

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

MINUTES

Tuesday, February 23, 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:

- Councilman Smiley moved to approve the February 9, 2021 council meeting minutes, it was seconded by Councilwoman Kilpatrick, and all were in favor.

C. Announcements: None

D. Introduction of Ordinances:

°21-014: AMEND THE FY2021 APPROVED OPERATING BUDGET: ALLOCATE \$26,640,000 FROM THE GENERAL FUND TAX STABILIZATION RESERVE ACCOUNT TO THE GENERAL FUND REASSESSMENT RESERVE ACCOUNT. Introduced by: Mr. Smiley, Ms. Kilpatrick, Mr. Carter, Mr. Woods, Mr. Hollins, Mr. Cartier, Ms. Hartley-Nagle

°21-015: AMEND THE PAY PLAN AND RATES OF PAY FOR NON-UNION CLASSIFIED SERVICE ROW OFFICE EMPLOYEES TO UPGRADE THE POSITION TITLE OF RECORDER OF DEEDS OFFICE ADMINISTRATOR. Introduced by: Ms. Hartley-Nagle

°21-016: TO AMEND THE PAY PLAN AND RATES OF PAY FOR CLASSIFIED SERVICE EMPLOYEES REPRESENTED BY THE DELAWARE PUBLIC EMPLOYEES COUNCIL 81, AFSCME, AFL-CIO, AFFILIATE LOCAL 1607, TO REVISE THE POSITION TITLE OF SYSTEMS ANALYST TO SENIOR APPLICATION ENGINEER AND TO APPROVE THE REVISED CLASS SPECIFICATION. Introduced by: Ms. Hartley-Nagle

°21-017: TO AMEND THE PAY PLAN AND RATES OF PAY FOR NON-UNION CLASSIFIED SERVICE EMPLOYEES AND TO ADOPT THE CLASS SPECIFICATION FOR THE POSITION TITLE OF DEPUTY CHIEF OF TECHNOLOGY. Introduced by: Ms. Hartley-Nagle

°21-018: TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 40 (ALSO KNOWN AS THE UNIFIED DEVELOPMENT CODE OR "UDC"), ARTICLE 22 ("DRAINAGE, UTILITIES, SEPTIC SYSTEMS, PARKING, LOADING, AND LIGHTING"), REGARDING ON-SITE WASTEWATER TREATMENT (SEPTIC) SYSTEMS. Introduced by: Ms. Kilpatrick, Mr. Sheldon

°21-019: AMEND THE FY2021 APPROVED OPERATING BUDGET: TRANSFER \$5,000 FROM THE GRANTS AND FIXED CHARGES BUDGET LINE ITEM OF COUNTY COUNCIL TO THE SALARIES AND WAGES, EMPLOYEE BENEFITS AND MATERIALS AND SUPPLIES BUDGET LINE ITEMS FOR THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF EMERGENCY COMMUNICATIONS. Introduced by: Mr. Smiley

E. Reports from Select and Special Committees:

- Councilwoman Kilpatrick reported that the Land Use Committee met on 2/16/21 and discussed items on tonight's agenda and received an update on Department of Land Use's Comprehensive Plan.
- Councilman Smiley reported that the Finance Committee met on 2/23/21 and discussed items on tonight's agenda, discussed the reassessment process, and reviewed grant requests.
- Councilwoman Durham reported that the Boards and Commissions Subcommittee met on 2/16/21 and interviewed and reviewed candidates for appointment and reappointment.

F. Consent Calendar:

R21-020: HONORING THE LIFE OF JAMES M. RUSSELL, JR. Introduced by: Mr. Woods

R21-021: CONSENTING TO THE REAPPOINTMENT OF PAUL WATTS TO THE NEW CASTLE COUNTY BOARD OF LICENSE INSPECTION AND REVIEW. Introduced by: Ms. Diller

R21-022: CONSENTING TO THE REAPPOINTMENT OF JOHN GRIESHABER TO THE NEW CASTLE COUNTY BOARD OF LICENSE INSPECTION AND REVIEW. Introduced by: Ms. Durham

R21-023: CONSENTING TO THE REAPPOINTMENT OF JONATHAN COCHRAN TO THE NEW CASTLE COUNTY BOARD OF LICENSE INSPECTION AND REVIEW. Introduced by: Ms. Durham

R21-024: CONSENTING TO THE REAPPOINTMENT OF DAVID "ANDY" HALL TO THE FIRE AND AMBULANCE ADVISORY BOARD. Introduced by: Mr. Bell

R21-025: CONSENTING TO THE APPOINTMENT OF CORETTA (THURSDAY) FARRELL TO THE NEW CASTLE COUNTY CLAYMONT DESIGN REVIEW ADVISORY COMMITTEE. Introduced by: Mr. Cartier

R21-026: REAPPOINTING KELLIE TETRICK TO THE NEW CASTLE COUNTY ETHICS COMMISSION. Introduced by: Mr. Sheldon

Consent Calendar – Adopted

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

G. Presentations: None

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

R21-027: SUPPORTING A COUNTY-WIDE GENERAL REAL PROPERTY TAX REASSESSMENT AND ENDORSING THE PRINCIPLES OF ITS EXECUTION. Introduced by: Mr. Smiley, Ms. Kilpatrick, Mr. Carter, Mr. Woods, Mr. Hollins, Mr. Cartier, Ms. Hartley-Nagle
--It was moved and seconded that R21-027 be read by title only and placed before Council for its consideration.

Resolution 21-027—Adopted

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

R21-028: DECLARING 0.30± ACRES IDENTIFIED ON NEW CASTLE COUNTY TAX MAPS AS TAX PARCEL NO. 19-009.00-011, 3.13± ACRES IDENTIFIED ON NEW CASTLE COUNTY TAX MAPS AS TAX PARCEL NO. 19-009.00-015, AND 0.31± ACRES IDENTIFIED ON NEW CASTLE COUNTY TAX MAPS AS TAX PARCEL NO. 07-039.30-002 SURPLUS LAND AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE THE AGREEMENT OF SALE AND OTHER DOCUMENTS NECESSARY TO TRANSFER SAID LAND TO DISABATINO LANDSCAPING & TREE SERVICE, INC. FOR \$12,000. Introduced by: Mr. Woods
--It was moved and seconded that R21-028 be read by title only and placed before Council for its consideration.

Resolution 21-028—Adopted

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

R21-029: TO RENAME THE STREET KNOWN AS “JAMES STREET,” A ONE BLOCK STREET LOCATED IN MARSHALLTON HEIGHTS, RUNNING NORTH TO SOUTH BETWEEN SCHOOL LANE AND NEWPORT ROAD, to “JAMES AVENUE;” Application No. 2021-0067; COUNCIL DISTRICT 1. Introduced by: Mr. Woods

--It was moved and seconded that R21-029 be read by title only and placed before Council for its consideration.

Resolution 20-029—Adopted

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

R21-030: IDENTIFYING A PROCESS AND FOCUS FOR FEDERAL FUNDS TO BE RECEIVED BY NEW CASTLE COUNTY UPON THE EXPECTED PASSAGE OF FY2021 RECONCILIATION ACT TO ENSURE RESPONSIBLE FISCAL OVERSIGHT AND TO ENSURE THAT DISCRETIONARY FUNDING DECISIONS PRIORITIZE THE NEEDS OF UNDERSERVED COMMUNITIES MOST IMPACTED BY COVID-19. Introduced by: Mr. Carter, Mr. Hollins, Ms. Hartley-Nagle, Mr. Cartier

--It was moved and seconded that R21-030 be read by title only and placed before Council for its consideration.

Resolution 21-030—Adopted

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

I. Consideration of Ordinances:

°20-089: REVISE ZONING MAP: BRANDYWINE HUNDRED, NORTHWEST SIDE OF MOUNT LEBANON ROAD, NORTHEAST OF THE INTERSECTION WITH ROCKLAND ROAD; 901 MOUNT LEBANON ROAD, TAX PARCEL NO. 06-075.00-006 & 06-075.00-026, 6.85 ACRES FROM NC40 (NEIGHBORHOOD CONSERVATION) TO NC40 AND H (HISTORIC) OVERLAY ZONE (The property owner is requesting the H (Historic) Overlay Zone for the subject parcel. 2020-0438 R/Z.) Introduced by: Ms. Hartley-Nagle

--It was moved and seconded that °20-089 be read by title only and placed before Council for its consideration.

--Councilwoman Durham announced that she is recusing herself as she is the owner of the property.

--Public comment: RJ Miles

Ordinance 20-089—Adopted

Bell: Yes, based upon the positive recommendation of the Department of Land Use.

Carter: Yes, based upon the positive recommendations of the Historic Review Board and Department of Land Use and because of his respect for the Councilmember leading by example.

Cartier: Yes, based upon the positive recommendations of the Historic Review Board and Department of Land Use and is confident that this fits the criteria needed to designate this as historic.

Diller: Yes, based upon the positive recommendation of the Department of Land Use.

Durham: Recused

Hollins: Yes, based upon the positive recommendation of the Historic Review Board

Kilpatrick: Yes, as this fits within the UDC.

Sheldon: Yes, based upon the positive recommendation of the Department of Land Use.

Smiley: Yes, based upon the positive recommendation of the Department of Land Use.

Street: Yes, based upon the positive recommendation of the Department of Land Use.

Tackett: Yes, based upon the positive recommendations of the Historic Review Board and Department of Land Use

Woods: Yes, based upon the reviews of all the different areas that reviewed it.

Hartley-Nagle: Yes, based upon the positive recommendation of the Department of Land Use.

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 by Councilwoman Kilpatrick, and the meeting was adjourned at 7:02 pm.

A recording of the meeting is available upon request.

Respectfully submitted by Anthony deFiore, Legislative Assistant.