



NEW CASTLE COUNTY COUNCIL COUNCIL MEETING

July 23, 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

The meeting was called to order by Council President Hartley-Nagle at 6:30 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, Brandon Toole

Absent: David Tackett

B. Approval of Minutes

-A motion was made by Mr. Smiley, seconded by Mr. Sheldon to approve the minutes from July 9, 2024. The minutes were approved by voice vote.

C. Announcements

- Mr. Cartier announced that °24-032 would be tabled.
- Ms. Durham announced that °24-008 would remain tabled.
- Mr. Bell announced that R24-145 and R24-146 would remain tabled.

D. Introduction of Ordinances

°24-124: AMEND THE FY2025 CAPITAL PROGRAM AND BUDGET: TRANSFER \$500,000 FROM THE AGRICULTURAL PRESERVATION CAPITAL PROJECT TO THE OPEN SPACE PRESERVATION CAPITAL PROJECT

Prime Sponsor(s): Ms. Durham, Mr. Smiley

°24-125: AMEND THE FY2025 CAPITAL PROGRAM AND BUDGET: APPROPRIATE \$3,500,000 IN FUNDING RECEIVED FROM THE STATE OF DELAWARE FISCAL YEAR 2025 BOND AND CAPITAL IMPROVEMENTS ACT TO THE DEPARTMENT OF COMMUNITY

SERVICES, NEWARK LIBRARY CAPITAL PROJECT

Prime Sponsor(s): Mr. Hollins, Mr. Street

°24-126: AMEND THE GRANTS BUDGET: APPROPRIATE \$10,818 ADDITIONAL STATE OF DELAWARE GRANT-IN-AID FUNDS TO THE ABSALOM JONES SENIOR CENTER FY2025 GRANT, WHICH WILL BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, COMMUNITY RESOURCES DIVISION

Prime Sponsor(s): Mr. Hollins, Mr. Street

°24-127: AMEND THE GRANTS BUDGET: APPROPRIATE \$853,500 TO THE CONTRACTED POLICE DUTY REVOLVING FUND, WHICH IS ADMINISTERED BY THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF POLICE

Prime Sponsor(s): Mr. Bell, Ms. Hartley-Nagle

°24-128: AMEND THE GRANTS BUDGET: APPROPRIATE \$244,149 TO THE CONTRACTED PARAMEDIC DUTY REVOLVING FUND, WHICH IS ADMINISTERED BY THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF EMERGENCY MEDICAL SERVICES

Prime Sponsor(s): Mr. Bell, Ms. Hartley-Nagle

°24-129: TO AMEND NEW CASTLE COUNTY CODE CHAPTER 40 ("UNIFIED DEVELOPMENT CODE"), ARTICLE 31 ("PROCEDURES AND ADMINISTRATION") AND ARTICLE 33 ("DEFINITIONS") RELATING TO REZONINGS

Prime Sponsor(s): Ms. Hartley-Nagle

°24-130: AMENDING NEW CASTLE COUNTY CODE CHAPTER 40 (THE "UNIFIED DEVELOPMENT CODE") TO ESTABLISH A ZONING DISTRICT FOR PUBLICLY OWNED CONSERVED LAND AND PUBLIC PARKS

Prime Sponsor(s): Mr. Carter, Ms. Durham, Mr. Toole, Mr. Cartier

°24-131: TO AMEND NEW CASTLE COUNTY CODE CHAPTER 26 ("HUMAN RESOURCES"), ARTICLE 3 ("MERIT SYSTEM"), SECTION 26.03.1403 ("HOLIDAYS") CONVERTING TWO EXISTING HOLIDAYS TO FLOATING HOLIDAYS AND DECLARING JUNETEENTH AN OFFICIAL HOLIDAY

Prime Sponsor(s): Ms. Kilpatrick

E. Reports from Select and Special Committees

-Boards and Commissions Subcommittee- Ms. Durham stated that the Boards and Commissions Meeting was held on July 16, 2024, and there was one reappointment which is part of the Consent Calendar.

-Land Use Committee- Ms. Kilpatrick stated that the Land Use Committee Meeting was held on July 16, 2024, and discussed the Comprehensive Plan for District 8.

-Economic Development Subcommittee- Ms. George stated that the Economic Development Subcommittee met today and there was a presentation by Trina Jones and Helen Foster.

-Finance Committee- Mr. Smiley stated that the Finance Committee met today to discuss this evening's agenda, approved grants, discussed replacement of blinds, adjusted work location for staff during the month of August, and amended Council's meeting schedule for September 10, 2024, and November 12, 2024.

F. Consent Calendar

R24-155: CELEBRATING AND HONORING REVEREND MONSIGNOR STANLEY J. RUSSELL ON THE OCCASION OF HIS RETIREMENT FROM ST. HELENA'S PARISH AFTER FIFTY YEARS AS PASTOR

Prime Sponsor(s): Mr. Cartier

R24-156: REAPPOINTING JOSEPH MANNION TO THE NEW CASTLE COUNTY BOARD OF ASSESSMENT REVIEW

Prime Sponsor(s): Ms. Durham

Consent Note

-Motion by Mr. Cartier, seconded by Mr. Carter 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, Brandon Toole

Absent: David Tackett

G. Presentations

Ms. Hartley-Nagle moved to go out of order to consider Resolution 24-158. The motion was seconded by Mr. Smiley and approved by Council.

R24-158: RECOGNIZING AND CELEBRATING THE LEGACY AND IMPACT OF THE AUGUST QUARTERLY FESTIVAL

Prime Sponsor(s): Ms. Hartley-Nagle

Co-sponsor(s): Mr. Toole

-It was moved by Ms. Hartley-Nagle and seconded by Mr. Smiley that Resolution 24-158 be read by title only and placed before Council for its consideration.

-Ms. Hartley-Nagle presented the resolution to the August Quarterly Festival Committee.

-No comments or discussion by Council.

-No public comment.

Resolution 24-158 -- 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, Brandon Toole

Absent: David Tackett

-Motion by Mr. Smiley, seconded by Mr. Toole to return to the regular order of business.

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

R24-157: ALLOCATING \$33,000 FROM THE NEW CASTLE COUNTY COUNCIL CONTINGENCY FUND TO THE NEW CASTLE COUNTY FIRE CHIEFS' ASSOCIATION TO FUND THE NEW CASTLE COUNTY COLLAPSE TEAM

Prime Sponsor(s): Mr. Cartier, Mr. Smiley

-It was moved by Mr. Cartier and seconded by Mr. Smiley that Resolution 24-157 be read by title only and placed before Council for its consideration.

-Mr. Cartier briefly discussed the Resolution.

-Comments were made by Mr. Bell.

-No public comment.

Resolution 24-157- 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, Brandon Toole

Absent: David Tackett

R24-145: (STATUS: TABLED) PLAN OF VISTA AT RED LION – SECTION 1; NEW CASTLE HUNDRED; NORTH SIDE OF OLD PORTER ROAD, 2000 FEET WEST OF RED LION ROAD; MAJOR LAND DEVELOPMENT PLAN THAT PROPOSES TO SUBDIVIDE TAX PARCEL NO. 10-052.00-011 INTO 240 TOWNHOUSE UNITS UTILIZING THE SINGLE FAMILY ATTACHED OPTION; ST ZONING; [APPLICATION NO. 2008-0002](#); COUNCIL DISTRICT 12

Prime Sponsor(s): Mr. Bell, Ms. Kilpatrick

- R24-145 remained tabled.

R24-146: (STATUS: TABLED) PLAN OF VISTA AT RED LION – SECTION 2; NEW CASTLE HUNDRED; SOUTH SIDE OF OLD PORTER ROAD, 2700 FEET WEST OF RED LION ROAD; MAJOR LAND DEVELOPMENT PLAN THAT PROPOSES TO SUBDIVIDE TAX PARCEL NO. 10-052.00-011 AND TAX PARCEL NO. 10-052.00-018 INTO 279 AGE-RESTRICTED LOTS WITH A 4,800 SQUARE FOOT CLUBHOUSE UTILIZING THE SINGLE FAMILY DETACHED

OPTION; ST ZONING; [APPLICATION NO. 2008-0003](#); COUNCIL DISTRICT 12

Prime Sponsor(s): Mr. Bell, Ms. Kilpatrick

- R24-146 remained tabled.

I. Consideration of Ordinances

°24-118: AMEND THE FY2025 CAPITAL PROGRAM AND BUDGET: APPROPRIATE \$5,000,000 IN FUNDING FROM THE REASSESSMENT RESERVE ACCOUNT TO THE DEPARTMENT OF ADMINISTRATION, REASSESSMENT 2024 CAPITAL PROJECT

Prime Sponsor(s): Mr. Smiley, Mr. Cartier

-It was moved by Mr. Smiley and seconded by Mr. Cartier that °24-118 be read by title only and placed before Council for its consideration.

-Mr. Smiley briefly discussed the ordinance.

-No comments or discussion by Council.

-No public comment.

Ordinance 24-118 -- 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, Brandon Toole

Absent: David Tackett

°24-119: AMEND THE GRANTS BUDGET: APPROPRIATE FUNDING FROM THE NEW CASTLE COUNTY COUNCIL FY2025 APPROVED OPERATING BUDGET TO THE SENIOR HOME REPAIR PROGRAM GRANT, WHICH IS ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES

Prime Sponsor(s): Mr. Smiley

-It was moved by Mr. Smiley and seconded by Ms. Kilpatrick that Ordinance 24-119 be read by title only and placed before Council for its consideration.

-Mr. Smiley briefly discussed the ordinance.

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

-No comments or discussion by Council.

-No public comment.

Ordinance 24-119 -- 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, Brandon Toole

Absent: David Tackett

°24-120: AMEND THE FY2025 APPROVED OPERATING BUDGET: REDUCE THE GRANTS AND FIXED CHARGES BUDGET LINE ITEM OF COUNTY COUNCIL TO PROVIDE FUNDING FOR NEW CASTLE COUNTY OPERATING PROGRAMS AND GRANTS

Prime Sponsor(s): Mr. Smiley

-It was moved by Mr. Smiley and seconded by Ms. George that Ordinance 24-120 be read by title only and placed before Council for its consideration.

-Mr. Smiley briefly discussed the ordinance.

-No comments or discussion by Council.

-No public comment.

Ordinance 24-119 -- 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, Brandon Toole

Absent: David Tackett

°24-121: AMEND THE FY2024 APPROVED OPERATING BUDGET: REALIGN \$375,000 WITHIN THE SEWER FUND IN ORDER TO PROVIDE FUNDING FOR SALARIES AND WAGES

Prime Sponsor(s): Mr. Smiley, Mr. Cartier

-It was moved by Mr. Smiley and seconded by Ms. George that Ordinance 24-121 be read by title only and placed before Council for its consideration.

-Mr. Smiley briefly discussed the ordinance.

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

Ordinance 24-121-- 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, Brandon Toole
Absent: David Tackett

°24-122: AMEND THE FY2024 APPROVED OPERATING BUDGET: APPROPRIATE STATE OF DELAWARE FUNDING RECEIVED FOR THE NEW CASTLE COUNTY POLICE EMPLOYEE'S RETIREMENT SYSTEM TO THE DEPARTMENT OF PUBLIC SAFETY EMPLOYEE BENEFITS BUDGETARY LINE ITEM

Prime Sponsor(s): Mr. Smiley, Mr. Cartier

- It was moved by Mr. Smiley and seconded by Mr. Cartier that Ordinance 24-122 be read by title only and placed before Council for its consideration.
- Mr. Smiley briefly discussed the ordinance.
- No comments or discussion by Council.
- No public comment.

Ordinance 24-122 -- 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, Brandon Toole
Absent: David Tackett

°24-123: TO AMEND NEW CASTLE COUNTY CODE, CHAPTER 38 ("UTILITIES") REGARDING ARTICLE 2 ("SEWERS AND SEWAGE DISPOSAL") AND ARTICLE 3 ("PROHIBITIONS, ENFORCEMENT, AND PENALTIES")

Prime Sponsor(s): Mr. Sheldon, Mr. Carter

- It was moved by Mr. Carter and seconded by Ms. George that Ordinance 24-123 be read by title only and placed before Council for its consideration.
- Mr. Carter briefly discussed the ordinance.
- No comments or discussion by Council.
- No public comment.

Ordinance 24-123 -- 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, Brandon Toole
Absent: David Tackett

°24-032: COMPREHENSIVE REZONING - TO REVISE THE NEW CASTLE COUNTY ZONING MAPS IN COUNTY COUNCIL DISTRICT 8 REGARDING THE FOLLOWING TAX PARCELS: ARDENTOWN: 27-001.00-001(2206 MILLERS RD, ARDENTOWN); BRANDYWINE HUNDRED: 06-060.00-010 (1 NAAMANS RD, GILBERT SUBDIVISION), 06-122.00-081 (301 CARR RD, ROCKWOOD OFFICE PARK), 06-147.00-017 (1204 LIGHTHOUSE RD)

Prime Sponsor(s): Mr. Cartier

- It was moved by Mr. Cartier and seconded by Ms. George that Ordinance 24-032 be read by title only and placed before Council for its consideration.
- Mr. Cartier moved to table Ordinance 24-032. The motion was seconded by Mr. Cart and approved.

Ordinance 24-032 -- Tabled

°24-008: (STATUS: TABLED) TO AMEND NEW CASTLE COUNTY CODE CHAPTER 40 ("UNIFIED DEVELOPMENT CODE"), ARTICLE 14 ("IMPACT FEES") REGARDING ADJUSTMENTS TO IMPACT FEES

Prime Sponsor(s): Ms. Durham, Mr. Carter, Mr. Toole

Co-sponsor(s): Mr. Cartier, Mr. Smiley

- Ordinance 24-032 remained tabled.

J. Time Sensitive Congratulatory/Honorary Resolutions

K. Introduction/Consideration of Emergency Ordinances

L. Public Comment/Other

- Public Comments were made by Rob Bullock and Derwin Evans.
- Comments were made by Councilman Street and Councilman Hollins.

M. Motion to Adjourn

- Mr. Smiley made a motion, seconded by Mr. Cartier to adjourn the meeting. The meeting was adjourned at 7:15 p.m.