

**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, March 12, 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  
Timothy P. Sheldon  
George Smiley  
Jea P. Street  
David L. Tackett  
Kenneth R. Woods

Absent

J. William Bell  
Elisa Diller

- President Hartley-Nagle announced that Councilman Bell was unable to attend the Council Meeting because he was attending a meeting in his district and that Councilwoman Diller was unavailable.

**B. Approval of Minutes:**

- Councilman Smiley moved to approve the February 26, 2019 council meeting minutes, it was seconded, and all were in favor.

**C. Announcements:**

- Councilman Smiley announced that he will move to suspend Council Rules to consider R19-044 under Item H.

**D. Introduction of Ordinances:**

- **\*19-018: AMEND THE GRANTS BUDGET: APPROPRIATE \$74,795.44 FROM THE STATE OF DELAWARE, DEPARTMENT OF LABOR – DELAWARE WORKFORCE INVESTMENT BOARD, TO THE 2019 STATE SUMMER YOUTH EMPLOYMENT PROGRAM – CITY OF WILMINGTON; THE GRANT WILL BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES. Introduced by: Mr. Hollins, Ms. Diller**
- **\*19-019: AMEND THE GRANTS BUDGET: APPROPRIATE \$104,975.00 IN FUNDING FROM THE STATE OF DELAWARE, DEPARTMENT OF LABOR – DELAWARE WORKFORCE INVESTMENT BOARD TO THE 2019 STATE SUMMER YOUTH EMPLOYMENT PROGRAM – SUBURBAN NEW CASTLE GRANT TO BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES. Introduced by: Mr. Hollins, Ms. Diller**
- **\*19-020: AMEND THE GRANTS BUDGET: APPROPRIATE FEDERAL GRANT AWARD OF \$98,600 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 2017 HOMELAND SECURITY GRANT PROGRAM.**

**Introduced by: Mr. Bell, Mr. Street**

- **°19-021: AMEND THE GRANTS BUDGET: APPROPRIATE FEDERAL GRANT AWARD OF \$224,000 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 2018 HOMELAND SECURITY GRANT PROGRAM. Introduced by: Mr. Bell, Mr. Street**
- **°19-022: AMEND THE FY2019 APPROVED OPERATING BUDGET: APPROPRIATE \$116,222.90 OF TAX STABILIZATION RESERVE AND \$53,200.25 OF SEWER RATE STABILIZATION RESERVE TO THE DEPARTMENT OF ADMINISTRATION, OFFICE OF FINANCE CONTRACTUAL SERVICES BUDGET LINE ITEM. Introduced by: Mr. Smiley, Mr. Cartier**
- **°19-023: TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 2 (“ADMINISTRATION”), ARTICLE 2 (“COUNTY COUNCIL”), TO RAISE THE THRESHOLD FOR COUNTY COUNCIL CONTRACT APPROVAL TO \$50,000. Introduced by: Mr. Smiley, Mr. Cartier**
- **°19-024: TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 14 (“FINANCE AND TAXATION”), ARTICLE 5 (“ABATEMENT OF PROPERTY TAXES AND PENALTY”), SECTION 14.05.003. (“AUTHORITY”) RELATING TO AUTHORITY. Introduced by: Mr. Smiley**
- **°19-025: TO REVISE *NEW CASTLE COUNTY CODE* CHAPTER 2 (“ADMINISTRATION”), ARTICLE 5 (“DEPARTMENTS AND OFFICES”), DIVISION 2.05.300. (“DEPARTMENT OF PUBLIC WORKS”), SECTION 2.05.305. (“ALCOHOL AND DRUG TESTING OF EMPLOYEES OF CONTRACTORS AND SUBCONTRACTORS WORKING ON PUBLIC WORKS PROJECTS AND JOBSITES”) REGARDING ALCOHOL AND DRUG TESTING OF EMPLOYEES OF GENERAL CONTRACTORS AND SUBCONTRACTORS WORKING ON PUBLIC WORKS PROJECTS AND WORKSITES. Introduced by: Mr. Sheldon**

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

- Councilman Sheldon reported that the Public Works Committee met on 3/5/19 and discussed the Wilmington Water Treatment/Sewer Agreement.
- Councilman Cartier reported that the Finance Committee met on 3/12/19 and discussed items on tonight’s agenda, approved grants, interviewed a candidate for NCCFAC, and had a presentation on the Senior Tax Exemptions.
- Councilman Street reported that the Public Safety Committee met on 3/12/19 and discussed ordinances that will be heard at the Council Meeting on 3/26/19, had a presentation on the 911 Statistics and heard comments from the public on incident that occurred last month in the community of Stratford.

**F. Consent Calendar:**

- **R19-040: CONGRATULATING THE OFFICE OF FINANCE FOR EARNING THE DISTINGUISHED BUDGET PRESENTATION AWARD FOR NEW CASTLE COUNTY’S COMPREHENSIVE ANNUAL BUDGET SUMMARY FOR 29 CONSECUTIVE YEARS. Introduced by: Mr. Smiley, Mr. Cartier**

**Consent Calendar—Adopted**

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

Absent: Bell, Diller

**G. Presentations: None**

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

- **R19-041: AUTHORIZING AN INCREASE OF \$4,900.00 TO THE PURCHASE ORDER CONTRACT FOR BENJAMIN BRIGGS TO PROVIDE PROFESSIONAL SERVICES AT THE ROUTE 9 EATERY FOR THE DEPARTMENT OF COMMUNITY SERVICES FOR A TOTAL PURCHASE ORDER CONTRACT OF \$24,900.00. Introduced by: Mr. Smiley, Mr. Cartier**

--It was moved and seconded that R19-041 be read by title only and placed before Council for its consideration and adoption.

**Resolution 19-041—Adopted**

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

Absent: Bell, Diller

- **R19-042: AUTHORIZING AN INCREASE OF \$4,900.00 TO THE PURCHASE ORDER CONTRACT FOR BENJAMIN BRIGGS TO PROVIDE A TRAINING PROGRAM AT ROUTE 9 EATERY FOR THE DEPARTMENT OF COMMUNITY SERVICES FOR A TOTAL PURCHASE ORDER CONTRACT OF \$24,900.00. Introduced by: Mr. Smiley, Mr. Cartier**

--It was moved and seconded that R19-042 be read by title only and placed before Council for its consideration and adoption.

**Resolution 19-042—Adopted**

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

Absent: Bell, Diller

- **R19-044: CONSENTING TO THE APPOINTMENT OF MICHAEL L. BUTLER TO THE NEW CASTLE COUNTY FINANCIAL ADVISORY COUNCIL. Introduced by: Mr. Smiley**  
-- Councilman moved to suspend Council Rules 5.4 for the purpose of considering R19-044. The motion was seconded and approved.  
--It was moved and seconded that R19-044 be read by title only and placed before Council for its consideration.

**Resolution 19-044—Adopted**

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

Absent: Bell, Diller

**I. Consideration of Ordinances:**

- **°19-016: TO AMEND NEW CASTLE COUNTY CODE CHAPTER 14 (“FINANCE AND TAXATION”) TO ESTABLISH THE REASSESSMENT RESERVE ACCOUNT WITHIN THE GENERAL FUND. Introduced by: Mr. Smiley, Ms. Kilpatrick, Ms. Diller, Mr. Carter, Mr. Cartier, Ms. Hartley-Nagle**

--It was moved and seconded that °19-016 be read by title only and placed before Council for its consideration and adoption.

**Ordinance 19-016—Adopted**

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

Absent: Bell, Diller

- **°19-017: AMEND THE FY2019 APPROVED SEWER FUND OPERATING BUDGET: APPROPRIATE \$3,138,588 OF SEWER RATE STABILIZATION RESERVE TO THE DEPARTMENT OF PUBLIC WORKS SEWER FUND COMMUNICATION AND UTILITIES BUDGET LINE ITEM. Introduced by: Mr. Sheldon, Mr. Woods**

--It was moved and seconded that °19-017 be read by title only and placed before Council for its consideration and adoption.

**Ordinance 19-017—Adopted**

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

Absent: Bell, Diller

- **°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:**

- **R19-043: HONORING THE LIFE AND LEGACY OF SERGEANT JOHN J. GAWORSKI, JR., AND EXPRESSING CONDOLENCES TO HIS FAMILY AND FRIENDS. Introduced by: Mr. Bell**

--It was moved and seconded that R19-043 be read by title only and placed before Council for its consideration and adoption.

**Resolution 19-043—Adopted**

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

Absent: Bell, Diller

**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 6:52 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*