ROAD, EAST OF RATLEDGE ROAD, WEST OF JAMISON CORNER ROAD; AMEND THE PREVIOUSLY RECORDED PLAN FOR THE TRADITIONS AT WHITEHALL BY MODIFYING NOTE 49 ON THE PLAN TO REQUIRE THE CONSTRUCTION OF A PEDESTRIAN PATH BETWEEN WHITEHALL VILLAGE 1 AND TRADITIONS AT WHITEHALL PRIOR TO THE ISSUANCE OF FIFTY (50) PERCENT OF BUILDING PERMITS WITHIN TRADITIONS AT WHITEHALL; S ZONING; [APPLICATION NO. 2018-0733-S](#); COUNCIL DISTRICT 6 Introduced by: Mr. Carter

- It was moved by Mr. Carter and seconded by Mr. Tackett that Resolution 24-089 be read by title only and placed before Council for its consideration.
- Mr. Carter briefly discussed the Resolution.
- No comments or discussion by Council.
- No public comment.

Resolution 24-085 - 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 (virtual), David Tackett, and Brandon Toole.

R24-047: (STATUS: TABLED) SUPPORTING DELAWARE HOUSE OF REPRESENTATIVES BILL NO. 247, AKA "THE EVERYONE GETS HOME ACT" Introduced by: Ms. Durham

- Ms. Durham stated that R24-047 will remain tabled.

R23-220: (STATUS: TABLED) PLAN OF LOGISTICENTER AT NEW CASTLE COUNTY; ST. GEORGES HUNDRED; SOUTHWESTERLY CORNER OF ROUTE 301 AND JAMISON CORNER ROAD; MAJOR LAND DEVELOPMENT PLAN THAT PROPOSES A 1,409,850 SF WAREHOUSE AND A 962,000 SF WAREHOUSE WITH ASSOCIATED SITE IMPROVEMENTS; BP ZONING; [APPLICATION NO. 2021-0470](#); COUNCIL DISTRICT 6 Introduced by: Mr. Carter

- Mr. Carter stated that R23-220 will remain tabled.

I. Consideration of Ordinances

°24-026: AMEND THE FY2024 CAPITAL PROGRAM AND BUDGET: APPROPRIATE \$440,000 IN DONATIONS FROM THE FRIENDS OF BRANDYWINE SPRINGS GROUP TO THE DEPARTMENT OF PUBLIC WORKS, BRANDYWINE SPRINGS PARK REHABILITATION CAPITAL PROJECT Introduced by: Mr. Sheldon

- It was moved by Mr. Sheldon and seconded by Mr. Tackett that °24-026 be read by title only and placed before Council for its consideration.

- Mr. Sheldon briefly explained the ordinance.
- No comments or discussion by Council.
- No public comment.

°24-026 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 (virtual), David Tackett, and Brandon Toole.

°24-027: AMEND THE GRANTS BUDGET: APPROPRIATE \$76,294.14 IN STATE AID TO LOCAL LAW ENFORCEMENT (SALLE) FUNDS FROM THE STATE OF DELAWARE, DEPARTMENT OF SAFETY AND HOMELAND SECURITY TO THE STATE AID TO LOCAL LAW ENFORCEMENT (SALLE) – FY2024 GRANT, TO BE ADMINISTERED BY THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF POLICE Introduced by: Mr. Bell, Ms. Hartley-Nagle

- It was moved by Mr. Bell and seconded by Mr. Tackett that °24-027 be read by title only and placed before Council for its consideration.
- No comments or discussion by Council.
- No public comment.

°24-027 Adopted

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

Absent: Timothy Sheldon

°24-028: AMEND THE GRANTS BUDGET: APPROPRIATE \$40,930.36 IN EMERGENCY ILLEGAL DRUG ENFORCEMENT (EIDE) FUNDS FROM THE STATE OF DELAWARE, DEPARTMENT OF SAFETY AND HOMELAND SECURITY TO THE EIDE FY2024 GRANT, TO BE ADMINISTERED BY THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF POLICE Introduced by: Mr. Bell, Ms. Hartley-Nagle

- It was moved by Mr. Bell and seconded by Mr. Tackett that °24-028 be read by title only and placed before Council for its consideration.
- No comments or discussion by Council.
- No public comment.

°24-028 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 (virtual), David Tackett, and Brandon Toole.

°24-029: AMEND THE GRANTS BUDGET: APPROPRIATE \$40,000 IN FUNDING FROM THE STATE OF DELAWARE, DEPARTMENT OF HEALTH AND SOCIAL SERVICES, DIVISION OF SERVICES FOR AGING & ADULTS WITH PHYSICAL DISABILITIES TO THE AB JONES SENIOR CENTER ART LOVING SENIORS GRANT, WHICH WILL BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY RESOURCES Introduced by: Mr. Hollins, Mr. Street

- It was moved by Mr. Hollins and seconded by Mr. Tackett that °24-029 be read by title only and placed before Council for its consideration.
- No comments or discussion by Council.
- No public comment.

°24-029 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 (virtual), David Tackett, and Brandon Toole.

°24-030: AMEND THE GRANTS BUDGET: APPROPRIATE \$99,120 IN ADDITIONAL FEDERAL FUNDS 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

- It was moved by Mr. Hollins and seconded by Mr. Tackett that °24-030 be read by title only and placed before Council for its consideration.

- No comments or discussion by Council.
- No public comment.

°24-02630 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 (virtual), David Tackett, and Brandon Toole.

°SUBSTITUTE NO. 2 TO 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

Ms. Durham made a motion, seconded by Mr. Tackett that Substitute No. 2 to °23-122 be read by title only. A motion was made by Mr. Durham, seconded by Mr. Carter to table the ordinance; all in favor.

J. Time Sensitive Congratulatory/Honorary Resolutions

-None

K. Introduction/Consideration of Emergency Ordinances

-None

L. Public Comment/Other

- Public Comments were made by Kenneth Fuller, Hester Fuller, James Parker, Renee Holland, Partick Holland, and Dale Swain.

- Comments made by President Hartley-Nagle, Councilman Timothy Sheldon, and Councilman George Smiley.

M. Motion to Adjourn

- Mr. Cartermade a motion, seconded by Mr. Smiley to adjourn the meeting. The meeting was adjourned at 7:30 p.m.