

**REGULAR MEETING OF THE NEW CASTLE COUNTY COUNCIL
VIRTUAL ZOOM WEBINAR MEETING**

MINUTES

Tuesday, March 23, 2021

- A.** The meeting was called to order by President Hartley-Nagle at 6:30 p.m. A moment of silence was recognized; members of Council performed the Pledge of Allegiance.

Roll Call

Present

William J. Bell
David Carter
John J. Cartier
Elisa Diller
Dee Durham
Karen Hartley-Nagle
Penrose Hollins
Janet T. Kilpatrick
Timothy P. Sheldon
George Smiley
Jea P. Street
David L. Tackett
Kenneth R. Woods

B. Approval of Minutes:

- Councilman Smiley moved to approve the March 9, 2021 council meeting minutes, it was seconded by Councilman Bell, and all were in favor.

C. Announcements:

- Councilman Hollins announced that, at the appropriate time, he will move to go out of order for the purpose of making a presentation.

D. Introduction of Ordinances:

°21-025: AMEND THE GRANTS BUDGET: REALIGN \$495,285.00 IN FEDERAL FUNDS WITHIN THE SPECIAL COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM DESIGNATED AS CDBG-CARES ACT ROUND III, WHICH IS ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES. Introduced by: Mr. Hollins, Ms. Diller

°21-026: AMEND THE GRANTS BUDGET: REALIGN \$158,296 FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT IN THE SPECIAL EMERGENCY SOLUTIONS GRANT (ESG) PROGRAM DESIGNATED AS ESG-CVII WHICH IS ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES. Introduced by: Mr. Hollins, Ms. Diller

°21-027: AMEND THE GRANTS BUDGET: APPROPRIATE FUNDING FROM THE COUNTY COUNCIL FY2021 APPROVED OPERATING BUDGET TO THE 2021 NEW CASTLE COUNTY SUMMER YOUTH EMPLOYMENT GRANT, WHICH IS ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES. Introduced by: Mr. Hollins, Mr. Street, Mr. Smiley

°21-028: AMEND THE FY2021 APPROVED OPERATING BUDGET: APPROPRIATE FUNDING FROM THE GRANTS AND FIXED CHARGES BUDGET LINE ITEM OF COUNTY COUNCIL TO THE 2021 NEW CASTLE COUNTY SUMMER YOUTH EMPLOYMENT PROGRAM GRANT. Introduced by: Mr. Hollins, Mr. Street, Mr. Smiley

°21-029: AMEND THE PAY PLAN AND RATES OF PAY FOR CLASSIFIED SERVICE SWORN DEPUTY SHERIFFS REPRESENTED BY THE FRATERNAL ORDER OF POLICE, NEW CASTLE COUNTY LODGE NO. 5. Introduced by: Ms. Hartley-Nagle

°21-030: TO PROVIDE FOR THE INSTALLATION OF GRANVILLE WITH RIBS STREET LIGHTS WITH HIGH PRESSURE SODIUM (HPS) BULBS IN THE BAYMONT FARMS SUBDIVISION LOCATED IN THE ST GEORGES HUNDRED AND FOR A LIGHT TAX BASED ON THE COST OF STREET LIGHTS. Introduced by: Mr. Bell

°21-031: TO PROVIDE FOR THE INSTALLATION OF GRANVILLE WITH RIBS STREET LIGHTS WITH HIGH PRESSURE SODIUM (HPS) BULBS IN THE VILLAGE AT PINE VIEW SUBDIVISION LOCATED IN THE PENCADER HUNDRED AND FOR A LIGHT TAX BASED ON THE COST OF STREET LIGHTS. Introduced by: Mr. Tackett

°21-032: TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 2 (“ADMINISTRATION”), ARTICLE 2 (“COUNTY COUNCIL”) TO CREATE A NEW EXCEPTION TO THE APPROVAL OF CONTRACTS BY COUNTY COUNCIL RELATED TO CHARGES FOR UTILITIES SUCH AS SEWER, WATER, ELECTRICITY, GAS, CABLE AND LANDFILL. Introduced by: Mr. Smiley

°21-033: TO PROVIDE AMNESTY FROM PENALTY FOR HOMEOWNERS WHO PAY DELINQUENT TAX OBLIGATIONS ON IMPROVED RESIDENTIAL PROPERTY BY JUNE 25, 2021. Introduced by: Mr. Sheldon, Ms. Kilpatrick

°21-034: AMENDING *NEW CASTLE COUNTY CODE* CHAPTER 14 (“FINANCE AND TAXATION”), SECTION 14.01.007. REGARDING FISCAL NOTES. Introduced by: Mr. Carter

°21-035: REVISE ZONING MAP: WHITE CLAY CREEK HUNDRED, SOUTHWESTERLY CORNER OF CHURCHMANS ROAD AND GOODING DRIVE; 665 CHURCHMANS ROAD, TAX PARCEL NO. 09-019.00-029, 0.48 ACRES FROM NC 6.5 (NEIGHBORHOOD CONSERVATION) TO ON (OFFICE NEIGHBORHOOD) AND AMEND THE 2012 COMPREHENSIVE DEVELOPMENT PLAN CONSISTENT THEREWITH. (The purpose of the Site Plan and Rezoning for 665 Churchmans Road is to rezone the 0.48 acres to ON (Office Neighborhood) to reflect the historical and existing office use of the parcel. 2020-0712-S/Z.) Introduced by: Mr. Woods

°21-036: TO AMEND THE 2012 COMPREHENSIVE DEVELOPMENT PLAN UPDATE FOR NEW CASTLE COUNTY TO ESTABLISH A NEW COMMUNITY MASTER PLAN ELEMENT AND AMEND THE SEWER SERVICE AREA MAP AND FUTURE LAND USE MAP FOR SPECIFIC COMMUNITY MASTER PLAN AREAS. Introduced by: Mr. Cartier, Ms. Durham, Mr. Smiley, Ms. Kilpatrick

E. Reports from Select and Special Committees:

- Councilman Smiley reported that the Finance Committee met on 3/23/21 and discussed items on tonight’s agenda and reviewed grant requests.
- Councilwoman Diller reported that the Community Services Committee met on 3/23/21 and discussed items to be on the April 13th Council agenda, discussed National Health Corps Delaware, and received updates on the Youth Workforce Development and the reopening of libraries.

F. Consent Calendar:

R21-035: CONGRATULATING THE FOOD BANK OF DELAWARE ON THEIR 40TH ANNIVERSARY. Introduced by: Mr. Tackett, All of Council

R21-036: CONGRATULATING AND COMMENDING MASTER CORPORAL CHERYL ANDREWS ON HER RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT. Introduced by: Mr. Bell, Mr. Street

R21-037: CONGRATULATING AND COMMENDING MASTER CORPORAL DANIEL CAMILLI ON HIS RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT. Introduced by: Mr. Bell, Mr. Street

R21-038: CONGRATULATING AND COMMENDING MASTER CORPORAL DAVID CAJUSTE ON HIS RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT. Introduced by: Mr. Bell, Mr. Street

R21-039: CONGRATULATING AND COMMENDING MASTER CORPORAL JOSEPH KRAJEWSKI ON HIS RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT. Introduced by: Mr. Bell, Mr. Street

R21-040: CONGRATULATING AND COMMENDING MASTER CORPORAL MARK GRAJEWSKI ON HIS RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT. Introduced by: Mr. Bell, Mr. Street

R21-041: CONGRATULATING AND COMMENDING MASTER CORPORAL RICHARD SIGMUND ON HIS RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT. Introduced by: Mr. Bell, Mr. Street

R21-042: CONGRATULATING AND COMMENDING MASTER CORPORAL STEVEN DONAHUE ON HIS RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT. Introduced by: Mr. Bell, Mr. Street

R21-043: CONGRATULATING AND COMMENDING MASTER CORPORAL THOMAS DONOVAN ON HIS RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT. Introduced by: Mr. Bell, Mr. Street

R21-044: CONGRATULATING AND COMMENDING SENIOR LIEUTENANT FRED CALHOUN ON HIS RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT. Introduced by: Mr. Bell, Mr. Street

R21-045: CONGRATULATING AND COMMENDING SENIOR SERGEANT CATERINA IERADI ON HER RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT. Introduced by: Mr. Bell, Mr. Street

R21-046: CONGRATULATING AND COMMENDING SENIOR SERGEANT CHARLES "BUCKY" SAYERS ON HIS RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT. Introduced by: Mr. Bell, Mr. Street

R21-047: CELEBRATING AND HONORING THE LIFE OF BEVERLY B. WRIGHT AND EXPRESSING CONDOLENCES TO HER FAMILY AND FRIENDS. Introduced by: Mr. Cartier
Consent Calendar

Yes: Bell, Carter, Cartier, Diller, Durham, Hartley-Nagle, Hollins, Kilpatrick, Sheldon, Smiley, Street, Tackett, Woods

G. Presentations: None

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

R21-048: AUTHORIZING THE COUNTY EXECUTIVE TO SIGN THE COLLECTIVE BARGAINING AGREEMENT WITH THE SWORN DEPUTY SHERIFFS REPRESENTED BY THE FRATERNAL ORDER OF POLICE, NEW CASTLE COUNTY LODGE NO. 5. Introduced by: Ms. Hartley-Nagle

--It was moved and seconded that R21-048 be read by title only and placed before Council for its consideration.

Resolution 21-048—Adopted

Yes: Bell, Carter, Cartier, Diller, Durham, Hartley-Nagle, Hollins, Kilpatrick, Sheldon, Smiley, Street, Tackett, Woods

R21-049: AUTHORIZING THE COUNTY EXECUTIVE TO SIGN A MEMORANDUM OF UNDERSTANDING #22-004 BETWEEN STATE OF DELAWARE, DEPARTMENT OF HEALTH AND SOCIAL SERVICES, DIVISION OF PUBLIC HEALTH AND NEW CASTLE COUNTY TO ENFORCE DELAWARE DOG CONTROL AND DANGEROUS DOG STATUTES. Introduced by: Mr. Bell, Mr. Street

--It was moved and seconded that R21-049 be read by title only and placed before Council for its consideration.

Resolution 21-049—Adopted

Yes: Bell, Carter, Cartier, Diller, Durham, Hartley-Nagle, Hollins, Kilpatrick, Sheldon, Street, Tackett, Woods

No: Smiley

R21-050: APPROVING THE REFUND OF A DUPLICATE TAX PAYMENT ON 33 MARROWS ROAD, TAX PARCEL NUMBER 11-002.401-55. Introduced by: Mr. Smiley, Mr. Cartier, Ms. Diller

--It was moved and seconded that R21-050 be read by title only and placed before Council for its consideration.

Resolution 20-050—Adopted

Yes: Bell, Carter, Cartier, Diller, Durham, Hartley-Nagle, Hollins, Kilpatrick, Sheldon, Smiley, Street, Tackett, Woods

R21-051: TO RENAME THE APARTMENT COMPLEX RECORDED AS "EAST POINTE APARTMENTS," TAX PARCEL NUMBER 06-096.00-078, AN APARTMENT COMPLEX LOCATED ON THE EAST SIDE OF PHILADELPHIA PIKE, APPROXIMATELY 500 FEET NORTH OF HILLSIDE ROAD, to "HILLSIDE POINTE APARTMENTS;" Application No. 2021-0103; COUNCIL DISTRICT 8. Introduced by: Mr. Cartier

--It was moved and seconded that R21-051 be read by title only and placed before Council for its consideration.

Resolution 20-051—Adopted

Yes: Bell, Carter, Cartier, Diller, Durham, Hartley-Nagle, Hollins, Kilpatrick, Sheldon, Smiley, Street, Tackett, Woods

R21-052: TO RENAME THE APARTMENT COMPLEX RECORDED AS "CHRISTIANA COURT," TAX PARCEL NUMBER 07.046-10-160, AN APARTMENT COMPLEX LOCATED ON THE SOUTHEASTERLY SIDE OF W. NEWPORT PIKE AND TOLLIVER DRIVE, to "CHRISTIANA POINTE;" Application No. 2021-0126; COUNCIL DISTRICT 1. Introduced by: Mr. Woods

--It was moved and seconded that R21-052 be read by title only and placed before Council for its consideration.

Resolution 20-052—Adopted

Yes: Bell, Carter, Cartier, Diller, Durham, Hartley-Nagle, Hollins, Kilpatrick, Sheldon, Smiley, Street, Tackett, Woods

I. Consideration of Ordinances:

°21-020: AMEND THE FY2021 APPROVED OPERATING BUDGET: TRANSFER \$5,000 FROM THE GRANTS AND FIXED CHARGES BUDGET LINE ITEM OF COUNTY COUNCIL TO THE MATERIAL AND SUPPLIES BUDGET LINE OF THE NEW CASTLE COUNTY DEPARTMENT OF PUBLIC WORKS. Introduced by: Mr. Smiley

--It was moved and seconded that °21-020 be read by title only and placed before Council for its consideration.

Ordinance 21-020—Adopted

Yes: Bell, Carter, Cartier, Diller, Durham, Hartley-Nagle, Hollins, Kilpatrick, Sheldon, Smiley, Street, Tackett, Woods

°21-021: TO PROVIDE FOR THE INSTALLATION OF GRANVILLE STREET LIGHTS WITH HIGH PRESSURE SODIUM (HPS) BULBS IN THE VALLEY GROVE SUBDIVISION LOCATED IN THE MILL CREEK HUNDRED AND FOR A LIGHT TAX BASED ON THE COST OF STREET LIGHTS. Introduced by: Ms. Kilpatrick

--It was moved and seconded that °21-021 be read by title only and placed before Council for its consideration.

Ordinance 21-021—Adopted

Yes: Bell, Carter, Cartier, Diller, Durham, Hartley-Nagle, Hollins, Kilpatrick, Sheldon, Smiley, Street, Tackett, Woods

°21-022: AMEND THE GRANTS BUDGET: APPROPRIATE \$72,411.09 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) – FY2021 OVERTIME AND TRAINING GRANT, TO BE ADMINISTERED BY THE DEPARTMENT OF PUBLIC SAFETY. Introduced by: Mr. Bell, Mr. Street

--It was moved and seconded that °21-022 be read by title only and placed before Council for its consideration.

Ordinance 21-022—Adopted

Yes: Bell, Carter, Cartier, Diller, Durham, Hartley-Nagle, Kilpatrick, Sheldon, Smiley, Tackett, Woods

Present: Hollins, Street

°21-023: AMEND THE GRANTS BUDGET: APPROPRIATE \$26,000.00 FROM THE STATE OF DELAWARE, DEPARTMENT OF JUSTICE–SPECIAL LAW ENFORCEMENT ASSISTANCE FUND (SLEAF) TO THE SLEAF – 3 DAY VIRTUAL INSTRUCTOR TRAINING GRANT, TO BE ADMINISTERED BY THE DEPARTMENT OF PUBLIC SAFETY. Introduced by: Mr. Bell, Mr. Street

--It was moved and seconded that °21-023 be read by title only and placed before Council for its consideration.

Ordinance 21-023—Adopted

Yes: Bell, Carter, Cartier, Diller, Durham, Hartley-Nagle, Kilpatrick, Sheldon, Smiley, Tackett, Woods

Present: Hollins, Street

J. Time Sensitive Congratulatory/Honorary Resolutions:

R21-053: HONORING THE LIFE AND LEGACY OF JOSEPH R. LAKE, JR. Introduced by: Ms. Kilpatrick

--It was moved and seconded that R21-053 be read by title only and placed before Council for its consideration.

Resolution 20-053—Adopted

Yes: Bell, Carter, Cartier, Diller, Durham, Hartley-Nagle, Hollins, Kilpatrick, Sheldon, Smiley, Street, Tackett, Woods

R21-054: RECOGNIZING APRIL 11– APRIL 17, 2021 AS “BLACK MATERNAL HEALTH WEEK.” Introduced by: Ms. Hartley-Nagle

--It was moved and seconded that R21-054 be read by title only and placed before Council for its consideration.

Resolution 20-054—Adopted

Yes: Bell, Carter, Cartier, Diller, Durham, Hartley-Nagle, Hollins, Kilpatrick, Sheldon, Smiley, Street, Tackett, Woods

R21-055: HONORING THE LIFE OF VIOLA R. LOFINK AND EXPRESSING CONDOLENCES TO HER FAMILY AND FRIENDS. Introduced by: Ms. Hartley-Nagle, Mr. Bell, Mr. Carter, Mr. Cartier, Ms. Diller, Ms. Durham, Mr. Hollins, Ms. Kilpatrick, Mr. Sheldon, Mr. Smiley, Mr. Street, Mr. Tackett, Mr. Woods

--It was moved and seconded that R21-055 be read by title only and placed before Council for its consideration.

--Public comment: Lisa Hanson

Resolution 20-055—Adopted

Yes: Bell, Carter, Cartier, Diller, Durham, Hartley-Nagle, Hollins, Kilpatrick, Sheldon, Smiley, Street, Tackett, Woods

R21-056: RECOGNIZING ELITE MISS DELAWARE MALIKA YATES FOR HER PERFORMANCE AND AWARDS RECEIVED AT THE MISS EARTH USA 2021 PAGEANT AND CELEBRATING HER COMMITMENT AND DEDICATION TO PROTECTING THE ENVIRONMENT. Introduced by: Ms. Hartley-Nagle, Ms. Durham, Mr. Cartier

--It was moved and seconded that R21-056 be read by title only and placed before Council for its consideration.

Resolution 20-056—Adopted

Yes: Bell, Carter, Cartier, Diller, Durham, Hartley-Nagle, Hollins, Kilpatrick, Sheldon, Smiley, Street, Tackett, Woods

R21-057: RECOGNIZING AND HONORING THE STRUGGLES, CONTRIBUTIONS AND ACHIEVEMENTS OF WOMEN IN AMERICAN HISTORY AND CELEBRATING MARCH AS WOMEN'S HISTORY MONTH. Introduced by: Ms. Hartley-Nagle

--It was moved and seconded that R21-057 be read by title only and placed before Council for its consideration.

Resolution 20-057—Adopted

Yes: Bell, Carter, Cartier, Diller, Durham, Hartley-Nagle, Hollins, Kilpatrick, Sheldon, Smiley, Street, Tackett, Woods

K. Introduction/Consideration of Emergency Ordinances: None

L. Public Comment/Other:

- Sue Moore spoke regarding Councilman Carter's requests during the earlier Finance committee meeting.
- Lisa Hanson spoke regarding second-hand smoke in multi-family buildings.
- Councilman Bell spoke to honor the County's public safety employees.
- Councilman Hollins spoke to recognize the County employees nominated for the Jefferson Awards.

M. Motion to Adjourn:

There being no further testimony, a motion was made by Councilman Smiley to adjourn, it was seconded by Councilwoman Kilpatrick, and the meeting was adjourned at 7:24 pm.

A recording of the meeting is available upon request.

Respectfully submitted by Anthony deFiore, Legislative Assistant.