



NEW CASTLE COUNTY COUNCIL COUNCIL MEETING

December 10, 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 Williams-Johns at 6:30 p.m. A moment of silence was recognized, followed by the Pledge of Allegiance.

Members Present: Kevin Caneco, David Carter, John Cartier, Dee Durham, Penrose Hollins, Janet Kilpatrick, Timothy Sheldon, George Smiley, Jea Street (virtual), David Tackett, Brandon Toole, Monique Williams-Johns

Absent: Valerie George

B. Approval of Minutes

-A motion was made by Mr. Smiley, seconded by Mr. Carter to approve the minutes from November 26, 2024. The minutes were approved by voice vote.

C. Announcements

-Ms. Kilpatrick announced that she has Floor Amendment No. 1 for Ordinance 24-138.

-Ms. Durham announced that she intends to lift Ordinance 24-008 from the table and introduce Substitute No. 1 to 24-008.

-Mr. Carter announced that he intends to introduce Floor Amendment No. 1 to Substitute No.1 Ordinance 24-137.

-Mr. Smiley announced that he will introduce Floor Amendment No. 1 to 24-173 which was discussed in the Finance Committee.

-Mr. Hollins announced that he will introduce Floor Amendment No. 1 to Ordinance 24-137 to correct a typo in the legislation.

-Mr. Caneco moved to go out of order to consider the Consent Calendar and make a presentation after the approval of the Consent Calendar. The motion was seconded by Mr. Smiley and approved.

F. Consent Calendar

R24-196: APPOINTING GEORGE THOMPSON TO THE NEWCASTLE COUNTY ETHICS COMMISSION

Prime Sponsor(s): Mr. Street

R24-197: CONGRATULATING SAMANTHA BARGREN FOR ACHIEVING THE RANK OF EAGLE SCOUT

Prime Sponsor(s): Ms. Durham

R24-204: APPOINTING BRIAN MURPHY TO THE NEW CASTLE COUNTY BOARD OF ASSESSMENT REVIEW

Prime Sponsor(s): Mr. Hollins

R24-205: CONGRATULATING THE MIDDLETOWN HIGH SCHOOL CAVALIERS FOOTBALL TEAM AND COACHING STAFF ON WINNING THE 2024 CLASS 3A STATE CHAMPIONSHIP

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

Consent Note

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

Consent Calendar -- Adopted

Yes: Kevin Caneco, David Carter, John Cartier, Dee Durham, Penrose Hollins, Janet Kilpatrick, Timothy Sheldon, George Smiley, Jea Street, David Tackett, Brandon Toole, Monique Williams-Johns

Absent: Valerie George

-Mr. Caneco and Mr. Carter presented the Middletown Football Team with a Resolution 24-205.

-A Motion was made by Mr. Smiley seconded by Mr. Cartier to return to the Regular Order of Business.

D. Introduction of Ordinances

°24-179: TO AMEND THE PAY PLANS AND RATES OF PAY FOR CLASSIFIED SERVICE 35-HOUR WORKWEEK EMPLOYEES REPRESENTED BY THE DELAWARE PUBLIC EMPLOYEES COUNCIL 81, AFSCME, AFL-CIO, AFFILIATE LOCAL 1607 AND TO ADOPT NEW AND AMEND CLASS SPECIFICATIONS FOR LAND USE LICENSING RELATED POSITIONS

Prime Sponsor(s): Ms. Williams-Johns

°24-180: AMEND THE GRANTS BUDGET: APPROPRIATING BUDGET FOR A DONATION OF LAND FROM PAR 1, INC. AND A DONATION FROM VERINO PETTINARO IN THE AMOUNT OF \$70,000 TO BE USED FOR MAINTENANCE COSTS

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

E. Reports from Select and Special Committees

Land Use Committee- Ms. Kilpatrick stated the Land Use Committee met on December 3rd and discussed a Record Plan, four Comprehensive Rezonings, Ordinance 24-138 the Marijuana Product Manufacturing Facilities and Ordinance 24-008 the Energy Conservation Code, and had two presentations.

Economic Development Subcommittee- Mr. Toole stated the Economic Development Subcommittee met on December 3rd. C.J. Bell introduce Helen Foster for an update regarding Small Business Enterprise, the SBE workshops held and the Newark Library. There was a presentation by Kirk Forman.

Finance Committee- Mr. Cartier stated the Finance Committee met on December 10th and reviewed four Resolutions, 11 Ordinances, approved four Council Grants, approved four Travel Requests, approved the appointment of Brian Murphy, and Mr. Smiley gave a tentative Budget Schedule.

G. Presentations

-Ms. Williams-Johns called up Dr. Eric Robinson to give a Presentation on Seasonal Affective Disorder (SAD).

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

R24-198: AUTHORIZING THE COUNTY EXECUTIVE TO SIGN AN AGREEMENT AND RELATED DOCUMENTS TO ACCEPT A DONATION FROM PAR 1, INC. OF 35.71 ACRES OF LAND VALUED AT \$6,000,000 AND A DONATION FROM VERINO PETTINARO IN THE AMOUNT OF \$70,000 TO APPLY TOWARDS MAINTENANCE COSTS

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

-It was moved by Mr. Sheldon and seconded by Mr. Tackett that Resolution 24-198 be read by title only and placed before Council for its consideration.

-Mr. Sheldon explained the resolution.

-No questions or comments by Council.

-No public comment.

Resolution 24-198 -- Adopted

Yes: Kevin Caneco, David Carter, John Cartier, Dee Durham, Penrose Hollins, Janet Kilpatrick, Timothy Sheldon, George Smiley, Jea Street, David Tackett, Brandon Toole, Monique Williams-Johns

Absent: Valerie George

R24-199: AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN AWARD AGREEMENT WITH THE UNITED STATES DEPARTMENT OF TREASURY TO ACCEPT AN AWARD UNDER THE SOCIAL IMPACT PARTNERSHIPS TO PAY FOR RESULTS ACT IN THE AMOUNT OF \$9,640,323.00 FOR THE FAMILY HOUSING OPPORTUNITIES FOR PURPOSEFUL EMPLOYMENT PROJECT

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

-It was moved by Mr. Hollins and seconded by Mr. Tackett that Resolution 24-199 be read by title only and placed before Council for its consideration.

-Mr. Hollins explained the resolution.

-Ms. Williams-Johns requested to be added as a co-sponsor.

-No questions or comments by Council.

-No public comment.

Resolution 24-199 -- Adopted

Yes: Kevin Caneco, David Carter, John Cartier, Dee Durham, Penrose Hollins, Janet Kilpatrick, Timothy Sheldon, George Smiley, Jea Street, David Tackett, Brandon Toole, Monique Williams-Johns

Absent: Valerie George

R24-200: COMMENDING THE WORK OF THE NEW CASTLE COUNTY SUSTAINABILITY COORDINATOR AND THE INTERNAL AND EXTERNAL STAKEHOLDER GROUPS WHO DRAFTED NEW CASTLE COUNTY'S FIRST [SUSTAINABILITY PLAN](#) AND SUPPORTING THE GOALS AND IMPLEMENTATION STEPS OUTLINED IN THE PLAN

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

-It was moved by Mr. Toole and seconded by Mr. Tackett that Resolution 24-200 be read by title only and placed before Council for its consideration.

-Mr. Toole explained the resolution.

-Council comments by Mr. Carter and Ms. Durham.

-Public comment by John Erwin.

Resolution 24-200 -- Adopted

Yes: Kevin Caneco, David Carter, John Cartier, Dee Durham, Penrose Hollins, Janet Kilpatrick, Timothy Sheldon, George Smiley, Jea Street, David Tackett, Brandon Toole, Monique Williams-Johns

Absent: Valerie George

R24-201: AUTHORIZING THE EXECUTION OF A SUBAWARD AGREEMENT WITH DAVITRON, LLC TO ASSIST WITH THE ACQUISITION OF NEW TOWNHOME STYLE RENTAL UNITS ON LIMESTONE RD. FOR THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING IN THE AMOUNT OF \$5,000,000.00

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

-It was moved by Mr. Cartier and seconded by Mr. Tackett that Resolution 24-201 be read by title only and placed before Council for its consideration.

-Mr. Cartier explained the resolution.

-No questions or comments by Council.

-No public comment.

Resolution 24-201 -- Adopted

Yes: Kevin Caneco, David Carter, John Cartier, Dee Durham, Penrose Hollins, Janet Kilpatrick, Timothy Sheldon, George Smiley, Jea Street, David Tackett, Brandon Toole, Monique Williams-Johns

Absent: Valerie George

R24-202: AUTHORIZING THE EXECUTION OF THE NINTH AMENDMENT TO GROUND LEASE WITH THE DELAWARE RIVER AND BAY AUTHORITY REGARDING OPERATIONS AT THE NEW CASTLE AIRPORT

Prime Sponsor(s): Mr. Smiley

-It was moved by Mr. Smiley and seconded by Mr. Cartier that Resolution 24-202 be read by title only and placed before Council for its consideration.

-No questions or comments by Council.

-No public comment.

Resolution 24-202 -- Adopted

Yes: Kevin Caneco, David Carter, John Cartier, Dee Durham, Penrose Hollins, Janet Kilpatrick, Timothy Sheldon, George Smiley, Jea Street, David Tackett, Brandon Toole, Monique Williams-Johns

Absent: Valerie George

R24-203 : PLAN OF STANTON CHRISTIANA INDUSTRIAL DEVELOPMENT; WHITE CLAY HUNDRED; WEST SIDE OF THE TERMINUS OF STANTON CHRISTIANA ROAD, SOUTHEAST OF INTERSTATE 95; MAJOR LAND DEVELOPMENT PLAN THAT PROPOSES A 442,530 SQUARE FOOT WAREHOUSE WITH ASSOCIATED IMPROVEMENTS; BP ZONING; [APPLICATION NO. 2022-0039](#); COUNCIL DISTRICT 1

Prime Sponsor(s): Mr. Toole

-It was moved by Mr. Toole and seconded by Mr. Tackett that Resolution 24-203 be read by title only and placed before Council for its consideration.

-Mr. Toole explained the resolution.

-Comments by Council: Mr. Caneco, Mr. Hollins, Mr. Carter, Ms. Williams-Johns, Ms. Kilpatrick.

-Pam Scott, applicant's attorney, responded to Mr. Hollins.

-Public comment: Dora Williams, Nancy Willing.

Resolution 24-203 -- Adopted

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

Not Voting: Kevin Caneco, Monique Williams-Johns

Absent: Valerie George

I. Consideration of Ordinances

**°24-161: AMENDING NEW CASTLE COUNTY CODE CHAPTER 6, ARTICLE 10
RELATING TO THE INTERNATIONAL ENERGY CONSERVATION CODE**

Prime Sponsor(s): Ms. Durham

- It was moved by Ms. Durham and seconded by Mr. Tackett that Substitute No. 1 to Ordinance 24-161 be read by title only and placed before Council for its consideration.
- Ms. Durham explained the substitution.
- Council held a lengthy discussion by Mr. Tackett, Ms. Durham, Mr. Carter, Ms. Kilpatrick, Mr. Smiley, and Mr. Hollins.
- Additional discussion by Council Attorney, Mr. Migliori, and General Manager Patibanda.
- Public Comments were made by Michael Oleck, John Erwin, Ann Kirby, Reed Roland, Valerie Lambuko, Nancy Willing, and Joseph Fitzgerald.

Substitute No. 1 to Ordinance 24-161 -- Adopted

Yes: Kevin Caneco, David Carter, John Cartier, Dee Durham, Penrose Hollins, Janet Kilpatrick, Timothy Sheldon, George Smiley, Jea Street, David Tackett, Brandon Toole, Monique Williams-Johns

Absent: Valerie George

**°24-162: AMEND THE GRANTS BUDGET: APPROPRIATE \$7,055.00 IN PROGRAM
INCOME TO THE ABSALOM JONES SENIOR CENTER RECREATION GRANT TO BE
ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF
COMMUNITY RESOURCES**

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

Co-sponsor(s): Mr. Toole

- It was moved by Mr. Hollins and seconded by Mr. Tackett that Ordinance 24-162 be read by title only and placed before Council for its consideration.
- Mr. Hollins explained the ordinance.
- Ms. Williams-Johns requested to be a co-sponsor.
- Comments by Mr. Toole and Mr. Street
- No Public Comment.

Ordinance 24-162 -- Adopted

Yes: Kevin Caneco, David Carter, John Cartier, Dee Durham, Penrose Hollins, Janet Kilpatrick, Timothy Sheldon, George Smiley, Jea Street, David Tackett, Brandon Toole, Monique Williams-Johns

Absent: Valerie George

**°24-163: AMEND THE GRANTS BUDGET: REALIGN \$444,662.67 IN FUNDS FROM THE
DEPARTMENT OF STATE, DELAWARE DIVISION OF LIBRARIES WITHIN THE FY2024 STATE
AID FOR LIBRARIES GRANT, WHICH IS ADMINISTERED BY THE DEPARTMENT OF
COMMUNITY SERVICES, DIVISION OF LIBRARIES**

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

- It was moved by Mr. Hollins and seconded by Mr. Tackett that Ordinance 24-163 be read by title only and placed before Council for its consideration.
- Mr. Hollins explained the ordinance.
- Comments by Mr. Smiley
- Public Comment by Mr. Bullock.

Ordinance 24-163 -- Adopted

Yes: Kevin Caneco, David Carter, John Cartier, Dee Durham, Penrose Hollins, Janet Kilpatrick, Timothy Sheldon, George Smiley, Jea Street, David Tackett, Brandon Toole, Monique Williams-Johns

Absent: Valerie George

**°24-164: AMEND THE GRANTS BUDGET: APPROPRIATE \$160,000 FROM THE STATE
OF DELAWARE FY2025 GRANT-IN-AID BILL TO THE FY2025 POLICE BEHAVIORAL HEALTH**

GRANT TO BE ADMINISTERED BY THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF POLICE

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

-It was moved by Mr. Cartier and seconded by Mr. Tackett that Ordinance 24-164 be read by title only and placed before Council for its consideration.

-No comments by Council.

-No Public Comment.

Ordinance 24-164 -- Adopted

Yes: Kevin Caneco, David Carter, John Cartier, Dee Durham, Penrose Hollins, Janet Kilpatrick, Timothy Sheldon, George Smiley, Jea Street, David Tackett, Brandon Toole, Monique Williams-Johns

Absent: Valerie George

°24-165: AMEND THE GRANTS BUDGET: APPROPRIATE \$40,000.00 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

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

-It was moved by Mr. Cartier and seconded by Mr. Tackett that Ordinance 24-165 be read by title only and placed before Council for its consideration.

-No comments by Council.

-No Public Comment.

Ordinance 24-165 -- Adopted

Yes: Kevin Caneco, David Carter, John Cartier, Dee Durham, Penrose Hollins, Janet Kilpatrick, Timothy Sheldon, George Smiley, Jea Street, David Tackett, Brandon Toole, Monique Williams-Johns

Absent: Valerie George

°24-166: AMEND THE GRANTS BUDGET: APPROPRIATE \$506,644.98 FROM THE STATE OF DELAWARE DEPARTMENT OF SAFETY AND HOMELAND SECURITY TO THE FY2025 FUNDS TO COMBAT VIOLENT CRIME GRANT FOR THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF POLICE

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

-It was moved by Mr. Cartier and seconded by Mr. Tackett that Ordinance 24-166 be read by title only and placed before Council for its consideration.

-No comments by Council.

-No Public Comment.

Ordinance 24-166 -- Adopted

Yes: Kevin Caneco, David Carter, John Cartier, Dee Durham, Penrose Hollins, Janet Kilpatrick, Timothy Sheldon, George Smiley, Jea Street, David Tackett, Brandon Toole, Monique Williams-Johns

Absent: Valerie George

°24-167: AMEND THE FY2025 APPROVED OPERATING BUDGET: APPROPRIATE UP TO \$880,000 FROM THE GENERAL FUND TAX STABILIZATION RESERVE ACCOUNT TO THE DEPARTMENT OF ADMINISTRATION, OFFICE OF LAW TO FUND ATTORNEY FEES AND LITIGATION EXPERT WITNESSES

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

-It was moved by Mr. Cartier and seconded by Mr. Tackett that Ordinance 24-167 be read by title only and placed before Council for its consideration.

-Mr. Cartier explained the ordinance and stated it requires a super majority vote.

-No comments by Council.

-No Public Comment.

Ordinance 24-167 -- Adopted

Yes: Kevin Caneco, David Carter, John Cartier, Dee Durham, Penrose Hollins, Janet Kilpatrick, Timothy Sheldon, George Smiley, Jea Street, David Tackett, Brandon Toole, Monique Williams-Johns.

Absent: Valerie George

°24-168: AMEND THE FY2025 APPROVED OPERATING BUDGET: APPROPRIATE FUNDING FROM THE NEW CASTLE COUNTY TECHNOLOGY FEE ACCOUNT WITHIN THE OFFICE OF THE RECORDER OF DEEDS AND RECORDER OF DEEDS TECHNOLOGY FEE ACCOUNT TO THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF EMERGENCY MEDICAL SERVICES FOR THE PURCHASE OF HANDTEVY

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

-It was moved by Mr. Cartier and seconded by Mr. Tackett that Ordinance 24-168 be read by title only and placed before Council for its consideration.

-No comments by Council.

-No Public Comment.

Ordinance 24-168 -- Adopted

Yes: Kevin Caneco, David Carter, John Cartier, Dee Durham, Penrose Hollins, Janet Kilpatrick, Timothy Sheldon, George Smiley, Jea Street, David Tackett, Brandon Toole, Monique Williams-Johns

Absent: Valerie George

°24-169: AMENDING NEW CASTLE COUNTY CODE CHAPTER 2 ("ADMINISTRATION") AND CHAPTER 14 ("FINANCE AND TAXATION") TO COMPENSATE CERTAIN MEMBERS OF COUNTY BOARDS, COMMITTEES, AND COMMISSIONS

Prime Sponsor(s): Ms. Durham

- It was moved by Ms. Durham and seconded by Mr. Tackett that Ordinance 24-169 be read by title only and placed before Council for its consideration.

- Ms. Durham commented on the ordinance

- Council comments by Ms. Kilpatrick and Mr. Hollins

- No public comment.

Ordinance 24-169 -- Adopted

Yes: Kevin Caneco, David Carter, John Cartier, Dee Durham, George Smiley, Jea Street, David Tackett, Brandon Toole.

No: Penrose Hollins, Janet Kilpatrick, Timothy Sheldon

Not Voting: Monique Williams-Johns

Absent: Valerie George

°24-170: AMENDING THE PAY PLANS AND RATES OF PAY FOR ELIGIBLE MEMBERS OF CERTAIN NEW CASTLE COUNTY BOARDS, COMMITTEES, AND COMMISSIONS

Prime Sponsor(s): Ms. Durham

-It was moved by Ms. Durham and seconded by Mr. Tackett that Ordinance 24-170 be read by title only and placed before Council for its consideration.

-Ms. Durham commented on the ordinance and called for the vote.

-No comments by Council.

-No public comment.

Ordinance 24-170 -- Adopted

Yes: Kevin Caneco, David Carter, John Cartier, Dee Durham, George Smiley, Jea Street, David Tackett, Brandon Toole, Monique Williams-Johns.

No: Penrose Hollins, Janet Kilpatrick, Timothy Sheldon

Absent: Valerie George

°24-171: AMEND THE FY2025 APPROVED OPERATING BUDGET: TRANSFER FUNDING FROM THE GRANTS AND FIXED CHARGES BUDGET LINE ITEM OF COUNTY COUNCIL TO THE MATERIALS AND SUPPLIES BUDGET LINE ITEM OF THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY RESOURCES TO PROVIDE FUNDING FOR THE SENIOR EMERGENCY FOOD VOUCHER PROGRAM

Prime Sponsor(s): Mr. Smiley

-It was moved by Mr. Smiley and seconded by Mr. Cartier that Ordinance 24-171 be read by title only and placed before Council for its consideration.

-No comments by Council.

-No Public Comment.

Ordinance 24-171 -- Adopted

Yes: Kevin Caneco, David Carter, John Cartier, Dee Durham, Penrose Hollins, Janet Kilpatrick, Timothy Sheldon, George Smiley, Jea Street, David Tackett, Brandon Toole, Monique Williams-Johns.

Absent: Valerie George

°24-173: TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 14 ("FINANCE AND TAXATION"), ARTICLE 6 ("EXEMPTION FROM REAL PROPERTY TAXATION"), SECTIONS 14.06.302 ("QUALIFICATIONS FOR AND AMOUNT OF ELDERLY EXEMPTION"), 14.06.303 ("QUALIFICATIONS FOR AND AMOUNT OF DISABILITY EXEMPTION"), 14.06.901 ("LANDFILL EXEMPTION"), AND 14.06.1103 ("FILING FREQUENCY"); AND CHAPTER 38 ("UTILITIES"), ARTICLE 2 ("SEWERS AND SEWAGE DISPOSAL"), SECTION 38.02.505 ("ESTIMATED EDU CHARGES AND MEASUREMENT OF WATER FOR CONSUMPTION CHARGES") REGARDING EXEMPTIONS

Prime Sponsor(s): Mr. Smiley

-It was moved by Mr. Smiley and seconded by Mr. Tackett that Ordinance 24-173 be read by title only and placed before Council for its consideration.

-Mr. Smiley moved to introduced Floor Amendment No. 1 to Ordinance 24-173, the motion was seconded by Mr. Tackett.

-Mr. Smiley read the amendment into the record and distributed a copy to Council.

-Mr. Smiley explained the floor amendment.

-No comments by Council.

-No public comment.

-Mr. Smiley asked for the vote.

Floor Amendment No. 1 to Ordinance 24-173 -- Adopted

Yes: Kevin Caneco, David Carter, John Cartier, Dee Durham, Penrose Hollins, Janet Kilpatrick, Timothy Sheldon, George Smiley, Jea Street, David Tackett, Brandon Toole, Monique Williams-Johns

Absent: Valerie George

Ordinance 24-173 as Amended by Floor Amendment No. 1

-It was moved by Mr. Smiley and seconded by Mr. Tackett that Floor Amendment No. 1 to Ordinance 24-173 be read by title only and placed before Council for its consideration.

-No comments by Council.

-No Public Comment.

-Mr. Smiley asked for the vote.

Ordinance 24-173 as Amended by Floor Amendment No.1 -- Adopted

Yes: Kevin Caneco, David Carter, John Cartier, Dee Durham, Penrose Hollins, Janet Kilpatrick, Timothy Sheldon, George Smiley, Jea Street, David Tackett, Brandon Toole, and Monique Williams-Johns.

Absent: Valerie George

°24-174: AMEND THE GRANTS BUDGET: APPROPRIATE \$147,509.12 IN ACTUAL PROGRAM INCOME AND \$150,000.00 IN ANTICIPATED PROGRAM INCOME TO THE

SUMMER RECREATION CAMPS GRANT

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

-It was moved by Mr. Hollins and seconded by Mr. Tackett that Ordinance 24-174 be read by title only and placed before Council for its consideration.

-No comments by Council.

-No public comment.

Ordinance 24-174 -- Adopted

Yes: Kevin Caneco, David Carter, John Cartier, Dee Durham, Penrose Hollins, Janet Kilpatrick, Timothy Sheldon, George Smiley, Jea Street, David Tackett, Brandon Toole, and Monique Williams-Johns.

Absent: Valerie George

°24-175: AMEND THE GRANTS BUDGET: APPROPRIATE ANTICIPATED FEDERAL FUNDS OF \$18,917,337 FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO THE SECTION 8 HOUSING CHOICE VOUCHERS – 2025 GRANT, WHICH WILL BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING

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

-It was moved by Mr. Hollins and seconded by Mr. Tackett that Ordinance 24-175 be read by title only and placed before Council for its consideration.

-Mr. Hollins explained the ordinance.

-No comments by Council.

-Public Comment by Dora Williams with response by Mr. Hollins.

Ordinance 24-175 -- Adopted

Yes: Kevin Caneco, David Carter, John Cartier, Dee Durham, Penrose Hollins, Janet Kilpatrick, Timothy Sheldon, George Smiley, Jea Street, David Tackett, Brandon Toole, and Monique Williams-Johns.

Absent: Valerie George

°24-176: AMEND THE GRANTS BUDGET: APPROPRIATE ANTICIPATED ADDITIONAL FEDERAL FUNDS OF \$615,000.00 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

-It was moved by Mr. Hollins and seconded by Mr. Tackett that Ordinance 24-176 be read by title only and placed before Council for its consideration.

-Mr. Hollins explained the ordinance.

-No comments by Council.

-No public comment.

Ordinance 24-176 -- Adopted

Yes: Kevin Caneco, David Carter, John Cartier, Dee Durham, Penrose Hollins, Janet Kilpatrick, Timothy Sheldon, George Smiley, Jea Street, David Tackett, Brandon Toole, and Monique Williams-Johns.

Absent: Valerie George

°24-177: TO AMEND THE PAY PLANS AND RATES OF PAY FOR CLASSIFIED SERVICE 35-HOUR WORKWEEK EMPLOYEES REPRESENTED BY THE DELAWARE PUBLIC EMPLOYEES COUNCIL 81, AFSCME, AFL-CIO, AFFILIATE LOCAL 1607 AND TO ADOPT NEW AND AMEND CLASS SPECIFICATIONS FOR LAND USE RELATED POSITIONS

Prime Sponsor(s): Ms. Williams-Johns

-It was moved by Ms. Williams-Johns and seconded by Mr. Carter that Ordinance 24-177 be read by title only and placed before Council for its consideration.

-No comments by Council.

-No public comment.

Ordinance 24-177 -- Adopted

Yes: Kevin Caneco, David Carter, John Cartier, Dee Durham, Penrose Hollins, Janet Kilpatrick, Timothy Sheldon, George Smiley, Jea Street, David Tackett, Brandon Toole, and Monique Williams-Johns.

Absent: Valerie George

°24-178 TO PROVIDE FOR THE INSTALLATION OF ARLINGTON STREET LIGHTS WITH LIGHT EMITTING DIODE (LED) BULBS (70 WATT EQUIVALENT) AND 8' POLE IN THE FOULKSTONE SUBDIVISION LOCATED IN THE BRANDYWINE HUNDRED AND FOR A LIGHT TAX BASED ON THE COST OF STREET LIGHTS

Prime Sponsor(s): Ms. Durham

-It was moved by Ms. Durham and seconded by Mr. Cartier that Ordinance 24-178 be read by title only and placed before Council for its consideration.

-No comments by Council.

-No public comment.

Ordinance 24-178 -- Adopted

Yes: Kevin Caneco, David Carter, John Cartier, Dee Durham, Penrose Hollins, Janet Kilpatrick, George Smiley, Jea Street, David Tackett, Brandon Toole, and Monique Williams-Johns

Absent: Valerie George, Timothy Sheldon

°24-033: COMPREHENSIVE REZONING - TO REVISE THE NEW CASTLE COUNTY ZONING MAPS IN COUNTY COUNCIL DISTRICT 2 REGARDING THE FOLLOWING TAX PARCELS: BRANDYWINE HUNDRED: 06-040.00-002 (0 CONCORD PIKE OFF, WOODLAWN TRUSTEES), 06-077.00-274 (0 CONCORD PIKE OFF, FIRST UNITARIAN CHURCH), 06-127.00-001 (742 ALAPOCAS DR, E I DUPONT DENEMOURS), 26-014.10-006 (1600 N PARK DR, ABESSINIO STADIUM)

Prime Sponsor(s): Ms. Durham

-It was moved by Ms. Durham and seconded by Mr. Tackett that Ordinance 24-033 be read by title only and placed before Council for its consideration.

-No comments by Council.

-No public comment.

Ordinance 24-033 -- Adopted

Poll Vote

Mr. Caneco – Yes, based on the positive recommendation from district councilwoman.

Mr. Carter – Yes, based on my discussions with the district councilwoman and the findings that these are compliant with Comprehensive Plan.

Mr. Cartier – Yes, based on the compliance of the Comprehensive Plan and support of the district council member.

Ms. Durham – Yes, as these do align with the Comprehensive Plan and the public's plan to downsize these properties.

Ms. George – Absent.

Mr. Hollins – Yes, in support of the Planning Board and the Department of Land Use.

Ms. Kilpatrick – Yes, based on the recommendation of Department of Land Use and the consistency of the Comprehensive Plan.

Mr. Sheldon – Yes, based upon the Planning Board and Land Use Department.

Mr. Smiley – Yes, based on the recommendation of the Land Use Department.

Mr. Street – Yes, based on recommendation from the Department of Land Use.

Mr. Tackett – I'm joining the Department of Land Use with their positive recommendation and I am voting yes.

Mr. Toole – Yes, based upon the recommendation of the Land Use Department and the Planning Board.

Ms. Williams-Johns – Yes, based on the Comprehensive Plan, Councilwoman Durham's recommendation, and Land Use Department.

°24-034: COMPREHENSIVE REZONING - TO REVISE THE NEW CASTLE COUNTY ZONING MAPS IN COUNTY COUNCIL DISTRICT 2 AND COUNTY COUNCIL DISTRICT 4

REGARDING THE FOLLOWING TAX PARCELS: CHRISTIANA HUNDRED: 07-030.20-015 (0 NEW BRIDGE RD)

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

-It was moved by Ms. Durham and seconded by Mr. Tackett that Ordinance 24-034 be read by title only and placed before Council for its consideration.

-Ms. Durham explained the ordinance.

-No comments by Council.

-No public comment.

Ordinance 24-034 -- Adopted

Poll Vote

Mr. Caneco – Yes, based upon positive recommendation of local councilwoman and local councilman.

Mr. Carter – Yes, based upon the recommendations of the council members and the findings that it is compliant with the Comprehensive Plan.

Mr. Cartier – Yes, based upon the compliance of the Comprehensive Plan and the two district members involved.

Ms. Durham – Yes, as it is in compliance with the Comprehensive Plan.

Ms. George – Absent.

Mr. Hollins – Yes, in support of the Land Use Department.

Ms. Kilpatrick – Yes, based on the recommendation of Land Use Department.

Mr. Sheldon – Yes, based on positive recommendation of the Land Use Department.

Mr. Smiley – Yes, based on the positive recommendation of the Land Use Department.

Mr. Street – Yes, based on recommendation of the Department of Land Use and compliance with the Comprehensive Plan.

Mr. Tackett – Yes, I'm joining the Department of Land Use with their positive recommendation, and I am voting yes.

Mr. Toole – Yes, based upon the recommendation of Land Use.

Ms. Williams-Johns – Yes, based on the information from Councilwoman Durham and Councilman Hollins.

°24-083: COMPREHENSIVE REZONING -TO REVISE THE NEW CASTLE COUNTY ZONING MAPS IN COUNTY COUNCIL DISTRICT 6 REGARDING THE FOLLOWING TAX PARCELS: APPOQUINIMINK HUNDRED: 14-010.00-002 (0 MIDDLETOWN WARWICK RD), 14-010.00-003 (0 STRAWBERRY LN), 14-010.00-009 (0 MIDDLETOWN WARWICK RD), 14-010.00-010 (1422 MIDDLETOWN WARWICK RD), 14-010.00-015 (0 STRAWBERRY LN), 14-010.00-016 (1352 MIDDLETOWN WARWICK RD), 14-010.00-017 (1330 MIDDLETOWN WARWICK RD, STARDEL INC), 14-010.00-018 (1280 MIDDLETOWN WARWICK RD), 14-010.00-026 (301 STRAWBERRY LN), 14-010.00-028 (0 MIDDLETOWN WARWICK RD, STARDEL INC), 14-010.00-032 (1416 MIDDLETOWN WARWICK RD, SHAHAN SUBDIVISION); PENCADER HUNDRED: 11-058.00-009 (4 TROOPERS WAY, SUMMIT AVIATION); ST GEORGES HUNDRED: 11-058.00-009 (4 TROOPERS WAY, SUMMIT AVIATION)

Prime Sponsor(s): Mr. Carter

-It was moved by Mr. Carter and seconded by Mr. Tackett that Ordinance 24-083 be read by title only and placed before Council for its consideration.

-Mr. Carter explained the ordinance.

-No comments by Council.

-No public comment.

Ordinance 24-083 -- Adopted

Poll Vote

Mr. Caneco – Yes, based upon positive recommendation from the local councilman.

Mr. Carter – Yes, having reviewed every one of them and find them compliant with the Comprehensive Plan.

Mr. Cartier – Yes, based upon the consistency of the Comp Plan and support of the district council person.

Ms. Durham – Yes, based upon the compliance of the Comprehensive Plan and support of the district council person.

Ms. George – Absent.

Mr. Hollins – Yes, based upon Department of Land Use recommendations.

Ms. Kilpatrick – Yes, based on the recommendation of Land Use Department and the compliance of the

Comprehensive Plan.

Mr. Sheldon – Yes, based on the positive recommendation of Land Use and the Planning Board.

Mr. Smiley – Yes, based on positive recommendation of the Land Use Department.

Mr. Street – Yes, based upon recommendation of the Department of Land Use.

Mr. Tackett – Yes, I'll be joining the Department of Land Use with their positive recommendation, and I am voting yes.

Mr. Toole – Yes, based upon the recommendation of the Land Use Department.

Ms. Williams-Johns – Yes, based on the recommendation of Land Use and Councilman Carter's recommendation.

SUBSTITUTE NO. 1 TO °24-137: TO AMEND NEW CASTLE COUNTY CODE CHAPTER 40 ("UNIFIED DEVELOPMENT CODE" OR "UDC"), ARTICLE 3 ("USE REGULATIONS"), ARTICLE 4 ("DISTRICT AND BULK STANDARDS"), ARTICLE 5 ("SITE CAPACITY AND CONCURRENCY CALCULATIONS"), ARTICLE 7 ("TRANSFER OF DEVELOPMENT RIGHTS AND OTHER INCENTIVES AND BONUSES"), ARTICLE 20 ("SUBDIVISION AND LAND DEVELOPMENT DESIGN PRINCIPLES"), ARTICLE 25 ("DESIGN"), ARTICLE 26 ("MODIFICATION OF STANDARDS"), AND ARTICLE 33 ("DEFINITIONS"), REGARDING EQUITABLE AFFORDABLE HOUSING OPPORTUNITIES AND POCKET NEIGHBORHOODS

Prime Sponsor(s): Mr. Hollins

Co-sponsor(s): Ms. Kilpatrick, Mr. Cartier, Ms. Williams-Johns, Ms. George

-It was moved by Mr. Hollins and seconded by Mr. Tackett that Substitute No. 1 to Ordinance 24-137 be read by title only and placed before Council for its consideration.

Floor Amendment to Substitute No. 1 to Ordinance 24-137

-Mr. Carter moved to introduce Floor Amendment No. 1 to Substitute No. 1 to Ordinance 24-137, the motion was seconded by Mr. Caneco.

-Mr. Carter explained Floor Amendment No. 1.

-Council discussion and comments made by Ms. Kilpatrick, Mr. Hollins, Mr. Street, Mr. Caneco, Ms. Durham, Mr. Carter, and General Manager Patibanda.

-Public comment: Doris Williams, Rob Bullock, Michael Oleck, Fred Mitsdarfer, Kevin Smith.

-Mr. Carter called for the vote.

Floor Amendment to Substitute No. 1 to Ordinance 24-137-- Defeated

Yes: Kevin Caneco, David Carter, Dee Durham.

No: John Cartier, Penrose Hollins, Janet Kilpatrick, Timothy Sheldon, George Smiley, Jea Street, David Tackett, Brandon Toole, Monique Williams-Johns.

Absent: Valerie George

Floor Amendment No. 2 to Substitute No. 1 to Ordinance 24-137

-Mr. Hollins introduced Floor Amendment No. 2 to Substitute No. 1 to Ordinance 24-137, seconded by Mr. Tackett.

-Mr. Hollins explained the change to be made to the original Substitute No. 1 to Ordinance 24-137 (Line 167 -delete the word may and replaced it with not.

-No comments by Council.

-No Public Comment.

-Approved by voice vote.

Substitute No. 1 to Ordinance 24-137 as amended by Floor Amendment 2

-It was moved by Mr. Hollins and seconded by Mr. Tackett that Substitute No. 1 to Ordinance 24-137 as amended by Floor Amendment 2 be read by title only and placed before Council for its consideration.

-Mr. Hollins called for a vote.

Substitute No. 1 to Ordinance 24-137 as amended by Floor Amendment No. 2 -- Adopted

Yes: Kevin Caneco, John Cartier, Dee Durham, Penrose Hollins, Janet Kilpatrick, Timothy Sheldon, George Smiley, Jea Street, David Tackett, Brandon Toole, Monique Williams-Johns

No: David Carter

Absent: Valerie George

°24-138: TO AMEND NEW CASTLE COUNTY CODE CHAPTER 40 ("UNIFIED DEVELOPMENT CODE" OR "UDC"), ARTICLE 3 ("USE REGULATIONS"), AND ARTICLE 33 ("DEFINITIONS"), REGARDING MARIJUANA CULTIVATION FACILITIES, MARIJUANA

PRODUCT MANUFACTURING FACILITIES, AND RETAIL MARIJUANA STORES

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

-It was moved by Ms. Kilpatrick and seconded by Mr. Carter that Ordinance 24-138 be read by title only and placed before Council for its consideration.

Floor Amendment No. 1 to Ordinance 24-138

-Ms. Kilpatrick introduced Floor Amendment No. 1 to Ordinance 24-138, seconded by Mr. Tackett.

-Ms. Kilpatrick explained the floor amendment and the changes.

-Council comments made by Mr. Hollins, Mr. Street, and Mr. Toole.

-Public Comment by Rob Bullock with response by Ms. Kilpatrick and Mr. Smiley.

Floor Amendment No. 1 to Ordinance 24-138- Adopted

Yes: Kevin Caneco, David Carter, John Cartier, Dee Durham, Penrose Hollins, Janet Kilpatrick, Timothy Sheldon, George Smiley, David Tackett, and Brandon Toole

Not Voting: Jea Street, Monique Williams-Johns

Absent: Valerie George

Ordinance 24-138 as amended by Floor Amendment No. 1

-It was moved by Ms. Kilpatrick and seconded by Mr. Tackett that Ordinance 24-138 as amended by Floor Amendment No. 1 be read by title only and placed before Council for its consideration.

-Ms. Kilpatrick called for the vote.

Ordinance 24-138 as amended by Floor Amendment No. 1 -- Adopted

Yes: Kevin Caneco, David Carter, John Cartier, Dee Durham, Janet Kilpatrick, Timothy Sheldon, George Smiley, David Tackett, Brandon Toole

No: Penrose Hollins, Jea Street

Not Voting: Monique Williams-Johns

Absent: Valerie George

SUBSTITUTE NO. 1 TO °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, Mr. Caneco

-A motion was made by Ms. Durham, seconded by Mr. Cartier to lift Substitute No. 1 to Ordinance 24-008 from the table; and approved by voice vote.

-It was moved by Ms. Durham and seconded by Mr. Carter that Substitute No. 1 to Ordinance 24-008 be read by title only and placed before Council for its consideration.

-Ms. Durham explained the substitute ordinance.

-Council comments were made by Mr. Smiley, Ms. Durham, Mr. Carter, Mr. Hollins, Mr. Caneco, Mr. Street, Mr. Cartier, Ms. Kilpatrick, Ms. Williams-Johns, and General Manager Patibanda.

-Public Comment were made by Mike Oleck, Dale Swain, Fred Mitsdarfer, Rob Bullock, John Erwin, and Nancy Willing

-Ms. Durham called for the vote, seconded by Mr. Smiley.

Substitute No.1 to Ordinance 24-008 -- Adopted

Yes: Kevin Caneco, David Carter, John Cartier, Dee Durham, George Smiley, David Tackett, Brandon Toole

No: Penrose Hollins, Jea Street

Not Voting: Janet Kilpatrick, Timothy Sheldon, Monique Williams-Johns

Absent: Valerie George

J. Time Sensitive Congratulatory/Honorary Resolutions**R24-206: HONORING THE LIFE OF BARBARA JEAN (SHERIDAN) FOXX**

Prime Sponsor(s): Ms. Williams-Johns

-It was moved by Ms. Williams-Johns and seconded by Ms. Kilpatrick that Resolution 24-206 be read by title only and placed before Council for its consideration.

- Ms. Hill read the resolution into the record.
- No comments by Council.
- No Public Comment.

Resolution 24-206 -- Adopted

Yes: Kevin Caneco, David Carter, John Cartier, Dee Durham, Janet Kilpatrick, Timothy Sheldon, George Smiley, Jea Street, David Tackett, Brandon Toole, Monique Williams-Johns.

No: Penrose Hollins

Absent: Valerie George

A motion was made by Mr. Hollins seconded by Mr. Sheldon to suspend the rule to change his vote to yes. The motion was approved.

Amended Vote on Resolution 24-206 -- Adopted

Yes Kevin Caneco, David Carter, John Cartier, Dee Durham, Penrose Hollins, Janet Kilpatrick, Timothy Sheldon, George Smiley, Jea Street, David Tackett, Brandon Toole, and Monique Williams-Johns.

Absent: Valerie George

K. Introduction/Consideration of Emergency Ordinances

- None

L. Public Comment/Other

- Mr. Smiley made some comment is for the good of the council. He asked Council to try and be more punctual in submitting agenda items to reduce agenda revisions. Mr. Carter noted that he would work on a rule change.
- Mr. Street stated that Council follow the rule when under Public Comment and not have a discussion and back and forth dialogue which delays the meeting.
- Mr. Street discussed the City of Wilmington response to complaints regarding the homeless people surround an Episcopal Church in District 10.
- Ms. Williams-Johns thanked constituents who listened and participated in Council.

M. Motion to Adjourn

- A motion was made by Mr. Smiley, seconded by Mr. Carter to adjourn the meeting. The meeting was adjourned at 10:50 p.m.