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
Elisa Diller
Dee Durham
Karen Hartley-Nagle
Janet T. Kilpatrick
Timothy P. Sheldon
George Smiley
Jea P. Street
David L. Tackett

Absent:
J. William Bell*
Penrose Hollins*
Kenneth R. Woods

*Councilman Bell and Councilman Hollins arrived after the approval of minutes.

B. Approval of Minutes:
• Councilman Smiley moved to approve the January 8, 2019 council meeting minutes, it was seconded and all were in favor.

C. Announcements: None

D. Introduction of Ordinances:
• "19-005: TO AMEND NEW CASTLE COUNTY CODE CHAPTER 40 (ALSO KNOWN AS THE UNIFIED DEVELOPMENT CODE OR “UDC”) ARTICLE 5 (“SITE CAPACITY AND CONCURRENCY CALCULATIONS”), ARTICLE 11 (“TRANSPORTATION IMPACT”), ARTICLE 31 (“PROCEDURES AND ADMINISTRATION”), ARTICLE 33 (“DEFINITIONS”). Introduced by: Mr. Tackett, Mr. Kilpatrick
• "19-007: TO AMEND NEW CASTLE COUNTY CODE CHAPTER 2 (“ADMINISTRATION”), ARTICLE 5 (“DEPARTMENTS AND OFFICES”), DIVISION 2.05.400 (“DEPARTMENT OF COMMUNITY SERVICES”), SECTION 2.05.406 (“HOUSING ADVISORY BOARD – ESTABLISHED; COMPOSITION; TERMS OF OFFICE; QUALIFICATION OF MEMBERS; DUTIES AND POWERS”) REGARDING QUALIFICATION OF MEMBERS, DUTIES AND POWERS; TO EXPAND THE DUTIES OF THE HOUSING ADVISORY BOARD TO INCLUDE ADVISING ON AFFORDABLE HOUSING PROGRAMS FOR VERY LOW AND LOW INCOME HOUSEHOLDS; AND TO AMEND NEW CASTLE COUNTY CODE
CHAPTER 19, TO DELETE ARTICLE 5 ("RENTAL HOUSING ADVISORY COMMITTEE"). Introduced by: Mr. Hollins, Ms. Diller, Ms. Kilpatrick

E. Reports from Select and Special Committees:
- Councilman Tackett reported that the Land Use Committee met on 1/15/19 and discussed items on tonight’s agenda and had a presentation and discussion on preservation.
- Councilman Smiley reported that the Finance Committee met on 1/22/19 and discussed items on tonight’s agenda, approved a grant and had a CFO Checkbook Presentation.
- Councilwoman Diller reported that the Community Services Committee met on 1/22/19 and discussed the reorganization of the Housing Advisory Board and discussed the potential effect of the federal shut down on the County’s federal housing programs.
- Councilman Smiley reported that the Executive Committee met on 1/22/19 and held interviews for Boards and Commissions, discussed items on tonight’s agenda and hired a new legislative aide for the 5th District.

F. Consent Calendar:
- **R19-018**: CONGRATULATING AND COMMENDING CORPORAL JASON MOLLOHAN ON HIS RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT. Introduced by: Mr. Bell

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

G. Presentations: None

H. Consideration of Resolutions Removed from the Consent Calendar and Other Resolutions:
- **R19-019**: PLAN OF CHRISTIANA FIRE COMPANY; WHITE CLAY CREEK HUNDRED; NORTH SIDE OF MAGUIRE STREET, EAST SIDE OF OLD BALTIMORE PIKE, SOUTH SIDE OF MAIN STREET; MAJOR LAND DEVELOPMENT PLAN THAT PROPOSES A 32,193 SQUARE FOOT FIRE STATION; NC5 ZONING; COUNCIL DISTRICT 1. Introduced by: Mr. Woods, Ms. Hartley-Nagle

  --It was moved and seconded that R19-019 be read by title only and placed before Council for its consideration and adoption.

  Resolution 19-019—Adopted
  Yes: Bell, Carter, Cartier, Diller, Durham, Hartley-Nagle, Hollins, Kilpatrick, Sheldon, Smiley, Street, Tackett
  Absent: Woods

- **R19-020**: TO AMEND THE MAINTENANCE DECLARATION FOR SHANNON COVE TO ENCOMPASS THE ADDITIONAL LOTS OF SHANNON COVE II, INCLUDING TAX PARCEL NUMBER 13-018.20-393, 2625 DUPONT PARKWAY. Introduced by: Mr. Bell

  --It was moved and seconded that R19-020 be read by title only and placed before Council for its consideration.

  Resolution 19-020—Defeated
  No: Bell, Carter, Cartier, Diller, Durham, Hartley-Nagle, Hollins, Kilpatrick, Sheldon, Smiley, Street, Tackett
  Absent: Woods

- **R19-021**: REBUTTING THE COUNCIL PRESIDENT'S STATEMENTS REGARDING COUNTY COUNCIL'S ACTIONS ABOUT THE DELAWARE BOARD OF TRADE AND ADMONISHING HER FOR DISTORTIONS AND FABRICATIONS ABOUT THE DBOT COUNTY GOVERNMENT LOAN ISSUE. Introduced by: Mr. Cartier
--It was moved and seconded that Substitute No. 1 to R19-021 be read by title only and placed before Council for its consideration and adoption.

**Substitute No. 1 to Resolution 19-021—Adopted**
Yes: Bell, Carter, Cartier, Diller, Durham, Hollins, Kilpatrick, Sheldon, Smiley, Street, Tackett
No: Hartley-Nagle,
Absent: Woods

I. Consideration 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  
  --It was moved and seconded that °19-001 be read by title only and placed before Council for its consideration.

**Ordinance 19-001—Adopted**  
Yes: Bell, Carter, Cartier, Diller, Durham, Hartley-Nagle, Hollins, Kilpatrick, Sheldon, Smiley, Street, Tackett  
Absent: Woods

- **°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, Mr. Street, Mr. Sheldon  
  --It was moved and seconded that °19-002 be read by title only and placed before Council for its consideration and adoption.

**Ordinance 19-002—Adopted**  
Yes: Bell, Carter, Cartier, Diller, Durham, Hartley-Nagle, Hollins, Kilpatrick, Sheldon, Smiley, Street, Tackett  
Absent: Woods

- **°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  
  --It was moved and seconded that °19-003 be read by title only and placed before Council for its consideration and adoption.

**Ordinance 19-003—Adopted**  
Yes: Bell, Carter, Cartier, Diller, Durham, Hartley-Nagle, Hollins, Kilpatrick, Sheldon, Smiley, Street, Tackett  
Absent: Woods

- **°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  
  --It was moved and seconded that °19-004 be read by title only and placed before Council for its consideration and adoption.
Ordinance 19-004—Adopted
Yes: Bell, Carter, Cartier, Diller, Durham, Hartley-Nagle, Hollins, Kilpatrick, Sheldon, Smiley, Street, Tackett
Absent: Woods

• "18-113: REVISE ZONING MAP: NEW CASTLE HUNDRED, EAST SIDE CHURCHMANS ROAD, NORTH SIDE CHRISTIANA ROAD (SR 273) AND SOUTHWEST SIDE OLD CHURCHMANS ROAD, 100 PICCARD ROAD, TAX PARCEL NO. 10-024.00-025, 56.49 ACRES FROM CR (COMMERCIAL REGIONAL) TO I (INDUSTRIAL) The Exploratory Major Land Development Plan for 100 Piccard Road proposes to rezone the property to I for development of a 1,168,211 square foot warehouse facility on 56.49 acres. 2018-0513-S/Z. Introduced by: Mr. Smiley
--It was moved and seconded that §18-113 be read by title only and placed before Council for its consideration.

Ordinance 18-113--Adopted
Poll Vote
Bell: Yes, based on the positive recommendation of the Department of Land Use and the Planning Board.
Carter: Yes, based on the positive recommendations and its consistency with Chapter 9 of the Comprehensive Plan and ideal location for I zoning.
Cartier: Yes, based on the positive recommendation of the Department of Land Use and the Planning Board, and the suitability of the property for the purposed rezoning.
Diller: Yes, based on the positive recommendation of the Department of Land Use.
Durham: Yes, based on the positive recommendation of the Department of Land Use and its consistency with the Comprehensive Plan.
Hartley-Nagle: Yes, based on the positive recommendation of the Department of Land Use and the Planning Board.
Hollins: Yes, based on the positive recommendation of the Department of Land Use.
Kilpatrick: Yes, based on the positive recommendation of the Department of Land Use.
Sheldon: Yes, based on the positive recommendation of the Department of Land Use and the Planning Board.
Smiley: Yes, based on the positive recommendation of the Department of Land Use and the Planning Board and the consistency with the character of the surrounding area.
Street: Yes, based on the positive recommendation of the Department of Land Use.
Tackett: Yes, based on the positive recommendation of the Department of Land Use.
Woods: Absent

• "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: None
L. Public Comment/Other: None
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 7:19 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, Legislative Aide/Acting Deputy Clerk of Council*