

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 14, 2018

- A. The meeting was called to order by President Hartley-Nagle at 6:30 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
Janet T. Kilpatrick
William Powers, Jr.
Timothy P. Sheldon
George Smiley
Jea P. Street
David L. Tackett
Robert S. Weiner
Kenneth R. Woods

B. Approval of Minutes:

- Councilman Smiley moved to approve the February 27, 2018 Council meeting minutes, it was seconded, and all were in favor.

C. Announcements:

- Councilman Smiley announced that °17-070 would remain tabled and that he would move to go out of order to consider R18-048 prior to presentations.
- Councilman Bell announced that °17-095 and °17-096 would remain tabled.
- Councilwoman Kilpatrick announced that °18-015 would be withdrawn.

D. Introduction of Ordinances:

- **°18-016: TO PROVIDE FOR THE INSTALLATION OF TRADITIONAIRE STREET LIGHTS IN THE WOODCREST ESTATES SUBDIVISION LOCATED IN CHRISTIANA HUNDRED AND FOR A LIGHT TAX BASED ON THE COST OF STREET LIGHTS. Introduced by: Mr. Woods**
- **°18-017: AMEND THE GRANTS BUDGET: APPROPRIATE FEDERAL GRANT AWARD OF \$224,012 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 2016 HOMELAND SECURITY GRANT PROGRAM. Introduced by: Mr. Bell, Mr. Street**
- **°18-018: TO AMEND NEW CASTLE COUNTY CODE CHAPTER 14 (“FINANCE AND TAXATION”), ARTICLE 6 (“EXEMPTION FROM REAL PROPERTY TAXATION”), TO WAIVE DURATIONAL RESIDENCY REQUIREMENTS FOR DISABILITY PROPERTY TAX EXEMPTION APPLICANTS WHO HAVE SUSTAINED A SERVICE CONNECTED TOTAL AND PERMANENT DISABILITY. Introduced by: Ms. Kilpatrick, Mr. Hollins**
- **°18-019: TO AMEND NEW CASTLE COUNTY CODE CHAPTER 12 (“DRAINAGE”) ARTICLE 6 (“STORMWATER MANAGEMENT FACILITY AND WATERCOURSE MAINTENANCE”), REGARDING GENERAL STORMWATER MANAGEMENT FACILITY MAINTENANCE. Introduced by: Mr. Powers, Mr. Sheldon**

E. Reports from Select and Special Committees:

- Councilman Tackett reported that the Land Use/Special Services Committee met on 3/6/18 and discussed items on tonight's agenda had a presentation on Sewer in Port Penn/Middletown and a presentation on the future of Farmland Preservation.
- Councilman Cartier reported that the Finance Committee met on 3/13/18 and discussed an item on tonight's agenda, approved grant requests and received an update from the Executive branch.
- Councilman Bell reported that the Public Safety Committee met on 3/13/18 and discussed items on tonight's agenda, had a presentation on Text 911 and received an update on the Paramedic Program.

F. Consent Calendar:

- **R18-040: HONORING THE LIFE AND LEGACY OF LARRY GOODWYN, SR. Introduced by: Mr. Street**
- **R18-041: REAPPOINTING RICHARD H. GRIFFITHS, JR. TO THE NEW CASTLE COUNTY BOARD OF ASSESSMENT REVIEW. Introduced by: Mr. Powers**

Consent Calendar--Adopted

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

- Councilman Smiley moved to go out of order to consider R18-048. The motion was seconded and unanimously approved.

- **R18-048: NEW CASTLE COUNTY COUNCIL REQUESTS THE DELAWARE GENERAL ASSEMBLY SUPPORT HB239 AS AMENDED BY HOUSE AMENDMENT NO.1 TO HOUSE AMENDMENT NO. 1 TO HOUSE BILL NO. 239. Introduced by: Mr. Smiley**
-- It was moved and seconded that R18-048 be read by title only and placed before Council for its consideration and adoption.

Resolution 18-048 -- Adopted

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

No: Powers

Not Voting: Hartley-Nagle

- Councilman Smiley moved to return to regular order of business. The motion was seconded and unanimously approved.

G. Presentations: None

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

- **R18-042: AMEND THE FY2018 CAPITAL PROGRAM: APPROPRIATE \$100,000.00 FROM THE NEW CASTLE COUNTY TECHNOLOGY FEE ACCOUNT, \$91,939.36 FROM THE RECORDER OF DEEDS TECHNOLOGY FEE ACCOUNT, AND \$25,000.00 FROM THE CLERK OF THE PEACE TECHNOLOGY FEE ACCOUNT, TOTALING \$216,939.36, TO THE DEPARTMENT OF ADMINISTRATION, INFORMATION SYSTEMS EXPANSION II CAPITAL PROJECT. Introduced by: Mr. Smiley, Mr. Cartier**
--It was moved and seconded that R18-042 be read by title only and placed before Council.

Resolution 18-042—Adopted

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

- **R18-043: TO RENAME THE NON-RESIDENTIAL SUBDIVISION RECORDED AS "SCERNI INDUSTRIAL PARK," TAX PARCEL 09-022.00-018, AN INDUSTRIAL PARK LOCATED ON THE NORTH SIDE OF OGLETOWN ROAD, APPROXIMATELY 1,500 FEET SOUTH OF ROUTE 273, TO "GFP BUSINESS PARK," COUNCIL DISTRICT 5. Introduced by: Ms. Diller**
--It was moved and seconded that R18-043 be read by title only and placed before Council for its

consideration and adoption.

Resolution 18-043 -- Adopted

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

- **R18-044: TO AMEND RULE 5.4 OF NEW CASTLE COUNTY COUNCIL RULES OF PROCEDURE REGARDING TIMING OF LEGISLATION OR MATTER TO BE CONSIDERED AT A COMMITTEE MEETING. Introduced by: Mr. Tackett, Ms. Kilpatrick**
--It was moved and seconded that R18-044 be read by title only and placed before Council for its consideration and adoption.

Resolution 18-044 -- Adopted

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

- **R18-045: URGING THE DELAWARE GENERAL ASSEMBLY TO AMEND THE DELAWARE CODE TO PROVIDE NEW CASTLE COUNTY WITH AUTHORITY TO ESTABLISH A PURCHASE PRICE CAP TO QUALIFY FOR THE FIRST TIME HOMEBUYER TAX EXEMPTION. Introduced by: Mr. Smiley, Mr. Cartier**
--It was moved and seconded that R18-045 be read by title only and placed before Council for its consideration and adoption.
-- Public Comment: Tony Klemanski, Eric Braunstein

Resolution 18-045 -- Adopted

Yes: Bell, Cartier, Diller, Kilpatrick, Powers, Sheldon, Smiley, Street, Tackett, Weiner, Woods
No: Hartley-Nagle
Absent: Hollins

- **R18-046: URGING THE DELAWARE GENERAL ASSEMBLY TO AMEND THE DELAWARE CODE TO PERMIT NEW CASTLE COUNTY THE SAME AUTHORITY AS THE CITY OF WILMINGTON TO IMPLEMENT AN ACCOMMODATION TAX FOR HOTEL, MOTEL, AND TOURIST HOME STAYS TO DEFRAY A SMALL PORTION OF THE COST OF PROVIDING COUNTY SERVICES TO OUR VISITORS. Introduced by: Mr. Smiley, Mr. Cartier**
--It was moved and seconded that R18-046 be read by title only and placed before Council for its consideration and adoption.
--Public Comment: Joe Fitzgerald

Resolution 18-046 -- Adopted

Yes: Bell, Cartier, Diller, Kilpatrick, Powers, Sheldon, Smiley, Street, Tackett, Weiner, Woods
No: Hartley-Nagle
Absent: Hollins

- **R18-047: URGING THE DELAWARE GENERAL ASSEMBLY TO PARTIALLY RESTORE THE PARAMEDIC REIMBURSEMENT RATE FOR STATE-MANDATED COUNTY PARAMEDIC SERVICES TO 50% TO HELP ADDRESS THE INCREASED DEMANDS FOR SERVICE. Introduced by: Mr. Bell, Mr. Street**
---It was moved and seconded that R18-047 be read by title only and placed before Council for its consideration and adoption.

Resolution 18-047 -- Adopted

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

I. Consideration of Ordinances

- **°18-014: AMEND THE FY2018 CAPITAL BUDGET: APPROPRIATE \$100,000.00 FROM THE NEW CASTLE COUNTY TECHNOLOGY FEE ACCOUNT, \$91,939.36 FROM THE RECORDER OF DEEDS TECHNOLOGY FEE ACCOUNT, AND \$25,000.00 FROM THE CLERK OF THE PEACE TECHNOLOGY FEE ACCOUNT, TOTALING \$216,939.36, TO THE DEPARTMENT OF ADMINISTRATION, INFORMATION SYSTEMS EXPANSION II CAPITAL PROJECT. Introduced by: Mr. Smiley, Mr. Cartier**
--It was moved and seconded that °18-014 be read by title only and placed before Council for its consideration and adoption.

Ordinance 18-014--Adopted

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

- **°18-015: TO AUTHORIZE THE ABATEMENT OF NEW CASTLE COUNTY REAL PROPERTY TAXES ON THE PROPERTY AT 283 CHIPPENHAM LANE, HOCKESSIN, TAX PARCEL NUMBER 0801810022. Introduced by: Ms. Kilpatrick**
--Councilwoman Kilpatrick withdrew °18-015.
- **°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 table
- **°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 tabled.

J. Time Sensitive Congratulatory/Honorary Resolutions:

- **R18-049: HONORING THE LIFE OF WILLIAM H. BULLOCK AND EXPRESSING CONDOLENCES TO HIS FAMILY AND FRIENDS. Introduced: Mr. Powers, Mr. Bell**
-- It was moved and seconded that R18-044 be read by title only and placed before Council for its consideration and adoption.

Resolution 18-049 -- Adopted

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

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 7:20 p.m.

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*