



NEW CASTLE COUNTY COUNCIL COUNCIL MEETING

October 22, 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 President Pro Tempore Hollins at 6:35 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, Penrose Hollins, Janet Kilpatrick, Timothy Sheldon, George Smiley, Jea Street, David Tackett, Brandon Toole

Members Absent: Valerie George, Karen Hartley-Nagle

B. Approval of Minutes

- A motion was made by Mr. Smiley, seconded by Mr. Carter, to approve the minutes from October 8, 2024. The minutes were approved by voice vote.

C. Announcements

- Mr. Smiley announced that immediately following the Consent Calendar, he will make a motion to go out of order for consideration of one or more resolutions and entertain several presentations.
- Ms. Durham announced that Ordinance 24-008 would remain tabled.

D. Introduction of Ordinances

°24-157: AMEND THE GRANTS BUDGET: APPROPRIATE \$123,169.86 IN ACTUAL PROGRAM INCOME AND REALIGN \$60,910.70 WITHIN THE COMMUNITY DEVELOPMENT BLOCK GRANT FY2024, WHICH IS ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING

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

°24-158: AMEND THE GRANTS BUDGET: APPROPRIATE ANTICIPATED ADDITIONAL FEDERAL FUNDS OF \$800,832 FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN

DEVELOPMENT TO THE SECTION 8 HOUSING CHOICE VOUCHERS – 2024 GRANT, WHICH IS ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING

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

°24-159: AMEND THE GRANTS BUDGET: APPROPRIATE ADDITIONAL FEDERAL FUNDS OF \$30,672.54 AND ANTICIPATED FEDERAL FUNDS OF \$10,000.00 FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO THE EMERGENCY HOUSING CHOICE VOUCHERS GRANT, WHICH IS ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING

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

°24-160: TO AMEND THE PAY PLANS AND RATES OF PAY FOR NON-UNION CLASSIFIED SERVICE EMPLOYEES AND LOCAL 3109, AND TO ADOPT NEW AND AMEND CLASS SPECIFICATIONS FOR FINANCE RELATED POSITIONS

Prime Sponsor(s): Mr. Hollins

E. Reports from Select and Special Committees

Boards & Commissions Subcommittee - Ms. Durham announced that the meeting was held on October 15, 2024. She stated that they discussed two new nominees and two re-appointments, which are all on tonight's agenda.

Land Use Committee - Ms. Kilpatrick announced the meeting was held on October 15, 2024, and discussed lifting the deed restrictions for Huber's Crossing and all that was posted on the agenda.

Community Services Committee - Mr. Hollins announced the meeting was held today and discussed the ordinances on the agenda and had presentations on the Rockwood Park and Museum, the Tree Removal Program, and the Housing Choice Voucher Program.

Finance Committee - Mr. Smiley announced the Finance committee met today and discussed the items on tonight's agenda, approved three Council grants, and had a brief discussion on swearing in.

F. Consent Calendar

R24-178: CONGRATULATING THE OFFICE OF FINANCE FOR EARNING THE DISTINGUISHED BUDGET PRESENTATION AWARD FOR NEW CASTLE COUNTY'S COMPREHENSIVE ANNUAL BUDGET SUMMARY FOR 35 CONSECUTIVE YEARS

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

R24-179: CONSENTING TO THE REAPPOINTMENT OF KAYODE ABEGUNDE TO THE NEW CASTLE COUNTY FINANCIAL ADVISORY COUNCIL

Prime Sponsor(s): Mr. Smiley

R24-180: CONSENTING TO THE APPOINTMENT OF MOHAMED CISSE TO THE NEW CASTLE COUNTY BOARD OF ADJUSTMENT

Prime Sponsor(s): Mr. Smiley

R24-181: CONSENTING TO THE REAPPOINTMENT OF LINDA GOODMAN TO THE NEW CASTLE COUNTY LIBRARY ADVISORY BOARD

Prime Sponsor(s): Mr. Carter

R24-182: CONSENTING TO THE APPOINTMENT OF JEFF STAPEN TO THE NEW CASTLE COUNTY CENTREVILLE DESIGN REVIEW ADVISORY COMMITTEE

Prime Sponsor(s): Ms. Durham

Consent Note

- Mr. Street requested Resolution 24-183 be removed from the Consent Calendar.

Consent Calendar - Adopted

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

Absent: Valerie George, Karen Hartley-Nagle

G. Presentations

- Mr. Smiley made a motion to go out of order for purposes of Council considering one or more resolutions and several presentations. The motion was seconded by Mr. Bell and approved.

- Mr. Hollins stated that the County Executive, Matt Meyer, would be addressing Council with presentations. Ms. Kilpatrick invited County Executive Meyer to attend the meeting to thank Council Legislative Assistants Karen Barlow and Ruby Dillmore, and Councilman Bill Bell, and Council President Karen Hartley-Nagle for their service.

- Mr. Bell presented Alfred Grimminger with a tribute for his exceptional community service.

R24-188: CONGRATULATING AND COMMENDING LEGISLATIVE ASSISTANT KAREN L. BARLOW ON HER RETIREMENT FROM NEW CASTLE COUNTY COUNCIL

Prime Sponsor(s): Mr. Bell

Co-sponsor(s): Mr. Carter, Mr. Cartier, Ms. Durham, Ms. George, Ms. Hartley-Nagle, Mr. Hollins, Ms. Kilpatrick, Mr. Sheldon, Mr. Smiley, Mr. Street, Mr. Tackett, Mr. Toole

- It was moved by Mr. Bell and seconded by Mr. Tackett that Resolution 24-188 be read by title only and placed before Council for its consideration.

- Mr. Bell discussed the resolution.

- No public comment.

Resolution 24-188 - Adopted

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

Absent: Valerie George, Karen Hartley-Nagle

- Mr. Bell made a presentation.

R24-189: HONORING AND THANKING RUBY DILLMORE FOR HER DEDICATED SERVICE TO THE RESIDENTS OF NEW CASTLE COUNTY

Prime Sponsor(s): Ms. Hartley-Nagle

Co-sponsor(s): Mr. Bell, Mr. Carter, Mr. Cartier, Ms. Durham, Ms. George, Mr. Hollins, Ms. Kilpatrick, Mr. Sheldon, Mr. Smiley, Mr. Street, Mr. Tackett, Mr. Toole

- It was moved by Mr. Bell seconded by Mr. Tackett that Resolution 24-189 be read by title only and placed before Council for its consideration.

- Mr. Bell discussed the resolution.

- No public comment.

Resolution 24-189 - Adopted

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

Absent: Valerie George, Karen Hartley-Nagle

- Mr. Bell gave a presentation.

R24-190: CONGRATULATING AND COMMENDING THE HONORABLE J. WILLIAM BELL ON HIS RETIREMENT FROM NEW CASTLE COUNTY COUNCIL

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

Co-sponsor(s): Mr. Carter, Mr. Cartier, Ms. Durham, Ms. George, Ms. Hartley-Nagle, Mr. Hollins, Ms. Kilpatrick, Mr. Sheldon, Mr. Tackett, Mr. Toole

- It was moved by Mr. Smiley seconded by Mr. Tackett that Resolution 24-190 be read by title only and placed before Council for its consideration.

- Mr. Smiley, along with all of Council, presented Councilman Bell with a resolution. Mr. Bell gave brief comments.

- Members of Kappa Alpha and NOBLE (National Organization of Black Law Enforcement) presented Councilman Bell with an award.

Resolution 24-190 - Adopted

Yes: J. William Bell, David Carter, John Cartier, Dee Durham, Penrose Hollins, Janet Kilpatrick, Timothy Sheldon,

George Smiley, Jea Street, David Tackett, Brandon Toole

Absent: Valerie George, Karen Hartley-Nagle

R24-191: RECOGNIZING KAREN HARTLEY-NAGLE FOR HER SERVICE AS PRESIDENT OF NEW CASTLE COUNTY COUNCIL

Prime Sponsor(s): Mr. Toole, Mr. Tackett

Co-sponsor(s): Mr. Bell, Mr. Carter

- It was moved by Mr. Toole seconded by Mr. Tackett that Resolution 24-191 be read by title only and placed before Council for its consideration.

- Comments by Mr. Smiley.

- Public comment by Dale Swain.

Resolution 24-191 - Adopted

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

No: George Smiley

Absent: Valerie George, Karen Hartley-Nagle

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

R24-183: CELEBRATING AND HONORING PAUL S. BAUMBACH ON HIS RETIREMENT FROM THE DELAWARE HOUSE OF REPRESENTATIVES

Prime Sponsor(s): Ms. George

Co-sponsors: Mr. Bell, Mr. Carter, Mr. Cartier, Ms. Durham, Ms. Hartley-Nagle, Mr. Hollins, Ms. Kilpatrick, Mr. Sheldon, Mr. Tackett, Mr. Toole

- It was moved by Ms. Kilpatrick, and seconded by Mr. Carter that Resolution 24-183 be read by title only and placed before Council for its consideration.

- Ms. Kilpatrick discussed the resolution.

- No comments by Council.

- No public comment.

Resolution R24-183 - Adopted

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

No: Jea Street

Absent: Valerie George, Karen Hartley-Nagle

R24-184: TO AMEND NEW CASTLE COUNTY COUNCIL PROCEDURAL RULE NO. 8 ("COUNCIL MEMBERS") REGARDING MEETING CHAIRS AND ATTENDANCE

Prime Sponsor(s): Mr. Smiley

- It was moved by Mr. Smiley and seconded by Mr. Tackett that Resolution 24-184 be read by title only and placed before Council for its consideration.

- Mr. Smiley discussed the resolution.

- No comments by Council.

- No public comment.

Resolution R24-184 - Adopted

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

Absent: Valerie George, Karen Hartley-Nagle

R24-185: TO TERMINATE DECLARATION OF RESTRICTIONS FOR HUBERS CROSSING, TAX PARCEL NO. 13-013.00-155, LOCATED AT THE SOUTHEAST INTERSECTION OF US ROUTE 13 AND POLE BRIDGE ROAD; COUNCIL DISTRICT 12

Prime Sponsor(s): Mr. Bell

- It was moved by Mr. Bell and seconded by Mr. Cartier that Resolution 24-185 be read by title only and placed before Council for its consideration.

- Mr. Bell briefly discussed the resolution.

- Comments were made by Charuni Patibanda, General Manager of Land Use, and Will Davis, County Attorney.
- Public comment by Dale Swain.

Resolution 24-185- Adopted

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

Absent: Valerie George, Karen Hartley-Nagle

R24-187: APPROVING THE RECREATIONAL PROPERTY TAX-EXEMPT STATUS OF THE SKATING CLUB OF WILMINGTON, INC.'S PROPERTY LOCATED AT 1301 CARRUTHERS LANE, WILMINGTON, DELAWARE TAX PARCEL NO. 06-129.00-003

Prime Sponsor(s): Mr. Cartier

- It was moved by Mr. Cartier and seconded by Mr. Tackett that Resolution 24-187 be read by title only and placed before Council for its consideration.
- Mr. Cartier discussed the resolution.
- No comments by Council.
- No public comment.

Resolution 24-187 - Adopted

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

Absent: Valerie George, Karen Hartley-Nagle

I. Consideration of Ordinances

°24-152: TO APPROPRIATE \$150,000 IN THE NEW CASTLE COUNTY AFFORDABLE HOUSING FUND, WITH FUNDS THAT ORIGINATED FROM THE GENERAL FUND TAX STABILIZATION RESERVE, FOR A CONTRACT WITH EZION FAIR BAPTIST CHURCH CDC TO BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES

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

- It was moved by Mr. Street and seconded by Mr. Tackett that Ordinance 24-152 be read by title only and placed before Council for its consideration.
- Mr. Street discussed the ordinance.
- No comments by Council.
- No public comment.

Ordinance 24-152 - Adopted

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

Absent: Valerie George, Karen Hartley-Nagle

°24-153: TO APPROPRIATE \$50,000 IN THE NEW CASTLE COUNTY HOUSING TRUST FUND, FOR A CONTRACT WITH LOVE COMMUNITIES LLC TO BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES

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

- It was moved by Mr. Street and seconded by Mr. Tackett that Ordinance 24-153 be read by title only and placed before Council for its consideration.
- Mr. Street discussed the ordinance.
- No comments by Council.
- No public comment.

Ordinance 24-153 - Adopted

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

Absent: Valerie George, Karen Hartley-Nagle

°24-154: TO PROVIDE FOR THE INSTALLATION OF AN ADDITIONAL COBRA STREET LIGHT ON A WOODEN POLE IN THE COLLINS PARK DEVELOPMENT

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

- It was moved by Mr. Street and seconded by Mr. Tackett that Ordinance 24-154 be read by title only and placed before Council for its consideration.
- Mr. Street discussed the ordinance.
- No comments by Council.
- No public comment.

Ordinance 24-154 - Adopted

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

Absent: Valerie George, Karen Hartley-Nagle

°24-155: AMEND THE FY2025 APPROVED OPERATING BUDGET: TRANSFER FUNDING FROM THE GRANTS AND FIXED CHARGES BUDGET LINE ITEM OF COUNTY COUNCIL TO THE CONTRACTUAL SERVICES BUDGET LINE ITEM OF THE DEPARTMENT OF LAND USE, DIVISION OF CUSTOMER RELATIONS AND ENFORCEMENT TO PROVIDE FUNDING TO ASSIST WITH RODENT CONTROL IN VACANT PROPERTIES

Prime Sponsor(s): Mr. Smiley

- It was moved by Mr. Smiley and seconded by Mr. Tackett that Ordinance 24-155 be read by title only and placed before Council for its consideration.
- No comments by Council.
- No public comment.

Ordinance 24-155 - Adopted

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

Absent: Valerie George, Karen Hartley-Nagle

°24-156: AMEND THE PAY PLAN AND RATES OF PAY FOR CLASSIFIED SERVICE PUBLIC SAFETY OPERATORS I, II, AND III REPRESENTED BY THE DELAWARE PUBLIC EMPLOYEES COUNCIL 81, AFSCME (AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES), AFL-CIO, AND ITS AFFILIATE, LOCAL 3911

Prime Sponsor(s): Mr. Bell, Mr. Smiley, Mr. Street

- It was moved by Mr. Bell and seconded by Mr. Tackett that Ordinance 24-156 be read by title only and placed before Council for its consideration.
- Mr. Bell discussed the ordinance.
- No comments by Council.
- Public comment was made by Brian Bradford.

Ordinance 24-156 - Adopted

Yes: J. William Bell, David Carter, John Cartier, Dee Durham, Penrose Hollins, Janet Kilpatrick, Timothy Sheldon, George Smiley, Jea Street, David Tackett

Not Voting: Brandon Toole

Absent: Valerie George, Karen Hartley-Nagle

°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)

Prime Sponsor(s): Mr. Smiley

- It was moved by Mr. Smiley and seconded by Mr. Cartier that Ordinance 24-042 be read by title only and placed before Council for its consideration.
- Mr. Smiley stated this was discussed in the Land Use Committee. He also reminded everyone that this was a Poll Vote.
- No comments by Council.
- No public comment.

Ordinance 24-042 - Adopted**Poll Vote**

- Mr. Bell -Yes, based upon the positive recommendation of our Planning Board and the Department of Land Use, as well as the recommendation of our District Councilman.

- Mr. Carter - Not Voting.
- Mr. Cartier - Yes, based upon the positive recommendation from the Land Use Department, the Planning Board, and the support of the District Council Person.
- Ms. Durham - Yes, deferring to the District Councilperson's support.
- Ms. George - Absent.
- Ms. Hartley- Nagle - Absent.
- Mr. Hollins - Yes, I'm going to support the New Castle County Land Use Department as well as the Planning Board.
- Ms. Kilpatrick - Yes, based on the recommendations of the Land Use Department.
- Mr. Sheldon - Yes, based upon the positive recommendation from the Land Use Department and the District Council Member.
- Mr. Smiley - Yes, based upon the recommendation from the Land Use Department and the support of the Councilperson.
- Mr. Street - Yes, based on the recommendation from the Department.
- Mr. Tackett - I'm supporting the Land Use recommendation and I'm voting Yes.
- Mr. Toole - Yes, based upon the recommendation of the Planning Board and Land Use.

°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

- Ms. Durham stated that Ordinance °24-008 would remain tabled.

J. Time Sensitive Congratulatory/Honorary Resolutions

R24-186: CELEBRATING AND HONORING ANNA MARIE LEO ON HER INDUCTION TO THE DELAWARE WOMEN'S HALL OF FAME

Prime Sponsor(s): Mr. Cartier

- It was moved by Mr. Cartier and seconded by Mr. Tackett that Resolution 24-186 be read by title only and placed before Council for its consideration.
- No comments by Council.
- No public comment.

Resolution 24-186 - Adopted

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

Absent: Valerie George, Karen Hartley-Nagle

K. Introduction/Consideration of Emergency Ordinances

- None.

L. Public Comment/Other

- Comments were made by Mr. Cartier and Mr. Hollins.
- Public comment was made by Karen Miller.

M. Motion to Adjourn

- Mr. Smiley made a motion, seconded by Mr. Tackett to adjourn the meeting. The meeting was adjourned at 8:13 p.m.