

REGULAR MEETING OF THE NEW CASTLE COUNTY COUNCIL

**Louis L. Redding City/County Building
City/County Chambers
800 French Street; Wilmington, DE 19801**

MINUTES

Tuesday, June 24, 2014

- A. The meeting was called to order by President Bullock at 6:30 p.m.
The Prayer was silent; members of Council remained standing for the Pledge of Allegiance.

Roll Call

Present

J. William Bell
Christopher A. Bullock
John J. Cartier
Elisa Diller
Penrose Hollins
Janet T. Kilpatrick
William Powers, Jr.
Joseph M. Reda
Timothy P. Sheldon
George Smiley
Jea P. Street
David L. Tackett

Absent

Robert S. Weiner

B. Approval of Minutes:

Councilman Smiley moved for the approval of the minutes from June 10, 2014. The motion was seconded by Councilwoman Kilpatrick. All were in favor and the minutes were adopted.

C. Announcements:

- Councilman Hollins announced that, at the appropriate time, he will reverse °14-065 and °14-064.

D. Introduction of Ordinances:

°14-068: AMEND THE FY2014 APPROVED OPERATING BUDGET: APPROPRIATE \$1,562,659 OF STATE OF DELAWARE FUNDING TO THE DEPARTMENT OF PUBLIC SAFETY FOR THE NEW CASTLE COUNTY POLICE EMPLOYEE'S RETIREMENT SYSTEM. Introduced by: Mr. Smiley, Mr. Cartier

°14-069: AMEND THE FY2104 APPROVED OPERATING BUDGET: APPROPRIATE \$2,500,000 TO THE GENERAL FUND EMPLOYEE BENEFITS BUDGET TO COVER THE COST OF INCURRED HEALTHCARE COSTS. Introduced by: Mr. Smiley, Mr. Cartier

°14-070: AMEND THE GRANTS BUDGET: APPROPRIATE FEDERAL GRANT AWARD OF \$288,054 FROM THE U.S. DEPARTMENT OF HOMELAND SECURITY THROUGH THE DELAWARE EMERGENCY MANAGEMENT AGENCY (DEMA), UNDER THE DEPARTMENT OF SAFETY AND HOMELAND SECURITY, TO THE NEW CASTLE COUNTY FEDERAL FISCAL YEAR 2012 HOMELAND SECURITY GRANT PROGRAM. Introduced by: Mr. Bell, Mr. Street

E. Reports from Select and Special Committees:

- Councilman Smiley reported that the Finance Committee met on 6/24/14 to discuss items on tonight's agenda and to approve grant requests.
- Council President Bullock reported that the Executive Committee met on 6/24/14 to discuss items on tonight's agenda, to discuss staff hours, and for an executive session.

F. Consent Calendar:

- **R14-148: HONORING THE LIFE AND LEGACY OF JOSEPH M. BERNSTEIN. Introduced by: Mr. Weiner, All of Council**

Consent Calendar--Adopted

Yes: Bell, Bullock, Cartier, Diller, Hollins, Kilpatrick, Powers, Reda, Sheldon, Smiley, Street, Tackett

Absent: Weiner

G. Presentations: None

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

- **R14-149: APPROVING THE NEW POSITION DESCRIPTION FOR MASTER POLICE CORPORAL PURSUANT TO NEW CASTLE COUNTY CODE SECTION 26.03.103.**

Introduced by: Mr. Bullock

-- It was moved and seconded that R14-149 be read by title only and placed before Council for its consideration and adoption.

Resolution 14-149—Adopted

Yes: Bell, Bullock, Cartier, Diller, Hollins, Kilpatrick, Powers, Reda, Sheldon, Smiley, Street, Tackett

Absent: Weiner

- **R14-150: AUTHORIZING THE EXECUTION OF NINE PURCHASE ORDER CONTRACTS FOR THE DEPARTMENT OF COMMUNITY SERVICES FOR LIBRARY BOOKS AND MATERIALS AND LIBRARY SERVICES FOR VARIOUS LIBRARIES IN THE AMOUNT OF \$1,522,039.00. Introduced by: Mr. Smiley, Mr. Cartier**

-- It was moved and seconded that R14-150 be read by title only and placed before Council for its consideration and adoption.

Resolution 14-150--Adopted

Yes: Bell, Bullock, Cartier, Diller, Hollins, Kilpatrick, Powers, Reda, Sheldon, Smiley, Street, Tackett

Absent: Weiner

- **R14-151: AUTHORIZING THE EXECUTION OF ELEVEN PURCHASE ORDER CONTRACTS FOR THE OFFICE OF TECHNOLOGY FOR COMPUTER SOFTWARE MAINTENANCE IN THE AMOUNT OF \$726,896.29. Introduced by: Mr. Smiley, Mr. Cartier**

-- It was moved and seconded that R14-151 be read by title only and placed before Council for its consideration and adoption.

Resolution 14-151--Adopted

Yes: Bell, Bullock, Cartier, Diller, Hollins, Kilpatrick, Powers, Reda, Sheldon, Smiley, Street, Tackett

Absent: Weiner

- **R14-152: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT FOR THE OFFICE OF TECHNOLOGY FOR POWER DMS SOFTWARE SERVICE IN THE AMOUNT OF \$27,615.00. Introduced by: Mr. Smiley, Mr. Cartier**
-- It was moved and seconded that R14-152 be read by title only and placed before Council for its consideration and adoption.

Resolution 14-152--Adopted

Yes: Bell, Bullock, Cartier, Diller, Hollins, Kilpatrick, Powers, Reda, Sheldon, Smiley, Street, Tackett

Absent: Weiner

- **R14-153: AUTHORIZING THE EXECUTION OF TWO PURCHASE ORDER CONTRACTS FOR THE DEPARTMENT OF SPECIAL SERVICES FOR PAYMENT OF ANNUAL APPROPRIATIONS TO THE NEW CASTLE CONSERVATION DISTRICT IN THE AMOUNT OF \$120,000.00. Introduced by: Mr. Smiley, Mr. Cartier**
-- It was moved and seconded that R14-153 be read by title only and placed before Council for its consideration and adoption.

Resolution 14-153--Adopted

Yes: Bell, Bullock, Cartier, Diller, Hollins, Kilpatrick, Powers, Reda, Sheldon, Smiley, Street, Tackett

Absent: Weiner

- **R14-154: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT FOR THE DEPARTMENT OF HUMAN RESOURCES FOR EMPLOYEE ASSISTANCE PROGRAM ADMINISTRATORS IN THE AMOUNT OF \$34,535.52. Introduced by: Mr. Smiley, Mr. Cartier**
-- It was moved and seconded that R14-154 be read by title only and placed before Council for its consideration and adoption.

Resolution 14-154--Adopted

Yes: Bell, Bullock, Cartier, Diller, Hollins, Kilpatrick, Powers, Reda, Sheldon, Smiley, Street, Tackett

Absent: Weiner

- **R14-155: AUTHORIZING THE EXECUTION OF TWO PURCHASE ORDER CONTRACTS FOR THE DEPARTMENT OF COMMUNITY SERVICES FOR LEASE/RENTAL AGREEMENTS FOR ELSMERE AND APPOQUINIMINK LIBRARIES IN THE AMOUNT OF \$232,529.00. Introduced by: Mr. Smiley, Mr. Cartier**
-- It was moved and seconded that R14-155 be read by title only and placed before Council for its consideration and adoption.

Resolution 14-155--Adopted

Yes: Bell, Bullock, Cartier, Diller, Hollins, Kilpatrick, Powers, Reda, Sheldon, Smiley, Street, Tackett

Absent: Weiner

- **R14-128: (STATUS: TABLED) CONSENTING TO THE APPOINTMENT OF J. NEIL GREENSTEIN TO THE NEW CASTLE COUNTY HOCKESSIN DESIGN REVIEW ADVISORY COMMITTEE. Introduced by: Ms. Kilpatrick**
-- It was moved that R14-128 remain tabled.

I. Consideration of Ordinances

- **°14-060: AMEND THE ANNUAL FY2015 OPERATING BUDGET: REDUCE THE FY2015 APPROPRIATION TO THE DEPARTMENT OF PUBLIC SAFETY, OFFICE OF EMERGENCY MANAGEMENT, BY \$411,381 TO PROVIDE THE ANNUAL COUNTY MATCH FOR THE OFFICE OF EMERGENCY MANAGEMENT GRANT FOR FY2015.**

Introduced by: Mr. Bell, Mr. Street

-- It was moved and seconded that °14-060 be read by title only and placed before Council for its consideration and adoption.

Ordinance 14-060--Adopted

Yes: Bell, Bullock, Cartier, Diller, Hollins, Kilpatrick, Powers, Reda, Sheldon, Smiley, Street, Tackett

Absent: Weiner

- **°14-061: AMEND THE GRANTS BUDGET: APPROPRIATE \$472,000 FOR FY 2015 TO THE “CONTRACTED POLICE DUTY REVOLVING FUND” FOR THE DEPARTMENT OF PUBLIC SAFETY. Introduced by: Mr. Bell, Mr. Street**

-- It was moved and seconded that °14-061 be read by title only and placed before Council for its consideration and adoption.

Ordinance 14-061--Adopted

Yes: Bell, Bullock, Cartier, Diller, Hollins, Kilpatrick, Powers, Reda, Sheldon, Smiley, Street, Tackett

Absent: Weiner

- **°14-062: AMEND THE GRANT BUDGET: APPROPRIATE \$258,000 IN FEDERAL FUNDING FROM THE DEPARTMENT OF HOMELAND SECURITY FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), \$411,381 IN LOCAL FUNDING FROM NEW CASTLE COUNTY AND \$47,112 IN PRIVATE FUNDING FROM THE PUBLIC SERVICE ENTERPRISE GROUP (PSEG) NUCLEAR TO FUND THE OPERATION OF THE OFFICE OF EMERGENCY MANAGEMENT (OEM) FOR FY2015. Introduced by: Mr. Bell, Mr. Street**

-- It was moved and seconded that °14-062 be read by title only and placed before Council for its consideration and adoption.

Ordinance 14-062--Adopted

Yes: Bell, Bullock, Cartier, Diller, Hollins, Kilpatrick, Powers, Reda, Sheldon, Smiley, Street, Tackett

Absent: Weiner

- **°14-063: AMEND THE GRANTS BUDGET: APPROPRIATE \$41,100 IN SPECIAL LAW ENFORCEMENT ASSISTANCE FUNDS (SLEAF) FROM THE STATE OF DELAWARE DEPARTMENT OF JUSTICE TO THE DEPARTMENT OF PUBLIC SAFETY’S SLEAF COMPUTER, WRITE BLOCKER SOFTWARE AND SERVER GRANT. Introduced by: Mr. Bell, Mr. Street**

-- It was moved and seconded that °14-063 be read by title only and placed before Council for its consideration and adoption.

Ordinance 14-063--Adopted

Yes: Bell, Bullock, Cartier, Diller, Hollins, Kilpatrick, Powers, Reda, Sheldon, Smiley, Street, Tackett

Absent: Weiner

- **°14-065: AMEND THE FY2014 APPROVED OPERATING BUDGET: REDUCE THE COUNTY COUNCIL OPERATING BUDGET IN ORDER TO PROVIDE FUNDING FOR THE 2014 SUMMER YOUTH EMPLOYMENT GRANT. Introduced by: Mr. Hollins, Ms. Diller**

-- It was moved and seconded that °14-065 be read by title only and placed before Council for its consideration and adoption.

- **ORAL AMENDMENT NO. 1 TO °14-065: AMEND THE FY2014 APPROVED OPERATING BUDGET: REDUCE THE COUNTY COUNCIL OPERATING BUDGET IN ORDER TO PROVIDE FUNDING FOR THE 2014 SUMMER YOUTH EMPLOYMENT GRANT. Introduced by: Mr. Hollins, Ms. Diller**

-- It was moved and seconded that Oral Amendment No. 1 to °14-065 be read by title only and placed before Council for its consideration and adoption.

Oral Amendment No. 1 to Ordinance 14-065--Adopted

Yes: Bell, Bullock, Cartier, Diller, Hollins, Kilpatrick, Powers, Reda, Sheldon, Smiley, Street, Tackett

Absent: Weiner

Ordinance 14-065 as Amended by Oral Amendment No. 1--Adopted

Yes: Bell, Bullock, Cartier, Diller, Hollins, Kilpatrick, Powers, Reda, Sheldon, Smiley, Street, Tackett

Absent: Weiner

- **°14-064: AMEND THE GRANTS BUDGET: APPROPRIATE ADDITIONAL FUNDING FROM THE STATE OF DELAWARE, DEPARTMENT OF LABOR – DELAWARE WORKFORCE INVESTMENT BOARD AND FUNDING FROM NEW CASTLE COUNTY COUNCIL TO THE 2014 SUMMER YOUTH EMPLOYMENT PROGRAM GRANT WHICH WILL BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES.**

Introduced by: Mr. Hollins, Ms. Diller, Mr. Bullock

-- It was moved and seconded that °14-064 be read by title only and placed before Council for its consideration and adoption.

- **ORAL AMENDMENT NO. 1 TO °14-064: AMEND THE GRANTS BUDGET: APPROPRIATE ADDITIONAL FUNDING FROM THE STATE OF DELAWARE, DEPARTMENT OF LABOR – DELAWARE WORKFORCE INVESTMENT BOARD AND FUNDING FROM NEW CASTLE COUNTY COUNCIL TO THE 2014 SUMMER YOUTH EMPLOYMENT PROGRAM GRANT WHICH WILL BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES.**

Introduced by: Mr. Hollins, Ms. Diller, Mr. Bullock

-- It was moved and seconded that Oral Amendment No. 1 to °14-064 be read by title only and placed before Council for its consideration and adoption.

Oral Amendment No.1 to Ordinance 14-064--Adopted

Yes: Bell, Bullock, Cartier, Diller, Hollins, Kilpatrick, Powers, Reda, Sheldon, Smiley, Street, Tackett

Absent: Weiner

Ordinance 14-064 as Amended by Oral Amendment No. 1 --Adopted

Yes: Bell, Bullock, Cartier, Diller, Hollins, Kilpatrick, Powers, Reda, Sheldon, Smiley, Street, Tackett

Absent: Weiner

- **°14-066: TO PROVIDE FOR THE INSTALLATION OF GRANVILLE WITH OPTIONAL POLE STREET LIGHTS IN THE TRADITIONS AT PIKE CREEK SUBDIVISION LOCATED IN 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 °14-066 be read by title only and placed before Council for its consideration and adoption.

Ordinance 14-066--Adopted

Yes: Bell, Bullock, Cartier, Diller, Hollins, Kilpatrick, Powers, Reda, Sheldon, Smiley, Street, Tackett
Absent: Weiner

J. Time Sensitive Congratulatory/Honorary Resolutions:

- **R14-156: HONORING THE LIFE OF MS. ELIZABETH VAN WOOTEN. Introduced by: Mr. Street**
-- It was moved and seconded that R14-156 be read by title only and placed before Council for its consideration and adoption.

Resolution 14-156—Adopted

Yes: Bell, Bullock, Cartier, Diller, Hollins, Kilpatrick, Powers, Reda, Sheldon, Smiley, Street, Tackett
Absent: Weiner

- **R14-157: EXTENDING BIRTHDAY WISHES AND CONGRATULATING DR. ALTON A. WILLIAMS FOR 41 YEARS OF OPTOMETRIC PRACTICE. Introduced by: Mr. Street, Mr. Cartier**
-- It was moved and seconded that R14-157 be read by title only and placed before Council for its consideration and adoption.

Resolution 14-157—Adopted

Yes: Bell, Bullock, Cartier, Diller, Hollins, Kilpatrick, Powers, Reda, Sheldon, Smiley, Street, Tackett
Absent: Weiner

- **R14-158: COMMEMORATING THE 50TH ANNIVERSARY OF THE PASSAGE OF THE CIVIL RIGHTS ACT OF 1964. Introduced by: Mr. Bullock, All of Council**
-- It was moved and seconded that R14-158 be read by title only and placed before Council for its consideration and adoption.

Resolution 14-158—Adopted

Yes: Bell, Bullock, Cartier, Diller, Hollins, Kilpatrick, Powers, Reda, Sheldon, Smiley, Street, Tackett
Absent: Weiner

K. Introduction/Consideration of Emergency Ordinances: None

L. Public Comment/Other:

- Councilwoman Diller announced that she and Councilman Tackett have a serious flooding issue in the Breezewood neighborhood and will be asking for assistance at the 7/1/14 Special Services Committee meeting.
- Councilman Tackett announced that the vote on the flooding issue will take place in Committee and will need seven votes.

- Councilman Street spoke regarding the need to clean the City/County Building statues and to address the weeds in Freedom Plaza.
- Eileen Adams spoke regarding dog control.
- Councilman Bell responded to Ms. Adams concerns.

M. Motion to Adjourn

There being no further testimony, Councilman Smiley made a motion to adjourn, it was seconded by Councilman Sheldon and the meeting was adjourned at 7:15 p.m.

Christopher A. Bullock
Council President
New Castle County

A recording of the meeting is available upon request.

Respectfully submitted by Anthony deFiore, Legislative Aide to Council President Christopher A. Bullock