

**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 9, 2018**

- A. The meeting was called to order by President Hartley-Nagle at 6:32 p.m.  
The Prayer was silent; members of Council remained standing for the Pledge of Allegiance.

**Roll Call**

Present

J. William Bell  
John J. Cartier  
Elisa Diller  
Karen Hartley-Nagle  
Penrose Hollins  
Timothy P. Sheldon  
George Smiley  
Robert S. Weiner  
Kenneth R. Woods

Absent

Janet T. Kilpatrick  
William Powers, Jr.  
Jea P. Street  
David L. Tackett

*\*Councilwoman Kilpatrick, Councilman Tackett arrived in time for committee reports.*

*\*\*Councilman Street and Councilman Powers arrived in time to vote on the Consent Calendar.*

**B. Approval of Minutes:**

- A motion was made to approve the December 12, 2017 Council meeting minutes, it was seconded, and all were in favor.

**C. Announcements:** None

**D. Introduction of Ordinances:**

- **'18-001: AMEND THE FY2018 APPROVED OPERATING BUDGET: REALIGN BUDGETARY FUNDING OF \$90,000 WITHIN THE DEPARTMENT OF SPECIAL SERVICES TO FUND INCREASED ELECTRIC EXPENDITURES. Introduced by: Mr. Sheldon, Mr. Powers**

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

- Councilman Cartier reported that the Finance Committee met on 1/9/18 and discussed items on tonight's agenda, had a Checkbook Presentation, approved grant requests, and heard an update from the Executive branch.
- Councilman Bell reported that the Public Safety Committee met on 1/9/18 and heard a presentation on the County's new cold case program.
- Councilman Tackett reported that the Land Use Committee met on 1/2/18 and discussed items on tonight's agenda.
- Councilwoman Kilpatrick reported that the Personnel Sub-Committee met on 1/9/18 and held an executive session to discuss a personnel matter. They also discussed the hiring of an intern, Council's application process and time cards.
- Councilman Hollins reported that the Executive Committee met on 1/9/18 and discussed an item tonight's agenda.

**F. Consent Calendar:**

- **R18-001: HONORING THE LIFE AND LEGACY OF JAMES E. “JAMIE” TURNER, III, AND EXPRESSING CONDOLENCES TO HIS FAMILY AND FRIENDS. Introduced by: Mr. Bell\**
- **R18-002: CELEBRATING THE 94<sup>TH</sup> BIRTHDAY OF DOROTHY W. BROWN. Introduced by: Mr. Hollins**
- **R18-003: CONGRATULATING AND COMMENDING MASTER CORPORAL TIMOTHY ARGOE ON HIS RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT. Introduced by: Mr. Bell, Mr. Street**
- **R18-004: CONGRATULATING AND COMMENDING MASTER CORPORAL MARK BABINGER ON HIS RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT. Introduced by: Mr. Bell, Mr. Street**
- **R18-005: CONGRATULATING AND COMMENDING SENIOR SERGEANT JOANNA BURTON ON HER RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT. Introduced by: Mr. Bell, Mr. Street**
- **R18-006: CONGRATULATING AND COMMENDING MAJOR PATRICK CROWELL ON HIS RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT. Introduced by: Mr. Bell, Mr. Street**
- **R18-007: CONGRATULATING AND COMMENDING MASTER CORPORAL ELWOOD “WOODY” GILGER ON HIS RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT. Introduced by: Mr. Bell, Mr. Street**
- **R18-008: CONGRATULATING AND COMMENDING SERGEANT ERIC GODWIN ON HIS RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT. Introduced by: Mr. Bell, Mr. Street**
- **R18-009: CONGRATULATING AND COMMENDING MASTER CORPORAL C. ANDREW GUYTON ON HIS RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT. Introduced by: Mr. Bell, Mr. Street**
- **R18-010: CONGRATULATING AND COMMENDING MASTER CORPORAL JAMES HOBAN ON HIS RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT. Introduced by: Mr. Bell, Mr. Street**
- **R18-011: CONGRATULATING AND COMMENDING MASTER CORPORAL MICHAEL HOPKINS ON HIS RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT. Introduced by: Mr. Bell, Mr. Street**
- **R18-012: CONGRATULATING AND COMMENDING MASTER CORPORAL LESTER LEE ON HIS RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT. Introduced by: Mr. Bell, Mr. Street**
- **R18-013: CONGRATULATING AND COMMENDING MASTER CORPORAL AMY MCCABE ON HER RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT. Introduced by: Mr. Bell, Mr. Street**
- **R18-014: CONGRATULATING AND COMMENDING MASTER CORPORAL DAVID NEILSON ON HIS RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT. Introduced by: Mr. Bell, Mr. Street**
- **R18-015: CONGRATULATING AND COMMENDING MASTER CORPORAL ROBERT RAGAZZO ON HIS RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT. Introduced by: Mr. Bell, Mr. Street**
- **R18-016: CONGRATULATING AND COMMENDING CORPORAL CHRISTIAN STAMM ON HIS RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT. Introduced by: Mr. Bell, Mr. Street**
- **R18-017: CONGRATULATING AND COMMENDING MASTER CORPORAL JEFFREY STEINBERG ON HIS RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT. Introduced by: Mr. Bell, Mr. Street**
- **R18-018: CONGRATULATING AND COMMENDING SENIOR LIEUTENANT TERESA WILLIAMS ON HER RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT. Introduced by: Mr. Bell, Mr. Street**
- **R18-019: HONORING THE LIFE OF JEANETTE ANNE MATINAS. Introduced by: Mr. Cartier**

**Consent Calendar--Adopted**

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

G. Presentations: None

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

- **R18-020: AMEND THE FY2018 CAPITAL PROGRAM: APPROPRIATE \$73,780 FROM THE RECORDER OF DEEDS TECHNOLOGY FEE ACCOUNT TO THE DEPARTMENT OF ADMINISTRATION, INFORMATION SYSTEMS EXPANSION II CAPITAL PROJECT.**

**Introduced by: Mr. Smiley, Mr. Cartier**

--It was moved and seconded that R18-020 be read by title only and placed before Council for its consideration and adoption.

**Resolution 18-020--Adopted**

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

- **R18-021: PLAN OF MILLTOWN SQUARE; MILL CREEK HUNDRED; SOUTH SIDE LIMESTONE ROAD, NORTH SIDE OLD LIMESTONE ROAD AND WEST OF MILLTOWN ROAD; MAJOR LAND DEVELOPMENT PLAN THAT PROPOSES TO CONSTRUCT A 42,000 SQUARE FOOT MEDICAL OFFICE BUILDING WITH 14,000 SQUARE FEET OF STORAGE AREA AND SUBDIVIDE THE PROPERTY TO CREATE THREE (3) SINGLE FAMILY LOTS. S AND ON ZONING. **Introduced by: Mr. Sheldon****

--It was moved and seconded that R18-021 be read by title only and placed before Council for its consideration and adoption.

**Resolution 18-021--Adopted**

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

- **R18-022: REQUESTING THE IMMEDIATE RESIGNATION OF NEW CASTLE COUNTY COUNCIL PRESIDENT KAREN HARTLEY-NAGLE. **Introduced by: Mr. Smiley****

--It was moved and seconded that R18-022 be read by title only and placed before Council for its consideration and adoption

--It was moved and seconded to suspend any and all rules which would interfere with the consideration of R18-022 and immediately called for the question. The motion was unanimously approved.

**Resolution 18-022 -- Adopted**

Yes: Bell, Cartier, Diller, Hollins, Kilpatrick, Sheldon, Smiley, Street, Weiner, Woods

No: Hartley-Nagle, Powers, Tackett

I. Consideration of Ordinances

- **°17-112: AMEND THE GRANTS BUDGET: APPROPRIATE \$346,320.68 IN ACTUAL PROGRAM INCOME AND \$373,679.32 IN ANTICIPATED PROGRAM INCOME TO THE NEIGHBORHOOD STABILIZATION PROGRAM III GRANT, WHICH IS ADMINISTERED BY THE NEW CASTLE COUNTY DEPARTMENT OF COMMUNITY SERVICES. **Introduced by: Mr. Hollins, Ms. Diller****

--It was moved and seconded that °17-112 be read by title only and placed before Council for its consideration and adoption.

**Ordinance 17-112--Adopted**

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

- **°17-113: AMEND THE GRANTS BUDGET: APPROPRIATE \$600,000 IN ANTICIPATED PROGRAM INCOME TO THE NEIGHBORHOOD STABILIZATION PROGRAM I GRANT, WHICH IS ADMINISTERED BY THE NEW CASTLE COUNTY DEPARTMENT OF COMMUNITY SERVICES. Introduced by: Mr. Hollins, Ms. Diller**  
--It was moved and seconded that °17-113 be read by title only and placed before Council for its consideration and adoption.

**Ordinance 17-113--Adopted**

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

- **°17-114: AMEND THE FY2018 CAPITAL BUDGET: APPROPRIATE \$73,780 FROM THE RECORDER OF DEEDS TECHNOLOGY FEE ACCOUNT TO THE DEPARTMENT OF ADMINISTRATION, INFORMATION SYSTEMS EXPANSION II CAPITAL PROJECT. Introduced by: Mr. Smiley, Mr. Cartier**  
--It was moved and seconded that °17-114 be read by title only and placed before Council for its consideration and adoption.

**Ordinance 17-114--Adopted**

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

- **°15-003: REVISE ZONING MAP: PENCADER HUNDRED, EAST SIDE GLASGOW AVENUE, SOUTH SIDE OF PULASKI HIGHWAY (US 40), AND WEST SIDE OF SR 896; 5.65 ACRES FROM S (SUBURBAN) TO CR (COMMERCIAL REGIONAL); AND TO AMEND THE 2012 COMPREHENSIVE PLAN CONSISTENT THEREWITH. Introduced by: Mr. Tackett**  
--It was moved and seconded that °15-003 be read by title only and placed before Council for its consideration and adoption.

**Ordinance 15-003—Adopted**

**Poll Vote**

Bell: Yes, due to the positive recommendations of the Department of Land Use and the Planning Board

Cartier: Yes, due to the positive recommendations of the Department of Land Use, Planning Board and support of the community

Diller: Yes, based on the consistency of the surrounding zoning.

Hartley-Nagle: Yes, due to the positive recommendations of the Department of Land Use and the Planning Board

Hollins: Yes, due to the positive recommendation of the Department of Land Use.

Kilpatrick: Yes, due to the positive recommendation of the Department of Land Use and the consistency of the surrounding areas.

Powers: Yes, due to the positive recommendation of the Planning Board and the character of the community.

Sheldon: Yes, due to the positive recommendation of the Department of Land Use

Smiley: Yes, due to the positive recommendation of the Department of Land Use.

Street: Yes, due to the positive recommendation of the Department of Land Use

Tackett: Yes, due to the positive recommendation of the Department of Land Use

Weiner: Yes, due to the positive recommendations of the Department of Land Use and the Planning Board.

Woods: Yes, due to the positive recommendation of the Planning Board.

- **°17-070: (STATUS: TABLED) TO AMEND NEW CASTLE COUNTY CODE CHAPTER 14 (“FINANCE AND TAXATION”) REGARDING THE PROCESS FOR ABATEMENT OF CERTAIN TAXES AND PENALTIES FOR CERTAIN EXEMPT ORGANIZATIONS. Introduced by: Mr. Smiley**  
-- °17-070 remained on the table.

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

- **R18-023: HONORING THE LIFE OF CARL WILLIAM NELSON AND EXPRESSING CONDOLENCES TO HIS FAMILY AND FRIENDS. Introduced by: Ms. Diller**

--It was moved and seconded that R18-023 be read by title only and placed before Council for its consideration and adoption.

**Resolution 18-023--Adopted**

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

**K. Introduction/Consideration of Emergency Ordinances: None**

**L. Public Comment/Other**

--Councilman Street commented on the Mayor of the City of Wilmington and crime.

--Councilman Bell commented on the number of NCCPD retirements and the department's staffing levels.

--President Hartley-Nagle made a statement on R18-022.

**M. Motion to Adjourn**

Councilwoman Diller moved to adjourn the meeting, it was seconded, and the meeting was adjourned at 7:08 p.m.

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Karen Hartley-Nagle  
Council President  
New Castle County

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

*Respectfully submitted by Tara Finnigan, Deputy Clerk of Council*