



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

**MINUTES**

**Tuesday, September 14, 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:**

Mr. Smiley moved to approve the August 31, 2021 council meeting minutes, it was seconded, and all were in favor.

**C. Announcements:**

Mr. Smiley stated Ordinance 21-091 will remain tabled.

Ms. Durham stated Substitute No. 1 to Ordinance 21-094 will remain tabled.

**D. Introduction of Ordinances**

°21-105: AMEND THE FY2022 CAPITAL PROGRAM AND BUDGET: APPROPRIATE \$75,000 FROM THE NEW CASTLE COUNTY TECHNOLOGY FEE ACCOUNT WITHIN THE OFFICE OF THE RECORDER OF DEEDS AND \$100,000 FROM THE RECORDER OF DEEDS TECHNOLOGY FEE ACCOUNT TO THE DEPARTMENT OF ADMINISTRATION, HUMAN RESOURCES SCANNING CAPITAL PROJECT. Introduced by: Mr. Smiley, Mr. Cartier

°21-106: AMEND THE GRANTS BUDGET: APPROPRIATE \$28,350.05 IN PROGRAM INCOME TO THE SENIOR HOME REPAIR PROGRAM GRANT, WHICH IS

ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING. Introduced by: Mr. Hollins, Ms. Diller

°21-107: AMEND THE FY2022 APPROVED SEWER FUND OPERATING BUDGET: APPROPRIATE \$2,460,000 OF SEWER RATE STABILIZATION RESERVE TO THE DEPARTMENT OF PUBLIC WORKS, SEWER FUND DIVISION OF ENVIRONMENTAL COMPLIANCE CONTRACTUAL SERVICES BUDGET LINE ITEM TO FUND LEGAL FEES. Introduced by: Mr. Sheldon, Mr. Woods

## **E. Reports from Select and Special Committees**

### Public Works - Mr. Woods

- They met and received updates on Forestry Contracts and vacancies in the dept., discussed a resolution regarding an impact fee pertaining to open space & land preservation, and they received an update on the efforts to address the flooding in & around the county after hurricane Ida.

### Land Use - Ms. Kilpatrick

- They met and discussed a senior living plan in the Hockessin area, and technology features using chat.

### Executive - Mr. Hollins

- They met and discussed a Pay Plan, and had a discussion on the REASSESSMENT PROCESS BY TYLER TECHNOLOGIES

### Public Safety - Ms. Hartley-Nagle

- They met and amended the FY2022 capital program and budget (°21-096)., authorized the issuance of \$1,200,000 in general obligation bonds (°21-097)., amended the grants budget (°21-098)., amended the grants budget (°21-099).,
- Had a demonstration on the NCCPD Axon Virtual Reality, received an update on EMS and 911 Communications Recruitment.
- Discussed the Public Safety open house and the participation/payment with Council, Cops and Coffee.

### Finance - Mr. Cartier

- Discussed Resolutions and Ordinances (R21-159, 21-100, °21-101, °21-102, °21-104)
- Discussed NCC Council grant requests & community events.

## **F. Consent Calendar**

None

## **G. Presentations**

None

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

R21-159: AUTHORIZING THE REALIGNMENT OF \$15,000,000 WITHIN THE GRANTS BUDGET, CORONAVIRUS RELIEF FUND GRANT FROM GRANTS/FIXED CHARGES TO SALARIES/WAGES AND EMPLOYEE BENEFITS FOR EMPLOYEES SUBSTANTIALLY DEDICATED TO MITIGATING OR RESPONDING TO THE COVID-19 PUBLIC HEALTH EMERGENCY. Introduced by: Mr. Smiley, Mr. Cartier

--It was moved and seconded that R21-159 be read by title only and placed before Council for its consideration.

Resolution 21-159—Adopted

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

R21-160: URGING THE NEW CASTLE COUNTY ADMINISTRATION TO INCLUDE AN IMPACT FEE FOR OPEN SPACE/LAND PRESERVATION IN ITS UPCOMING 2021 IMPACT FEE STUDY OR TO OTHERWISE CREATE A REVENUE STREAM FOR THE PRESERVATION OF OPEN SPACE AND AGRICULTURAL LAND IN NEW CASTLE COUNTY. Introduced by: Ms. Kilpatrick, Mr. Sheldon

--It was moved and seconded that R21-160 be read by title only and placed before Council for its consideration.

Resolution 21-160—Adopted

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

1 No: Street

R21-161: PLAN OF HARMONY AT HOCKESSIN SENIOR LIVING – LANCASTER PIKE; MILL CREEK HUNDRED; NORTHWESTERLY SIDE OF LANCASTER PIKE AND VALLEY ROAD; MAJOR LAND DEVELOPMENT PLAN THAT PROPOSES TO CONSTRUCT A 189,900 SQUARE FOOT SENIOR LIVING FACILITY WITH ASSOCIATED SITE IMPROVEMENTS; S ZONING; APPLICATION NO. 2020-0159-S; COUNCIL DISTRICT 3. Introduced by: Ms. Kilpatrick

• Supporting Documents: o Land Use Memorandum

o Plan of Harmony at Hockessin Senior Living

--It was moved and seconded that R21-161 be read by title only and placed before Council for its consideration.

Resolution 21-161—Adopted

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

## **I. Consideration of Ordinances**

°21-095: AMEND THE PAY PLAN AND RATES OF PAY FOR CLASSIFIED SERVICE MANAGERS AND ADMINISTRATORS AND THE PAY PLAN AND RATES OF PAY FOR CLASSIFIED SERVICE PROFESSIONAL EMPLOYEES REPRESENTED BY THE DELAWARE PUBLIC EMPLOYEES COUNCIL 81, AFSCME, AFFILIATE LOCAL 3109. Introduced by: Ms. Hartley-Nagle

--It was moved and seconded that °21-095 be read by title only and placed before Council for its consideration.

Ordinance 21-095—Adopted

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

°21-096: AMEND THE FY2022 CAPITAL PROGRAM AND BUDGET: INCREASE BOND AUTHORIZATIONS \$1,200,000 AND AUTHORIZATIONS FROM THE STATE OF DELAWARE \$3,250,000 TO THE DEPARTMENT OF PUBLIC SAFETY, POLICE RANGE CAPITAL PROJECT.

Introduced by: Mr. Bell, Ms. Hartley-Nagle

--It was moved and seconded that °21-096 be read by title only and placed before Council for its consideration.

Ordinance 21-096—Adopted

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

1 Present: Street

°21-097: AUTHORIZING THE ISSUANCE OF \$1,200,000 IN GENERAL OBLIGATION BONDS OF NEW CASTLE COUNTY FOR THE DEPARTMENT OF PUBLIC SAFETY, POLICE RANGE CAPITAL PROJECT. Introduced by: Mr. Bell, Ms. Hartley-Nagle  
--It was moved and seconded that °21-097 be read by title only and placed before Council for its consideration.

Ordinance 21-097—Adopted

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

°21-098: AMEND THE GRANTS BUDGET: APPROPRIATE \$50,000 IN FUNDING FROM THE STATE OF DELAWARE DEPARTMENT OF SAFETY AND HOMELAND SECURITY TO THE FY2022 COLD CASE DNA GRANT TO BE ADMINISTERED BY THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF POLICE. Introduced by: Mr. Bell, Ms. Hartley-Nagle  
--It was moved and seconded that °21-098 be read by title only and placed before Council for its consideration.

Ordinance 21-098—Adopted

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

°21-099: AMEND THE GRANTS BUDGET: APPROPRIATE \$150,000 FROM THE STATE OF DELAWARE FY2022 OPERATING BUDGET TO THE FY2022 POLICE BEHAVIORAL HEALTH GRANT TO BE ADMINISTERED BY THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF POLICE. Introduced by: Mr. Bell, Ms. Hartley-Nagle  
--It was moved and seconded that °21-099 be read by title only and placed before Council for its consideration.

Ordinance 21-099—Adopted

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

°21-100: AMEND THE GRANTS BUDGET: APPROPRIATE \$5,688 IN ADDITIONAL STATE OF DELAWARE GRANT-IN-AID FUNDS TO THE ABSALOM JONES SENIOR CENTER FY2022 TO BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY RESOURCES. Introduced by: Mr. Hollins, Ms. Diller  
--It was moved and seconded that °21-100 be read by title only and placed before Council for its consideration.

Ordinance 21-100—Adopted

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

°21-101: AMEND THE FY2022 APPROVED OPERATING BUDGET: APPROPRIATE \$15,423 IN FUNDING RECEIVED FROM THE RECORDER OF DEEDS TECHNOLOGY FEE ACCOUNT TO THE RECORDER OF DEEDS EQUIPMENT BUDGET LINE ITEM TO PURCHASE A NEW PLOT/PRINTER SCANNER. Introduced by: Mr. Smiley, Mr. Cartier  
--It was moved and seconded that °21-101 be read by title only and placed before Council for its consideration.

Ordinance 21-101—Adopted

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

°21-102: AMEND THE FY2022 APPROVED OPERATING BUDGET: APPROPRIATE \$20,000 IN FUNDING RECEIVED FROM THE RECORDER OF DEEDS TECHNOLOGY FEE ACCOUNT TO THE RECORDER OF DEEDS EQUIPMENT BUDGET LINE ITEM FOR THE PURCHASE OF “ALERT ME” SOFTWARE. Introduced by: Mr. Smiley, Mr. Cartier

--It was moved and seconded that °21-102 be read by title only and placed before Council for its consideration.

Ordinance 21-102—Adopted

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

°21-103: TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 2 (“ADMINISTRATION”), ARTICLE 5 (“DEPARTMENTS AND OFFICES”) RELATING TO THE PROVISION OF FREE FEMININE PRODUCTS. Introduced by: Ms. Hartley-Nagle

--It was moved and seconded that °21-103 be read by title only and placed before Council for its consideration.

It was moved and seconded that °21-103 be Tabled.

Ordinance 21-103—Tabled

°21-104: TO AUTHORIZE THE ABATEMENT OF NEW CASTLE COUNTY REAL PROPERTY TAXES AND PENALTIES AND INTEREST ON THE PROPERTY OF THE HOCKESSIN HISTORICAL SOCIETY, LOCATED ON THE PROPERTY AT 1041 VALLEY ROAD, HOCKESSIN, TAX PARCEL NUMBER 0800700044. Introduced by: Ms. Kilpatrick, Mr. Smiley

--It was moved and seconded that °21-104 be read by title only and placed before Council for its consideration.

Ordinance 21-104—Adopted

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

°21-091: (STATUS: TABLED) TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 4 (“ANIMALS”), ARTICLE 2 (“ANIMAL CONTROL”), SECTION 4.02.001. (“LICENSES; RESTRAINT; IMPOUNDMENT; DESTRUCTION; NUISANCES; ENFORCEMENT GENERALLY”) AND SECTION 4.02.002. (“ENFORCEMENT OF SECTION 4.02.001”), AND *NEW CASTLE COUNTY CODE* CHAPTER 22 (“OFFENSES AND MISCELLANEOUS PROVISIONS”), ARTICLE 2 (“OFFENSES GENERALLY”), SECTION 22.02.008. (“NOISE CONTROL”) RELATING TO DOGS AND OTHER ANIMALS. Introduced by: Mr. Smiley, Mr. Carter

Remains Tabled

SUBSTITUTE NO. 1 TO °21-094: (STATUS: TABLED) TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 6 (“BUILDING CODE”), ARTICLE 3 (“ADMINISTRATION”), SECTION 6.03.013 (“SUBMITTAL DOCUMENTS”), ARTICLE 4 (“THE BUILDING CODE”), SECTION 6.04.002. (“AMENDMENTS TO THE INTERNATIONAL BUILDING CODE”), AND ARTICLE 5 (“THE RESIDENTIAL CODE”), SECTION 6.05.002. (“AMENDMENTS TO THE INTERNATIONAL RESIDENTIAL CODE”) RELATING TO CERTAIN NEW RESIDENTIAL CONSTRUCTION, ELECTRIC VEHICLES, AND CHARGING INFRASTRUCTURE. Introduced by: Ms. Durham, Mr. Carter, Mr. Cartier, Mr. Tackett, Ms. Hartley-Nagle

Remains Tabled

**J. Time Sensitive Congratulatory/Honorary Resolutions:**

R21-162: RECOGNIZING NATIONAL SPANISH HERITAGE MONTH. Introduced by: Ms. Hartley-Nagle

--It was moved and seconded that R21-162 be read by title only and placed before Council for its consideration.

Resolution 21-162—Adopted

13 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:**

Mr. Henry Miller spoke about passing an emergence ordinance to mandate vaccinations for all NCC workers & contractors for the wellbeing of New Castle County residences.

**M. Motion to Adjourn:**

There being no further testimony, a motion was made by Councilman Smiley to adjourn, it was seconded, and the meeting was adjourned at 7:31 pm.

*A recording of the meeting is available upon request.*

*Respectfully submitted by Linwood Jackson, Legislative Assistant.*