

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, January 8, 2019

- 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 remained standing for the Pledge of Allegiance.

Roll Call

Present

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

Absent:

J. William Bell
Elisa Diller
Timothy P. Sheldon

B. Approval of Minutes:

- Councilman Smiley moved to approve the December 11, 2018 council meeting minutes, it was seconded and all were in favor.

C. Announcements: None

D. Introduction of Ordinances:

- **19-001: AMEND THE FY2019 APPROVED SEWER FUND OPERATING BUDGET: APPROPRIATE \$60,000 TO THE DEPARTMENT OF ADMINISTRATION, OFFICE OF FINANCE CONTRACTUAL SERVICES BUDGET LINE ITEM. Introduced by: Mr. Smiley, Mr. Cartier**
- **19-002: REPEAL AND REPLACE EMERGENCY ORDINANCE NO. 19-001, AND PERMANENTLY AMEND THE FY2019 APPROVED OPERATING BUDGET: PERMANENTLY REDUCE THE FY2019 NEW CASTLE COUNTY COUNCIL CONTINGENCY BUDGET TO PROVIDE FUNDING FOR THE HERO HELP ADDICTION ASSISTANCE PROGRAM AS ADMINISTERED BY THE DEPARTMENT OF PUBLIC SAFETY. Introduced by: Ms. Kilpatrick, Mr. Smiley, Mr. Bell**
- **19-003: AMEND THE GRANTS BUDGET: APPROPRIATE \$49,500 FROM THE STATE OF DELAWARE, DEPARTMENT OF TRANSPORTATION TO THE FOOD BANK OF DELAWARE – PARKING LOT IMPROVEMENTS GRANT FOR THE DEPARTMENT OF PUBLIC WORKS. Introduced by: Mr. Sheldon, Mr. Woods, Mr. Tackett**
- **19-004: AMEND THE GRANTS BUDGET: APPROPRIATE \$27,876.62 FROM THE STATE OF DELAWARE, DEPARTMENT OF TRANSPORTATION TO THE HOLLOWAY TERRACE FIRE COMPANY ALL TERRAIN VEHICLES GRANT FOR THE**

DEPARTMENT OF PUBLIC SAFETY. Introduced by: Mr. Bell, Mr. Street

E. Reports from Select and Special Committees:

- Councilman Cartier reported that the Finance Committee met on 1/8/19 and discussed items on tonight's agenda, approved council grants and received an update from the Delaware Board of Trade.

F. Consent Calendar:

- **R19-001: NEW CASTLE COUNTY COUNCIL RESPECTFULLY URGES THE DELAWARE GENERAL ASSEMBLY TO SUPPORT HOUSE BILL NO. 1, AN ACT TO AMEND ARTICLE 1 OF THE DELAWARE CONSTITUTION RELATING TO EQUAL RIGHTS. Introduced by: Mr. Smiley, Ms. Kilpatrick, Ms. Diller, Mr. Cartier, Mr. Carter, Ms. Hartley-Nagle**
- **R19-002: CONGRATULATING AND COMMENDING SENIOR SERGEANT JAMIE DOLAN ON HIS RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT. Introduced by: Mr. Bell, Mr. Street**
- **R19-003: CONGRATULATING AND COMMENDING SERGEANT KAREN CROWLEY ON HER RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT Introduced by: Mr. Bell, Mr. Street**
- **R19-004: CONGRATULATING AND COMMENDING MASTER CORPORAL RHONDA CRAS ON HER RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT. Introduced by: Mr. Bell, Mr. Street**
- **R19-005: CONGRATULATING AND COMMENDING MASTER CORPORAL HARLEY FRANKS ON HIS RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT. Introduced by: Mr. Bell, Mr. Street**
- **R19-006: CONGRATULATING AND COMMENDING MASTER CORPORAL THOMAS PURSE ON HIS RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT. Introduced by: Mr. Bell, Mr. Street**
- **R19-007: CONGRATULATING AND COMMENDING MASTER CORPORAL MICHAEL WIANT ON HIS RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT. Introduced by: Mr. Bell, Mr. Street**
- **R19-008: CONGRATULATING AND COMMENDING MASTER CORPORAL WILLIAM BROWN ON HIS RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT Introduced by: Mr. Bell, Mr. Street**
- **R19-009: CONGRATULATING AND COMMENDING MASTER CORPORAL JOHN ZIEMBA ON HIS RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT. Introduced by: Mr. Bell, Mr. Street**
- **R19-010: CONGRATULATING AND COMMENDING OFFICER FIRST CLASS KERRIE UNGER ON HER RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT. Introduced by: Mr. Bell, Mr. Street**
- **R19-011: CONGRATULATING AND COMMENDING MASTER CORPORAL MICHAEL ZIELINSKI ON HIS RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT. Introduced by: Mr. Bell, Mr. Street**

Consent Calendar—Adopted

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

G. Presentations: None

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

- **R19-012: TO AMEND SECTION 2.5 OF THE NEW CASTLE COUNTY COUNCIL EMPLOYEE HANDBOOK REGARDING OFFERS OF EMPLOYMENT. Introduced by: Mr. Smiley**

--It was moved and seconded that R19-012 be read by title only and placed before Council for its consideration.

Resolution 19-012—Adopted

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

- **R19-013: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT FOR PHYSIO-CONTROL INC. FOR ANNUAL PREVENTATIVE MAINTENANCE AND SERVICE FOR THE DEPARTMENT OF PUBLIC SAFETY IN THE AMOUNT OF \$84,672.00.**
Introduced by: Mr. Smiley, Mr. Cartier

--It was moved and seconded that R19-013 be read by title only and placed before Council for its consideration and adoption.

Resolution 19-013—Adopted

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

- **R19-014: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT FOR ENVIREP, INC. FOR THE PURCHASE OF TWO DIESEL POWERED WASTEWATER PUMPS FOR THE DEPARTMENT OF PUBLIC WORKS IN THE AMOUNT OF \$73,850.00.**
Introduced by: Mr. Smiley, Mr. Cartier

--It was moved and seconded that R19-014 be read by title only and placed before Council for its consideration and adoption.

Resolution 19-014—Adopted

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

- **R19-015: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT FOR TD EQUIPMENT FINANCE, INC. FOR THE PURCHASE OF A DIESEL POWERED PUMP FOR THE DEPARTMENT OF PUBLIC WORKS IN THE AMOUNT OF \$10,695.00.**
Introduced by: Mr. Smiley, Mr. Cartier

--It was moved and seconded that R19-015 be read by title only and placed before Council for its consideration and adoption.

Resolution 19-015—Adopted

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

- **R19-016: HONORING THE LIFE OF PATRICK CARTER.** **Introduced by: Ms. Hartley-Nagle, All of Council**

--It was moved and seconded that R19-016 be read by title only and placed before Council for its consideration and adoption.

Resolution 19-016—Adopted

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

- **R19-017: TO AMEND THE NEW CASTLE COUNTY COUNCIL EMPLOYEE HANDBOOK SECTION 3.8 (“DRUG AND ALCOHOL POLICY”).** Introduced by: Mr. Smiley
--It was moved and seconded that R19-017 be read by title only and placed before Council for its consideration and adoption.

Resolution 19-017—Adopted

Yes: Carter, Cartier, Hollins, Kilpatrick, Smiley, Street, Tackett, Woods

No: Durham, Hartley-Nagle

Absent: Bell, Diller, Sheldon

I. Consideration of Ordinances:

- **°17-095: (STATUS: TABLED) REVISE PREVIOUSLY APPROVED PRELIMINARY MAJOR LAND DEVELOPMENT PLAN WITH REZONING FOR VISTA AT RED LION – SECTION 1; RED LION HUNDRED; NORTH SIDE OF OLD PORTER ROAD, WEST OF RED LION ROAD, EAST OF GRISSOM LANE.** Introduced by: Mr. Bell
--°17-095 remained tabled.
- **°17-096: (STATUS: TABLED) REVISE PREVIOUSLY APPROVED PRELIMINARY MAJOR LAND DEVELOPMENT PLAN WITH REZONING FOR VISTA AT RED LION – SECTION 2; RED LION HUNDRED; SOUTH SIDE OF OLD PORTER ROAD, WEST OF RED LION ROAD, EAST OF GRISSOM LANE.** Introduced by: Mr. Bell
--°17-096 remained tabled.

J. Time Sensitive Congratulatory/Honorary Resolutions: None

K. Introduction/Consideration of Emergency Ordinances:

- **E°19-011: AMEND THE FY2019 APPROVED OPERATING BUDGET: REDUCE THE FY2019 NEW CASTLE COUNTY COUNCIL CONTINGENCY BUDGET TO PROVIDE FUNDING FOR THE HERO HELP ADDICTION ASSISTANCE PROGRAM AS ADMINISTERED BY THE DEPARTMENT OF PUBLIC SAFETY.** Introduced by: Ms. Kilpatrick, Mr. Smiley, Mr. Bell
--It was moved and seconded that E°19-001 be read by title only and placed before Council for its consideration and adoption.

Emergency Ordinance 19-001—Adopted

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

Absent: Bell, Diller, Sheldon

L. Public Comment/Other:

- Councilman Smiley thanked Council for their support on E°19-001 and spoke on the process for amending Council Rules.
- Councilman Hollins expressed concern about the recent Hummers Parade in Middletown, DE.
- Councilman Street echoed Councilman Hollins’ sentiments.

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 7:14 p.m.

Council President
New Castle County

A recording of the meeting is available upon request.

Respectfully submitted by Tara Finnigan, Legislative Aide/Acting Deputy Clerk of Council