

**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 26, 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

J. William Bell  
David Carter  
John J. Cartier  
Elisa Diller  
Dee Durham  
Karen Hartley-Nagle  
Penrose Hollins  
Janet T. Kilpatrick  
Timothy P. Sheldon  
George Smiley  
David L. Tackett  
Kenneth R. Woods

Absent

Jea P. Street

*-- Councilman Street arrived during the Announcements.*

**B. Approval of Minutes:**

- Councilman Smiley moved to approve the March 12, 2019 council meeting minutes, it was seconded, and all were in favor.

**C. Announcements:**

- Councilman Cartier announced that he was tabling Ordinance 19-023.
- Councilman Smiley announced that he was tabling Ordinance 19-024.
- Councilman Bell announced that Ordinance 17-095 and Ordinance 17-096 would remain tabled and provided an update on the legislation.

**D. Introduction of Ordinances:**

- **19-026: TO PROVIDE FOR THE INSTALLATION OF TRADITIONAIRE STREET LIGHTS IN THE CHESTNUT HILL PRESERVE SUBDIVISION LOCATED IN WHITE CLAY CREEK AND PENCADER HUNDRED AND FOR A LIGHT TAX BASED ON THE COST OF STREET LIGHTS. Introduced by: Ms. Diller**
- **19-027: AMEND THE GRANTS BUDGET: APPROPRIATE FUNDING FROM THE COUNTY COUNCIL FY2019 APPROVED OPERATING BUDGET TO THE 2019 NEW CASTLE COUNTY SUMMER YOUTH EMPLOYMENT GRANT, WHICH IS ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES. Introduced by: Mr. Hollins, Mr. Street, Mr. Smiley**
- **19-028: AMEND THE FY2019 APPROVED OPERATING BUDGET: APPROPRIATE FUNDING FROM THE GRANTS AND FIXED CHARGES BUDGET LINE ITEM OF**

**COUNTY COUNCIL TO THE 2019 NEW CASTLE COUNTY SUMMER YOUTH EMPLOYMENT PROGRAM GRANT. Introduced by: Mr. Hollins, Mr. Street, Mr. Smiley**

- **°19-029: AMEND THE GRANTS BUDGET: APPROPRIATE \$116,300 FROM WEST END NEIGHBORHOOD HOUSE TO THE CITI FOUNDATION PATHWAY TO PROGRESS SUMMER YOUTH EMPLOYMENT PROGRAM GRANT, TO BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES AS A SUBGRANTEE. Introduced by: Mr. Hollins, Ms. Diller**
- **°19-030: AMEND THE GRANTS BUDGET: REALIGN \$306,193.38 IN FEDERAL FUNDS WITHIN THE NEIGHBORHOOD STABILIZATION PROGRAM II GRANT, WHICH IS ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES. Introduced by: Mr. Hollins, Ms. Diller**
- **°19-031: AMEND THE GRANTS BUDGET: APPROPRIATE NEW CASTLE COUNTY FUNDING OF \$64,800 FROM THE DEPARTMENT OF COMMUNITY SERVICES FY2019 APPROVED OPERATING BUDGET AND APPROPRIATE ACTUAL AND ANTICIPATED PROGRAM INCOME OF \$190,200 TO THE SUMMER RECREATION CAMPS GRANT. Introduced by: Mr. Hollins, Ms. Diller**
- **°19-032: AMEND THE ANNUAL OPERATING BUDGET: APPROPRIATE \$64,800 FROM THE CONTRACTUAL SERVICES BUDGET LINE ITEM OF THE DEPARTMENT OF COMMUNITY SERVICES TO THE SUMMER RECREATION CAMPS GRANT. Introduced by: Mr. Hollins, Ms. Diller**
- **°19-033: TO AMEND THE PAY PLAN AND RATES OF PAY FOR NON-UNION CLASSIFIED SERVICE EMPLOYEES AND REVISE THE CLASS SPECIFICATION FOR THE POSITION OF PAYROLL SUPERVISOR. Introduced by: Ms. Hartley-Nagle**
- **°19-034: AMEND THE PAY PLAN AND RATES OF PAY FOR UNION, UNCLASSIFIED SERVICE, SCHOOL CROSSING GUARDS REPRESENTED BY THE INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS, LOCAL 2270, AFL-CIO. Introduced by: Ms. Hartley-Nagle**

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

- Councilman Smiley reported that the Special Finance Committee met at 9 AM on 3/26/19 in Executive Conference Room at the Government Center and discussed property tax rate calculations.
- Councilman Smiley reported that the Finance Committee met on 3/26/19 and discussed items on this evening's agenda, received an update on the Property Tax Rate Calculations and overview of the FY20 Budget, approved grants and received an update from the Executive Branch regarding upcoming events.
- Councilwoman Diller reported that the Community Services Committee met on 3/26/19 and discussed legislation and received updates on Vacant Housing, Community Intervention & Outreach program, and the Southern Library.
- Councilman Smiley reported that the Executive Committee met on 3/26/19 and held Boards and Commissions interviews, discussed items on tonight's agenda and had discussion on forming committees.
- Councilwoman Diller reported that the Boards and Commissions Sub-Committee met on 3/19/19 and interviewed candidates for several boards.
- Councilwoman Kilpatrick reported that the Personnel Sub-Committee met on 3/19/19 for Ethics Training.
- Councilman Tackett reported that the Land Use Committee met on 3/19/19 and discussed items on tonight's agenda and had a presentation on open space.

**F. Consent Calendar:**

- **R19-045: HONORING THE LIFE OF WILLIAM G. "BILL" WALTON, SR., AND EXPRESSING CONDOLENCES TO HIS FAMILY AND FRIENDS. Introduced by: Mr. Bell, Mr. Street, Mr. Wood**

- **R19-046: HONORING SANDRA ANDERSON ON HER RETIREMENT FROM THE NEW CASTLE COUNTY PLANNING BOARD. Introduced by: Ms. Durham**

**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:**

- **R19-047: PLAN OF BAKER FARM; ST. GEORGE’S HUNDRED; SOUTH SIDE OF BOYD’S CORNER ROAD, EAST SIDE OF SHALLCROSS LAKE ROAD, NORTH SIDE OF GREYLAG ROAD, AND WEST OF US 13; MAJOR LAND DEVELOPMENT PLAN THAT PROPOSES CONSTRUCTION OF A SUBDIVISION ON 65.39 ACRES, CONSISTING OF 80 VILLAGE LOTS, 28 LINE LOTS, AND 74 TOWNHOUSE LOTS; ST ZONING; COUNCIL DISTRICT 12. Introduced by: Mr. Bell**

--It was moved and seconded that R19-047 be read by title only and placed before Council for its consideration and adoption.

**Resolution 19-047—Adopted**

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

- **R19-048: PLAN OF 17 BELLECOR DRIVE; NEW CASTLE HUNDRED; EASTSIDE OF BELLECOR DRIVE, 1900 FEET NORTH OF WEST BASIN ROAD; MAJOR LAND DEVELOPMENT PLAN THAT PROPOSES TO CONSTRUCT 55,960 SQUARE FEET OF FLEX WAREHOUSE SPACE; I ZONING; COUNCIL DISTRICT 7. Introduced by: Mr. Smiley**

--It was moved and seconded that R19-048 be read by title only and placed before Council for its consideration.

**Resolution 19-048—Adopted**

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

- **R19-049: CONSENTING TO THE REAPPOINTMENT OF JILL FLOORE TO THE NEW CASTLE COUNTY FINANCIAL ADVISORY COUNCIL. Introduced by: Ms. Kilpatrick**

--It was moved and seconded that R19-049 be read by title only and placed before Council for its consideration and adoption

**Resolution 19-049—Adopted**

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

- **R19-050: CONSENTING TO THE APPOINTMENT OF CATHERINE DEVANEY MCKAY TO THE NEW CASTLE COUNTY HOUSING ADVISORY BOARD. Introduced by: Ms. Kilpatrick**

--It was moved and seconded that R19-050 be read by title only and placed before Council for its consideration and adoption

**Resolution 19-050—Adopted**

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

- **R19-051: CONSENTING TO THE APPOINTMENT OF LOTTIE LEE DAVIS TO THE NEW CASTLE COUNTY HOUSING ADVISORY BOARD. Introduced by: Mr. Hollins**  
--It was moved and seconded that R19-051 be read by title only and placed before Council for its consideration and adoption

**Resolution 19-051—Adopted**

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

- **R19-052: CONSENTING TO THE APPOINTMENT OF MEGHANN O'REILLY KARASIC TO THE NEW CASTLE COUNTY HOUSING ADVISORY BOARD. Introduced by: Ms. Durham**
- **R19-053: CONSENTING TO THE APPOINTMENT OF MICHAEL P. MORTON TO THE NEW CASTLE COUNTY HOUSING ADVISORY BOARD. Introduced by: Ms. Diller**
- **R19-054: CONSENTING TO THE APPOINTMENT OF HELEN J. MCKINLEY TO THE NEW CASTLE COUNTY HUMAN RESOURCES ADVISORY BOARD. Introduced by: Mr. Cartier**  
--It was moved and seconded that R19-052, R19-053 and R19-054 be read by title only and placed before Council for its consideration and adoption

**Resolution 19-052, Resolution 19-053, and Resolution 19-054—Adopted**

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

- **R19-055: AUTHORIZING THE COUNTY EXECUTIVE TO SIGN THE COLLECTIVE BARGAINING AGREEMENT WITH THE INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS, LOCAL 2270, REPRESENTING NEW CASTLE COUNTY SCHOOL CROSSING GUARDS. Introduced by: Ms. Hartley-Nagle**  
--It was moved and seconded that R19-055 be read by title only and placed before Council for its consideration and adoption

**Resolution 19-055—Adopted**

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

- **R19-056: URGING THE DELAWARE GENERAL ASSEMBLY TO AMEND THE DELAWARE CODE TO PERMIT NEW CASTLE COUNTY THE AUTHORITY TO LEASE PARK LAND OR LAND HELD IN PUBLIC TRUST TO ERECT, MAINTAIN, AND OPERATE WIRELESS COMMUNICATIONS FACILITIES. Introduced by: Mr. Sheldon, Mr. Woods**  
--It was moved and seconded that R19-056 be read by title only and placed before Council for its consideration and adoption

**Resolution 19-056—Adopted**

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

- **R19-057: URGING THE DELAWARE GENERAL ASSEMBLY TO AMEND THE DELAWARE CODE TO PERMIT NEW CASTLE COUNTY THE AUTHORITY TO COLLECT DELINQUENT SEWER SERVICE CHARGES THROUGH THE TAX MONITION PROCESS ESTABLISHED FOR DELINQUENT TAXES. Introduce by: Mr. Hollins, Ms. Diller, Ms. Hartley-Nagle**  
--It was moved and seconded that R19-057 be read by title only and placed before Council for its consideration and adoption

**Resolution 19-057—Adopted**

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

- **R19-058: HONORING THE LIFE OF EDWARD E. KSIAZEK AND EXPRESSING CONDOLENCES TO HIS FAMILY AND FRIENDS. Introduced by: Mr. Bell, All of Council**  
--It was moved and seconded that R19-058 be read by title only and placed before Council for its consideration and adoption

**Resolution 19-058—Adopted**

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

**I. Consideration 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**  
--It was moved and seconded that °19-018 be read by title only and placed before Council for its consideration and adoption.

**Ordinance 19-018—Adopted**

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

- **°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**  
--It was moved and seconded that °19-019 be read by title only and placed before Council for its consideration and adoption.

**Ordinance 19-019—Adopted**

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

- **°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**  
--It was moved and seconded that °19-020 be read by title only and placed before Council for its consideration and adoption.

**Ordinance 19-020—Adopted**

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

- **°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**

--It was moved and seconded that °19-021 be read by title only and placed before Council for its consideration and adoption.

**Ordinance 19-021—Adopted**

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

- **°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**

--It was moved and seconded that °19-022 be read by title only and placed before Council for its consideration.

**Ordinance 19-022—Adopted**

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

- **°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**

--It was moved and seconded that °19-023 be read by title only and placed before Council for its consideration.

--Councilman Cartier moved to table °19-023. The motion was seconded and approved.

**Ordinance 19-023—Tabled**

- **°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**

--It was moved and seconded that °19-024 be read by title only and placed before Council for its consideration.

--Councilman Smiley moved to table °19-024. The motion was seconded and approved.

**Ordinance 19-024—Tabled**

- **°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**

--It was moved and seconded that °19-025 be read by title only and placed before Council for its consideration and adoption.

**Ordinance 19-025—Adopted**

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

Present: Hollins, Street

- **°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 7:10 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*