

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

MINUTES

Tuesday, June 9, 2020

- A. The meeting was called to order by President Hartley-Nagle at 7:14 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 May 26, 2020 council meeting minutes, it was seconded, and all were in favor.

C. Announcements:

--President Hartley-Nagle motioned to move 41 resolutions to the consent calendar. The motion was seconded and approved.

--Councilman Cartier announced that there are floor amendments for Ordinance 20-064 and Ordinance 20-065.

D. Introduction of Ordinances:

- **20-066: AMEND THE GRANTS BUDGET: APPROPRIATE \$147,886 OF FEDERAL FUNDS FROM THE UNITED STATES DEPARTMENT OF JUSTICE VICTIMS OF CRIME ACT (VOCA) VICTIM ASSISTANCE PROGRAM THROUGH THE DELAWARE CRIMINAL JUSTICE COUNCIL (CJC) TO THE CRIMINAL JUSTICE COUNCIL NEW CASTLE COUNTY POLICE DEPARTMENT EXPANSION OF VICTIM SERVICES – FOURTH YEAR GRANT, TO BE ADMINISTERED BY THE DEPARTMENT OF PUBLIC SAFETY. Introduced by: Mr. Bell, Mr. Street**
- **20-067: AMEND THE GRANTS BUDGET: APPROPRIATE \$34,402.00 FROM THE STATE OF DELAWARE, DEPARTMENT OF JUSTICE–SPECIAL LAW ENFORCEMENT ASSISTANCE FUND (SLEAF) TO THE SLEAF – POWER HAWK NERAT GRANT, TO BE ADMINISTERED BY THE DEPARTMENT OF PUBLIC SAFETY. Introduced by: Mr. Bell, Mr. Street**
- **20-068:AMEND THE FY2021 CAPITAL BUDGET: APPROPRIATE UP TO \$4,200 FROM THE RECORDER OF DEEDS TECHNOLOGY FEE ACCOUNT AND UP TO \$70,000 FROM THE NEW CASTLE COUNTY TECHNOLOGY FEE ACCOUNT WITHIN THE OFFICE OF THE RECORDER OF DEEDS, TOTALING \$74,200 TO THE DEPARTMENT OF ADMINISTRATION, INFORMATION SYSTEMS EXPANSION II CAPITAL PROJECT TO SUPPORT THREE TECHNOLOGICAL INITIATIVES. Introduced by: Mr. Smiley, Mr. Cartier**
- **20-069: TO AMEND THE PAY PLAN FOR NON-UNION UNCLASSIFIED SERVICE EMPLOYEES OF COUNTY COUNCIL AND REVISE THE CLASS SPECIFICATIONS FOR**

ASSOCIATE AUDITOR, STAFF AUDITOR, AND SENIOR AUDITOR. Introduced by: Ms. Kilpatrick, Mr. Sheldon

- **20-070: TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 40 (ALSO KNOWN AS THE UNIFIED DEVELOPMENT CODE OR “UDC”), ARTICLE 3 (“USE REGULATIONS”) REGARDING OUTDOOR SALES AND SERVICES. Introduced by: Mr. Tackett, Ms. Kilpatrick**
- **20-071: TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 6 (“BUILDING CODE”), REGARDING ARTICLE 2 (“DEFINITIONS”) AND ARTICLE 3 (“ADMINISTRATION”), *NEW CASTLE COUNTY CODE* CHAPTER 40 (ALSO KNOWN AS THE UNIFIED DEVELOPMENT CODE OR “UDC”), REGARDING ARTICLE 7 (“TRANSFERABLE DEVELOPMENT RIGHTS AND BONUSES”), ARTICLE 15 (“HISTORIC RESOURCES”), AND ARTICLE 33 (“DEFINITIONS”) REGARDING CODE PROVISIONS RELATING TO HISTORIC RESOURCES. Introduced by: Ms. Durham, Mr. Cartier**

E. Reports from Select and Special Committees:

- Councilman Woods reported that the Public Works Committee met on 6/2/20 and discussed County Parks Phased re-opening.
- Councilwoman Kilpatrick reported that the Land Use Committee met on 6/2/20 and discussed items on tonight’s agenda and discussed board and commissions appointments.
- Councilman Hollins reported that the Executive Committee met on 6/9/20 and discussed Council Offices Phased Re-opening and the protests in the country.
- Councilman Street reported that the Public Safety Committee met on 6/9/20 and discussed items on the agenda, the June 23rd Council meeting agenda, and received an update on police deployment due to protests.
- Councilman Cartier reported that the Finance Committee met on 6/9/20 and discussed items on tonight’s agenda.

F. Consent Calendar:

- **R20-087: APPOINTING CONNIE ROBERTS TO THE NEW CASTLE COUNTY BOARD OF ASSESSMENT REVIEW. Introduced by: Mr. Street, Ms. Hartley-Nagle**
- **R20-088: CONSENTING TO THE APPOINTMENT OF MICHAEL SHAW TO THE FIRE AND AMBULANCE ADVISORY BOARD. Introduced by: Mr. Smiley, Ms. Hartley-Nagle**
- **R20-089: CONSENTING TO THE REAPPOINTMENT OF JOHN DAVIS AND HIS APPOINTMENT AS CHAIRPERSON TO THE NEW CASTLE COUNTY HISTORIC REVIEW BOARD. Introduced by: Ms. Durham, Ms. Hartley-Nagle**
- **R20-090: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT FOR CITY OF DELAWARE CITY FOR FINANCIAL ASSISTANCE FOR COVID RELATED EXPENDITURES FOR THE DEPARTMENT OF ADMINISTRATION IN THE AMOUNT OF \$62,300.00. Introduced by: Mr. Smiley, Mr. Cartier, Ms. Hartley-Nagle**
- **R20-091: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT FOR CITY OF NEW CASTLE FOR FINANCIAL ASSISTANCE FOR COVID RELATED EXPENDITURES FOR THE DEPARTMENT OF ADMINISTRATION IN THE AMOUNT OF \$188,000.00. Introduced by: Mr. Smiley, Mr. Cartier, Ms. Hartley-Nagle**
- **R20-092: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT FOR CITY OF NEWARK FOR FINANCIAL ASSISTANCE FOR COVID RELATED EXPENDITURES FOR THE DEPARTMENT OF ADMINISTRATION IN THE AMOUNT OF \$1,150,000.00. Introduced by: Mr. Smiley, Mr. Cartier, Ms. Hartley-Nagle**
- **R20-093: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT FOR CITY OF WILMINGTON FOR FINANCIAL ASSISTANCE FOR COVID RELATED EXPENDITURES FOR THE DEPARTMENT OF ADMINISTRATION IN THE AMOUNT OF \$2,400,000.00. Introduced by: Mr. Smiley, Mr. Cartier, Ms. Hartley-Nagle**
- **R20-094: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT FOR TOWN OF BELLEFONTE FOR FINANCIAL ASSISTANCE FOR COVID RELATED**

EXPENDITURES FOR THE DEPARTMENT OF ADMINISTRATION IN THE AMOUNT OF \$40,700.00. Introduced by: Mr. Smiley, Mr. Cartier, Ms. Hartley-Nagle

- **R20-095: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT FOR TOWN OF ELSMERE FOR FINANCIAL ASSISTANCE FOR COVID RELATED EXPENDITURES FOR THE DEPARTMENT OF ADMINISTRATION IN THE AMOUNT OF \$204,000.00. Introduced by: Mr. Smiley, Mr. Cartier, Ms. Hartley-Nagle**
- **R20-096: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT FOR TOWN OF MIDDLETOWN FOR FINANCIAL ASSISTANCE FOR COVID RELATED EXPENDITURES FOR THE DEPARTMENT OF ADMINISTRATION IN THE AMOUNT OF \$770,000.00. Introduced by: Mr. Smiley, Mr. Cartier, Ms. Hartley-Nagle**
- **R20-097: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT FOR TOWN OF NEWPORT FOR FINANCIAL ASSISTANCE FOR COVID RELATED EXPENDITURES FOR THE DEPARTMENT OF ADMINISTRATION IN THE AMOUNT OF \$35,100.00. Introduced by: Mr. Smiley, Mr. Cartier, Ms. Hartley-Nagle**
- **R20-098: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT FOR TOWN OF ODESSA FOR FINANCIAL ASSISTANCE FOR COVID RELATED EXPENDITURES FOR THE DEPARTMENT OF ADMINISTRATION IN THE AMOUNT OF \$12,400.00. Introduced by: Mr. Smiley, Mr. Cartier, Ms. Hartley-Nagle**
- **R20-099: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT FOR TOWN OF TOWNSEND FOR FINANCIAL ASSISTANCE FOR COVID RELATED EXPENDITURES FOR THE DEPARTMENT OF ADMINISTRATION IN THE AMOUNT OF \$87,700.00. Introduced by: Mr. Smiley, Mr. Cartier, Ms. Hartley-Nagle**
- **R20-100: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT FOR VILLAGE OF ARDEN FOR FINANCIAL ASSISTANCE FOR COVID RELATED EXPENDITURES FOR THE DEPARTMENT OF ADMINISTRATION IN THE AMOUNT OF \$15,100.00. Introduced by: Mr. Smiley, Mr. Cartier, Ms. Hartley-Nagle**
- **R20-101: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT FOR VILLAGE OF ARDENCROFT FOR A PASS-THROUGH GRANT FOR COVID RELATED EXPENDITURES FOR THE DEPARTMENT OF ADMINISTRATION IN THE AMOUNT OF \$7,400.00. Introduced by: Mr. Smiley, Mr. Cartier, Ms. Hartley-Nagle**
- **R20-102: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT FOR VILLAGE OF ARDENTOWN FOR FINANCIAL ASSISTANCE FOR COVID RELATED EXPENDITURES FOR THE DEPARTMENT OF ADMINISTRATION IN THE AMOUNT OF \$9,100.00. Introduced by: Mr. Smiley, Mr. Cartier, Ms. Hartley-Nagle**
- **R20-103: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT FOR AETNA HOSE HOOK AND LADDER FIRE COMPANY FOR FINANCIAL ASSISTANCE FOR COVID RELATED EXPENDITURES FOR THE DEPARTMENT OF ADMINISTRATION IN THE AMOUNT OF \$80,692.00. Introduced by: Mr. Smiley, Mr. Cartier, Ms. Hartley-Nagle**
- **R20-104: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT FOR BELVEDERE FIRE COMPANY FOR FINANCIAL ASSISTANCE FOR COVID RELATED EXPENDITURES FOR THE DEPARTMENT OF ADMINISTRATION IN THE AMOUNT OF \$39,167.00. Introduced by: Mr. Smiley, Mr. Cartier, Ms. Hartley-Nagle**
- **R20-105: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT FOR BRANDYWINE HUNDRED FIRE COMPANY FOR FINANCIAL ASSISTANCE FOR COVID RELATED EXPENDITURES FOR THE DEPARTMENT OF ADMINISTRATION IN THE AMOUNT OF \$40,309.00. Introduced by: Mr. Smiley, Mr. Cartier, Ms. Hartley-Nagle**
- **R20-106: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT FOR CHRISTIANA FIRE COMPANY FOR FINANCIAL ASSISTANCE FOR COVID RELATED EXPENDITURES FOR THE DEPARTMENT OF ADMINISTRATION IN THE AMOUNT OF \$67,231.00. Introduced by: Mr. Smiley, Mr. Cartier, Ms. Hartley-Nagle**
- **R20-107: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT FOR CLAYMONT FIRE COMPANY FOR FINANCIAL ASSISTANCE FOR COVID RELATED**

EXPENDITURES FOR THE DEPARTMENT OF ADMINISTRATION IN THE AMOUNT OF \$53,770.00. Introduced by: Mr. Smiley, Mr. Cartier, Ms. Hartley-Nagle

- **R20-108: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT FOR CRANSTON HEIGHTS FIRE COMPANY FOR FINANCIAL ASSISTANCE FOR COVID RELATED EXPENDITURES FOR THE DEPARTMENT OF ADMINISTRATION IN THE AMOUNT OF \$39,167.00. Introduced by: Mr. Smiley, Mr. Cartier, Ms. Hartley-Nagle**
- **R20-109: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT FOR DELAWARE CITY FIRE COMPANY FOR FINANCIAL ASSISTANCE FOR COVID RELATED EXPENDITURES FOR THE DEPARTMENT OF ADMINISTRATION IN THE AMOUNT OF \$45,688.00. Introduced by: Mr. Smiley, Mr. Cartier, Ms. Hartley-Nagle**
- **R20-110: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT FOR ELSMERE FIRE COMPANY FOR FINANCIAL ASSISTANCE FOR COVID RELATED EXPENDITURES FOR THE DEPARTMENT OF ADMINISTRATION IN THE AMOUNT OF \$40,309.00. Introduced by: Mr. Smiley, Mr. Cartier, Ms. Hartley-Nagle**
- **R20-111: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT FOR FIVE POINTS FIRE COMPANY FOR FINANCIAL ASSISTANCE FOR COVID RELATED EXPENDITURES FOR THE DEPARTMENT OF ADMINISTRATION IN THE AMOUNT OF \$40,309.00. Introduced by: Mr. Smiley, Mr. Cartier, Ms. Hartley-Nagle**
- **R20-112: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT FOR GOODWILL FIRE COMPANY FOR FINANCIAL ASSISTANCE FOR COVID RELATED EXPENDITURES FOR THE DEPARTMENT OF ADMINISTRATION IN THE AMOUNT OF \$45,688.00. Introduced by: Mr. Smiley, Mr. Cartier, Ms. Hartley-Nagle**
- **R20-113: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT FOR HOCKESSIN FIRE COMPANY FOR FINANCIAL ASSISTANCE FOR COVID RELATED EXPENDITURES FOR THE DEPARTMENT OF ADMINISTRATION IN THE AMOUNT OF \$40,309.00. Introduced by: Mr. Smiley, Mr. Cartier, Ms. Hartley-Nagle**
- **R20-114: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT FOR HOLLOWAY TERRACE FIRE COMPANY FOR FINANCIAL ASSISTANCE FOR COVID RELATED EXPENDITURES FOR THE DEPARTMENT OF ADMINISTRATION IN THE AMOUNT OF \$44,547.00. Introduced by: Mr. Smiley, Mr. Cartier, Ms. Hartley-Nagle**
- **R20-115: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT FOR MILL CREEK FIRE COMPANY FOR FINANCIAL ASSISTANCE FOR COVID RELATED EXPENDITURES FOR THE DEPARTMENT OF ADMINISTRATION IN THE AMOUNT OF \$53,770.00. Introduced by: Mr. Smiley, Mr. Cartier, Ms. Hartley-Nagle**
- **R20-116: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT FOR MINQUADALE FIRE COMPANY FOR FINANCIAL ASSISTANCE FOR COVID RELATED EXPENDITURES FOR THE DEPARTMENT OF ADMINISTRATION IN THE AMOUNT OF \$39,167.00. Introduced by: Mr. Smiley, Mr. Cartier, Ms. Hartley-Nagle**
- **R20-117: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT FOR MINQUAS FIRE COMPANY FOR FINANCIAL ASSISTANCE FOR COVID RELATED EXPENDITURES FOR THE DEPARTMENT OF ADMINISTRATION IN THE AMOUNT OF \$44,547.00. Introduced by: Mr. Smiley, Mr. Cartier, Ms. Hartley-Nagle**
- **R20-118: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT FOR ODESSA FIRE COMPANY FOR FINANCIAL ASSISTANCE FOR COVID RELATED EXPENDITURES FOR THE DEPARTMENT OF ADMINISTRATION IN THE AMOUNT OF \$53,770.00. Introduced by: Mr. Smiley, Mr. Cartier, Ms. Hartley-Nagle**
- **R20-119: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT FOR PORT PENN FIRE COMPANY FOR FINANCIAL ASSISTANCE FOR COVID RELATED EXPENDITURES FOR THE DEPARTMENT OF ADMINISTRATION IN THE AMOUNT OF \$44,547.00. Introduced by: Mr. Smiley, Mr. Cartier, Ms. Hartley-Nagle**
- **R20-120: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT FOR TALLEYVILLE FIRE COMPANY FOR FINANCIAL ASSISTANCE FOR COVID RELATED EXPENDITURES FOR THE DEPARTMENT OF ADMINISTRATION IN THE AMOUNT OF \$40,309.00. Introduced by: Mr. Smiley, Mr. Cartier, Ms. Hartley-Nagle**
- **R20-121: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT FOR TOWNSEND FIRE COMPANY FOR FINANCIAL ASSISTANCE FOR COVID RELATED**

EXPENDITURES FOR THE DEPARTMENT OF ADMINISTRATION IN THE AMOUNT OF \$39,167.00. Introduced by: Mr. Smiley, Mr. Cartier, Ms. Hartley-Nagle

- **R20-122: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT FOR VOLUNTEER HOSE FIRE COMPANY OF MIDDLETOWN FOR FINANCIAL ASSISTANCE FOR COVID RELATED EXPENDITURES FOR THE DEPARTMENT OF ADMINISTRATION IN THE AMOUNT OF \$53,770.00. Introduced by: Mr. Smiley, Mr. Cartier, Ms. Hartley-Nagle**
- **R20-123: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT FOR WILMINGTON MANOR FIRE COMPANY FOR FINANCIAL ASSISTANCE FOR COVID RELATED EXPENDITURES FOR THE DEPARTMENT OF ADMINISTRATION IN THE AMOUNT OF \$53,770.00. Introduced by: Mr. Smiley, Mr. Cartier, Ms. Hartley-Nagle**
- **R20-124: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT FOR CITY OF NEWARK PLANNING AND DEVELOPMENT DEPARTMENT FOR A PASS-THROUGH GRANT FOR COVID RESPONSE ACTIVITIES FOR THE DEPARTMENT OF COMMUNITY SERVICES IN THE AMOUNT OF \$168,781.68. Introduced by: Mr. Smiley, Mr. Cartier, Ms. Hartley-Nagle**
- **R20-125: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT FOR COMMUNITY LEGAL AID SOCIETY INC. FOR A PASS-THROUGH GRANT FOR COVID RESPONSE ACTIVITIES FOR THE DEPARTMENT OF COMMUNITY SERVICES IN THE AMOUNT OF \$100,000.00. Introduced by: Mr. Smiley, Mr. Cartier, Ms. Hartley-Nagle**
- **R20-126: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT FOR FAMILY PROMISE OF NORTHERN NEW CASTLE COUNTY INC. FOR A PASS-THROUGH GRANT FOR COVID RESPONSE ACTIVITIES FOR THE DEPARTMENT OF COMMUNITY SERVICES IN THE AMOUNT OF \$120,000.00. Introduced by: Mr. Smiley, Mr. Cartier, Ms. Hartley-Nagle**
- **R20-127: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT FOR FAMILY PROMISE OF NORTHERN NEW CASTLE COUNTY INC. FOR A PASS-THROUGH GRANT FOR COVID RESPONSE ACTIVITIES FOR THE DEPARTMENT OF COMMUNITY SERVICES IN THE AMOUNT OF \$248,531.76. Introduced by: Mr. Smiley, Mr. Cartier, Ms. Hartley-Nagle**
- **R20-128: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT FOR MINISTRY OF CARING FOR A PASS-THROUGH GRANT FOR COVID RESPONSE ACTIVITIES FOR THE DEPARTMENT OF COMMUNITY SERVICES IN THE AMOUNT OF \$100,000.00. Introduced by: Mr. Smiley, Mr. Cartier, Ms. Hartley-Nagle**
- **R20-129: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT FOR SALVATION ARMY FOR A PASS-THROUGH GRANT FOR COVID RESPONSE ACTIVITIES FOR THE DEPARTMENT OF COMMUNITY SERVICES IN THE AMOUNT OF \$50,000.00. Introduced by: Mr. Smiley, Mr. Cartier, Ms. Hartley-Nagle**
- **R20-130: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT FOR YWCA DELAWARE INC. FOR A PASS-THROUGH GRANT FOR COVID RESPONSE ACTIVITIES FOR THE DEPARTMENT OF COMMUNITY SERVICES IN THE AMOUNT OF \$50,000.00. Introduced by: Mr. Smiley, Mr. Cartier, Ms. Hartley-Nagle**

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: None

I. Consideration of Ordinances:

- **20-052: TO PROVIDE FOR THE INSTALLATION OF GRANVILLE STREET LIGHTS IN THE SUMMIT CIRCLE SUBDIVISION LOCATED IN PENCADER HUNDRED AND FOR A LIGHT TAX BASED ON THE COST OF STREET LIGHTS. Introduced by: Mr. Bell**

--It was moved and seconded that 20-052 be read by title only and placed before Council for its consideration.

Ordinance 20-052—Adopted

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

- **°20-053: AMEND THE GRANTS BUDGET: FOR FY2020, APPROPRIATE ADDITIONAL FEDERAL FUNDS OF \$326,455.24 FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO THE FY2015 HOME INVESTMENT PARTNERSHIP PROGRAM (HOME), WHICH IS ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES.**

Introduced by: Mr. Hollins, Ms. Diller

--It was moved and seconded that °20-053 be read by title only and placed before Council for its consideration.

Ordinance 20-053—Adopted

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

- **°20-054: AMEND THE GRANTS BUDGET: APPROPRIATE \$290,288 FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO A SPECIAL HOUSING CHOICE VOUCHER CARES ACT PROGRAM DESIGNATED AS SECTION 8 HCV-CV TO BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES TO RESPOND TO THE CORONAVIRUS PANDEMIC. Introduced by: Mr. Hollins, Ms. Diller**

--It was moved and seconded that °20-054 be read by title only and placed before Council for its consideration.

Ordinance 20-054—Adopted

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

- **°20-055: AMEND THE GRANTS BUDGET: APPROPRIATE \$278,000 IN FEDERAL FUNDING FROM THE DEPARTMENT OF HOMELAND SECURITY FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), \$452,380 IN LOCAL FUNDING FROM NEW CASTLE COUNTY AND \$75,000 IN PRIVATE FUNDING FROM THE PUBLIC SERVICE ENTERPRISE GROUP (PSEG) NUCLEAR TO FUND THE OPERATIONS OF THE NEW CASTLE COUNTY OFFICE OF EMERGENCY MANAGEMENT (OEM) FOR FY2021. Introduced by: Mr. Bell, Mr. Street**

--It was moved and seconded that °20-055 be read by title only and placed before Council for its consideration.

Ordinance 20-055—Adopted

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

- **°20-056: AMEND THE ANNUAL FY2021 OPERATING BUDGET: REDUCE THE FY2021 APPROPRIATION TO THE DEPARTMENT OF PUBLIC SAFETY, OFFICE OF EMERGENCY MANAGEMENT, BY \$452,380 TO PROVIDE THE ANNUAL COUNTY MATCH FOR THE OFFICE OF EMERGENCY MANAGEMENT GRANT FOR FY2021. Introduced by: Mr. Bell, Mr. Street**

--It was moved and seconded that °20-056 be read by title only and placed before Council for its consideration.

Ordinance 20-056—Adopted

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

- **°20-057: AMEND THE GRANTS BUDGET: APPROPRIATE AN ADDITIONAL \$70,000 IN FEDERAL FUNDING FROM THE DEPARTMENT OF HOMELAND SECURITY FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) TO THE EMERGENCY MANAGEMENT FY2020 GRANT. Introduced by: Mr. Bell, Mr. Street**
--It was moved and seconded that °20-057 be read by title only and placed before Council for its consideration.

Ordinance 20-057—Adopted

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

- **°20-058: AMEND THE GRANTS BUDGET: APPROPRIATE \$75,000 IN FEDERAL FUNDING FROM THE DEPARTMENT OF HOMELAND SECURITY FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) TO THE FEDERAL EMPG-S FY20 COVID-19 SUPPLEMENT GRANT. Introduced by: Mr. Bell, Mr. Street**
--It was moved and seconded that °20-058 be read by title only and placed before Council for its consideration.

Ordinance 20-058—Adopted

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

- **°20-059: AMEND THE FY2020 APPROVED SEWER FUND OPERATING BUDGET: APPROPRIATE \$30,000 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 °20-059 be read by title only and placed before Council for its consideration.

Ordinance 20-059—Adopted

Yes: Bell, Carter, Cartier, Diller, Durham, Hartley-Nagle, Hollins, Kilpatrick, Sheldon, Smiley, Tackett, Woods
No: Street

- **Substitute No. 1 to °20-060: AMEND THE GRANTS BUDGET: APPROPRIATE FUNDING FROM NEW CASTLE COUNTY COUNCIL TO THE SENIOR HOME REPAIR PROGRAM GRANT, WHICH IS ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES. Introduced by: Mr. Tackett**
--It was moved and seconded that Substitute No. 1 to °20-060 be read by title only and placed before Council for its consideration.

Substitute No. 1 to Ordinance 20-060—Adopted

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

- **Substitute No. 1 to °20-061: AMEND THE GRANTS BUDGET: APPROPRIATE FUNDING FROM THE NEW CASTLE COUNTY COUNCIL TO THE 2020 NEW CASTLE COUNTY SUMMER YOUTH EMPLOYMENT GRANT, WHICH IS ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES. Introduced by: Mr. Street**
--It was moved and seconded that Substitute No. 1 to °20-061 be read by title only and placed before Council for its consideration.

Substitute No. 1 to Ordinance 20-061—Adopted

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

- **Substitute No. 1 to °20-062: AMEND THE FY2020 APPROVED OPERATING BUDGET: REDUCE THE GRANTS AND FIXED CHARGES BUDGET LINE ITEM OF COUNTY COUNCIL TO PROVIDE FUNDING FOR NEW CASTLE COUNTY GRANTS. Introduced by: Mr. Tackett, Mr. Street**

--It was moved and seconded that Substitute No. 1 to °20-062 be read by title only and placed before Council for its consideration.

Substitute No. 1 to Ordinance 20-062—Adopted

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

- **°20-063: TO AMEND NEW CASTLE COUNTY CODE CHAPTER 7 (“PROPERTY MAINTENANCE CODE”), SECTION 7.01.002. (“AMENDMENTS TO THE INTERNATIONAL PROPERTY MAINTENANCE CODE”), SECTION PM 102.6.1. (“MAINTENANCE OF PROPERTY IN HISTORIC OVERLAY ZONING DISTRICTS - DEMOLITION BY NEGLECT”) REGARDING HISTORIC PROPERTIES AND INSPECTION THEREOF. Introduced by: Ms. Durham**

--It was moved and seconded that °20-063 be read by title only and placed before Council for its consideration.

--Public comment: Mr. Henry Miller and General Manager Rich Hall

Ordinance 20-063—Failed

Yes: Carter, Durham, Hartley-Nagle, Hollins, Street, Woods

No: Bell, Diller, Kilpatrick, Sheldon, Smiley

Present: Cartier, Tackett

- **°20-064: TO AMEND NEW CASTLE COUNTY CODE ARTICLE 5 (“DEPARTMENTS AND OFFICES”) TO CREATE A NEW EXCEPTION TO THE PURCHASING OF SUPPLIES AND SERVICES RELATED TO THE COVID-19 PUBLIC HEALTH EMERGENCY. Introduced by: Mr. Smiley, Mr. Cartier**

--It was moved and seconded that °20-064 be read by title only and placed before Council for its consideration.

--Councilman Hollins moved to amend °20-064 with the following: In Sec 2.05.502, F. striking “...within five (5) business days of the waiver.”, and inserting, “...within two (2) business days in advance of the waiver.” The motion was seconded by Councilwoman Kilpatrick.

- **Floor Amendment No. 1 to °20-064: TO AMEND NEW CASTLE COUNTY CODE ARTICLE 5 (“DEPARTMENTS AND OFFICES”) TO CREATE A NEW EXCEPTION TO THE PURCHASING OF SUPPLIES AND SERVICES RELATED TO THE COVID-19 PUBLIC HEALTH EMERGENCY. Introduced by: Mr. Smiley, Mr. Cartier**

--It was moved and seconded that Floor Amendment No. 1 to °20-064 be read by title only and placed before Council for its consideration.

Floor Amendment No. 1 to Ordinance 20-064—Adopted

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

--Councilman Cartier moved to have °20-064 as Amended by Floor Amendment No. 1 read in by title only and placed before Council for its consideration. The motion was seconded by Councilman Tackett.

Ordinance 20-064 as Amended by Floor Amendment No. 1—Adopted

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

No: Street

- **°20-065: TO AMEND NEW CASTLE COUNTY CODE CHAPTER 2 (“ADMINISTRATION”), ARTICLE 2 (“COUNTY COUNCIL”) TO CREATE A NEW EXCEPTION TO THE APPROVAL OF CONTRACTS BY COUNTY COUNCIL RELATED TO THE COVID-19 PUBLIC HEALTH EMERGENCY. Introduced by: Mr. Smiley, Mr. Cartier**

--It was moved and seconded that °20-065 be read by title only and placed before Council for its consideration.

--Councilman Hollins moved to amend °20-065 with the following: In Sec 2.02.004, F. striking “...within five (5) business days of the contract award.”, and inserting, “...within two (2) business days in advance of the contract award.” The motion was seconded by Councilman Cartier.

- **Floor Amendment No. 1 to °20-065: TO AMEND NEW CASTLE COUNTY CODE CHAPTER 2 (“ADMINISTRATION”), ARTICLE 2 (“COUNTY COUNCIL”) TO CREATE A NEW EXCEPTION TO THE APPROVAL OF CONTRACTS BY COUNTY COUNCIL RELATED TO THE COVID-19 PUBLIC HEALTH EMERGENCY. Introduced by: Mr. Smiley, Mr. Cartier**

--It was moved and seconded that Floor Amendment No. 1 to °20-065 be read by title only and placed before Council for its consideration.

Ordinance 20-065 as Amended by Floor Amendment No. 1—Adopted

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

--Councilman Cartier moved to have °20-065 as Amended by Floor Amendment No. 1 read in by title only and placed before Council for its consideration. The motion was seconded by Councilman Tackett.

Ordinance 20-065 as Amended by Floor Amendment No. 1—Adopted

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

No: Street

- **°20-012: REVISE PREVIOUSLY APPROVED PRELIMINARY MAJOR LAND DEVELOPMENT PLAN WITH REZONING FOR BAYBERRY TOWN CENTER; ST. GEORGES HUNDRED; NORTHEAST CORNER OF THE INTERSECTION OF JAMISON CORNER ROAD AND BOYDS CORNER ROAD; TAX PARCEL NUMBER 13-013.00-243.** (The revised plan for Bayberry Town Center proposes to revise the previously approved land development plan by creating a mixed use project with residential dwelling units, a fitness center, office, restaurant and retail uses. This new plan will supersede the previously approved preliminary plan and rezoning. Section 40.31.113 of the *New Castle County Code* requires that all subsequent land development plans to a previously approved preliminary and rezoning plan be in general conformance with the development on the approved preliminary plan that was relied upon by County Council when it granted the rezoning. County Council adopted Ordinance 08-022 in August 2008. CR (Commercial Regional) zoning district. App. 2019-0675-S/Z.). **Introduced by: Mr. Bell**

--It was moved and seconded that °20-012 be read by title only and placed before Council for its consideration.

--Shawn Tucker, Attorney for the applicant, spoke

--Public Comment in support: Jay Zionkowski, Ron Payne, Chris Carnelli, Jean Camponelli, Natalie Price, Keith Cavanaugh, Gabriel Stefania

Ordinance 20-012—Adopted

Bell: Yes, based on the positive recommendations of the Department of Land Use and the Planning Board, and the recommendation of the community working group, and on behalf of the residents of Bayberry that have contacted his office

Carter: Yes, because it meets the minimum requirements of County Code.

Cartier: Yes, based on the positive recommendation of the Department of Land Use and based on the community buy-in and participation in the working group.

Diller: Yes, based on the positive recommendation of the Department of Land Use and the positive

community engagement.

Durham: Present, though she appreciates the resident's desire for the commercial district they were promised, does not believe it honors the code for integrated mixed-use.

Hartley-Nagle: Yes, based on the positive recommendations of the Department of Land Use and the Planning Board, and constituent support.

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 and the community involvement.

Sheldon: Yes, based on the positive recommendation of the Department of Land Use and the support of the residents of the district.

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

Street: Yes, based on the positive recommendations of the Department of Land Use and the Planning Board, and constituent support.

Tackett: Yes, based on the positive recommendation of the Department of Land Use.

Woods: Yes, based on the positive recommendations of the Department of Land Use, the Planning Board, and the support of the residents of the district.

J. Time Sensitive Congratulatory/Honorary Resolutions: None

K. Introduction/Consideration of Emergency Ordinances: None

L. Public Comment/Other:

--Mr. Henry Miller: Spoke regarding 4185 Kirkwood-St. Georges Rd.

--Mr. Keith Cavanaugh: Thanked Council for their support on Ordinance No. 20-012

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 9:18 pm.

A recording of the meeting is available upon request.

Respectfully submitted by Tara Finnigan, Deputy Clerk of Council.