

**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, June 25, 2019**

- A. The meeting was called to order by President Hartley-Nagle at 6:32 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  
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

Elisa Diller

**B. Approval of Minutes:**

- Councilman Smiley moved to approve both the June 11, 2019 council meeting minutes, it was seconded, and all were in favor.

**C. Announcements:**

- Councilman Smiley announced that he will move to table °19-063.
- Councilman Cartier announced that he will be absent from the July 9<sup>th</sup> Council meeting.
- Councilman Bell announced that °17-095 and °17-096 will remain tabled.

**D. Introduction of Ordinances:**

- **°19-067: AMEND THE GRANTS BUDGET: APPROPRIATE FUNDING OF \$42,000 FROM THE DELAWARE STATE HOUSING AUTHORITY, HOUSING DEVELOPMENT FUND TO THE HDF-HOMEOWNERSHIP-104 BLUE HEN DRIVE GRANT. Introduced by: Mr. Hollins, Ms. Diller**
- **°19-068: AMEND THE GRANTS BUDGET: REALIGN \$147,425.92 IN STATE FUNDING WITHIN THE FY2019 FUND TO COMBAT VIOLENT CRIMES GRANT, WHICH IS ADMINISTERED BY THE DEPARTMENT OF PUBLIC SAFETY. Introduced by: Mr. Bell, Mr. Street**
- **°19-069: TO AMEND THE PAY PLAN AND RATES OF PAY FOR CLASSIFIED SERVICE PROFESSIONAL EMPLOYEES REPRESENTED BY THE DELAWARE PUBLIC EMPLOYEES COUNCIL 81, AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES (“AFSCME”), AFL-CIO, AFFILIATE LOCAL 3109, TO RESTORE THE POSITION OF ASSESSMENT ANALYST. Introduced by: Ms. Hartley-Nagle**

- **°19-070: TO AMEND THE PAY PLAN AND RATES OF PAY FOR CLASSIFIED SERVICE EMPLOYEES REPRESENTED BY THE DELAWARE PUBLIC EMPLOYEES COUNCIL 81, AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES (“AFSCME”), AFL-CIO, AFFILIATE LOCAL 1607, TO ADOPT THE CLASS SPECIFICATION FOR THE POSITION TITLE OF GRAPHIC ARTS DESIGNER II. Introduced by: Ms. Hartley-Nagle**
- **°19-071: TO AMEND THE PAY PLAN AND RATES OF PAY FOR CLASSIFIED SERVICE EMPLOYEES REPRESENTED BY THE DELAWARE PUBLIC EMPLOYEES COUNCIL 81, AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES (“AFSCME”), AFL-CIO, AFFILIATE LOCAL 1607, TO ADOPT THE CLASS SPECIFICATION FOR THE POSITION TITLE OF EQUESTRIAN PROGRAM SUPERVISOR. Introduced by: Ms. Hartley-Nagle**  
**°19-072: TO AMEND NEW CASTLE COUNTY CODE CHAPTER 40 (“UNIFIED DEVELOPMENT CODE”), ARTICLE 6 (“SIGN REGULATIONS”) REGARDING ELECTRONIC VARIABLE MESSAGE SIGNS. Introduction by: Introduced by: Mr. Tackett, Ms. Kilpatrick**

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

- Councilwoman Kilpatrick reported that the Land Use Committee met on 6/18/19 and discussed items on tonight’s agenda.
- Councilman Smiley reported that the Finance Committee met on 6/25/19 and discussed items on tonight’s agenda.
- Councilman Sheldon reported that the Public Works Committee met on 6/18/19 and discussed open space and land preservation.
- Councilman Hollins reported that the Community Services Committee met on 6/25/19 and discussed items on tonight’s agenda, an item on the next Council meeting’s agenda, an update on the home repair reservation program, and the 2020 census.
- Councilman Smiley reported that the Executive Committee met on 6/25/19 and interviewed a candidate for the Audit Committee, discussed the open space/land preservation task force, and had an executive session.

**F. Consent Calendar:**

- **R19-108: HONORING AND THANKING CAROL J. DULIN FOR HER DECADES OF DEDICATED PUBLIC SERVICE TO OUR NATION, OUR CITY, OUR COUNTY AND OUR COMMUNITY. Introduced by: Ms. Hartley-Nagle**
- **R19-109: CONGRATULATING EVAN BALLOON ACHIEVING THE RANK OF EAGLE SCOUT. Introduced by: Mr. Tackett**
- **R19-110: CONSENTING TO THE APPOINTMENT OF PARESH “PERRY” PATEL TO THE NEW CASTLE COUNTY HISTORIC REVIEW BOARD. Introduced by: Ms. Kilpatrick**

**Consent Calendar—Adopted**

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

**G. Presentations: None**

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

- **R19-111: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT FOR DELAWARE CITY PUBLIC LIBRARY FOR LIBRARY SERVICES FOR THE DEPARTMENT OF COMMUNITY SERVICES IN THE AMOUNT OF \$194,996.00. Introduced by: Mr. Smiley, Mr. Cartier, Mr. Bell**

--It was moved and seconded that R19-111 be read by title only and placed before Council for its consideration and adoption.

**Resolution 19-111—Adopted**

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

- **R19-112: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT FOR WILMINGTON INSTITUTE LIBRARY (MAIN AND NORTH BRANCH) FOR LIBRARY SERVICES FOR THE DEPARTMENT OF COMMUNITY SERVICES IN THE AMOUNT OF \$1,641,154.00. Introduced by: Mr. Smiley, Mr. Cartier**

--It was moved and seconded that R19-112 be read by title only and placed before Council for its consideration.

**Resolution 19-112—Adopted**

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

- **R19-113: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT FOR NEW CASTLE PUBLIC LIBRARY FOR LIBRARY SERVICES FOR THE DEPARTMENT OF COMMUNITY SERVICES IN THE AMOUNT OF \$376,102.00. Introduced by: Mr. Smiley, Mr. Cartier**

--It was moved and seconded that R19-113 be read by title only and placed before Council for its consideration.

**Resolution 19-113—Adopted**

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

- **R19-114: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT FOR CORBIT CALLOWAY MEMORIAL LIBRARY FOR LIBRARY SERVICES FOR THE DEPARTMENT OF COMMUNITY SERVICES IN THE AMOUNT OF \$195,721.00. Introduced by: Mr. Smiley, Mr. Cartier, Mr. Bell**

--It was moved and seconded that R19-114 be read by title only and placed before Council for its consideration.

**Resolution 19-114—Adopted**

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

- **R19-115: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT FOR COGSDALE CORPORATION FOR THE RENEWAL OF ANNUAL COMPUTER SOFTWARE MAINTENANCE FOR THE OFFICE OF TECHNOLOGY AND ADMINISTRATIVE SERVICES IN THE AMOUNT OF \$237,293.86. Introduced by: Mr. Smiley, Mr. Cartier**

--It was moved and seconded that R19-115 be read by title only and placed before Council for its consideration.

**Resolution 19-115—Adopted**

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

- **R19-116: PLAN OF COUNTRY HOUSE COTTAGES; CHRISTIANA HUNDRED; WEST SIDE OF KENNETT PIKE DIRECTLY ACROSS FROM DAIRY BARN ROAD; MAJOR LAND DEVELOPMENT PLAN THAT PROPOSES TO DEVELOP THE SITE FOR INSTITUTIONAL HOUSING, TYPE II, TO INCLUDE TEN (10) CARRIAGE HOUSE STYLE COTTAGES TO ACCOMMODATE TWENTY (20) INDEPENDENT LIVING DWELLING UNITS AND A 1,460 SQUARE FOOT COMMON FOOD SERVICE, NURSING HOME OR HEALTHCARE SERVICE BUILDING ON 17.188 ACRES; SE ZONING; COUNCIL DISTRICT 2. Introduced by: Ms. Durham**

--It was moved and seconded that R19-116 be read by title only and placed before Council for its consideration.

**Resolution 19-116—Adopted**

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

Absent: Diller

- **R19-117: PLAN OF WILMINGTON COUNTRY CLUB; CHRISTIANA HUNDRED; NORTHWEST OF THE INTERSECTION OF MONTCHANIN ROAD AND KIRK ROAD; MAJOR LAND DEVELOPMENT PLAN THAT PROPOSES 31,100 SQUARE FEET OF ADDITIONS THAT ARE ASSOCIATED WITH AN INDOOR TENNIS FACILITY; S ZONING; COUNCIL DISTRICT 2. Introduced by: Ms. Durham**

--It was moved and seconded that R19-117 be read by title only and placed before Council for its consideration.

**Resolution 19-117—Adopted**

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

Absent: Diller

**I. Consideration of Ordinances:**

- **°19-056: AMEND THE GRANTS BUDGET: APPROPRIATE AN ADDITIONAL \$48,000 IN FEDERAL FUNDING FROM THE DEPARTMENT OF HOMELAND SECURITY FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) TO THE EMERGENCY MANAGEMENT FY2019 GRANT. Introduced by: Mr. Bell, Mr. Street**

--It was moved and seconded that °19-056 be read by title only and placed before Council for its consideration and adoption.

**Ordinance 19-056—Adopted**

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

Absent: Diller

- **°19-057: AMEND THE GRANTS BUDGET: APPROPRIATE \$270,000 IN FEDERAL FUNDING FROM THE DEPARTMENT OF HOMELAND SECURITY FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), \$446,542 IN LOCAL FUNDING FROM NEW CASTLE COUNTY AND \$68,000 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 FY2020. Introduced by: Mr. Bell, Mr. Street**

--It was moved and seconded that °19-057 be read by title only and placed before Council for its consideration and adoption.

**Ordinance 19-057—Adopted**

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

Absent: Diller

- **°19-058: AMEND THE ANNUAL FY2020 OPERATING BUDGET: REDUCE THE FY2020 APPROPRIATION TO THE DEPARTMENT OF PUBLIC SAFETY, OFFICE OF EMERGENCY MANAGEMENT, BY \$446,542 TO PROVIDE THE ANNUAL COUNTY MATCH FOR THE OFFICE OF EMERGENCY MANAGEMENT GRANT FOR FY2020. Introduced by: Mr. Bell, Mr. Street**  
--It was moved and seconded that °19-058 be read by title only and placed before Council for its consideration and adoption.

**Ordinance 19-058—Adopted**

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

Absent: Diller

- **°19-059: AMEND THE GRANTS BUDGET: APPROPRIATE \$49,000 IN FEDERAL PASS THROUGH FUNDING FROM THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES THROUGH THE DELAWARE DEPARTMENT OF HEALTH AND SOCIAL SERVICES TO THE STATE OPIOID TECHNICAL ASSISTANCE GRANT. Introduced by: Mr. Bell, Mr. Street**  
--It was moved and seconded that °19-059 be read by title only and placed before Council for its consideration and adoption.

--Members of the public Peter Scarmozzi, Sharon Scarmozzi, and Henry Miller spoke

**Ordinance 19-059—Adopted**

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

Absent: Diller

- **°19-060: AMEND THE GRANTS BUDGET: APPROPRIATE \$375,000 TO THE CONTRACTED POLICE DUTY REVOLVING FUND, WHICH IS ADMINISTERED BY THE DEPARTMENT OF PUBLIC SAFETY. Introduced by: Mr. Bell, Mr. Street**  
--It was moved and seconded that °19-060 be read by title only and placed before Council for its consideration and adoption.

**Ordinance 19-060—Adopted**

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

Absent: Diller

- **°19-061: AMEND THE GRANTS BUDGET: APPROPRIATE FEDERAL GRANT AWARD OF \$153,991 FROM THE FEDERAL VICTIMS OF CRIME ACT (VOCA) VICTIM ASSISTANCE PROGRAM THROUGH THE DELAWARE CRIMINAL JUSTICE COUNCIL TO THE NEW CASTLE COUNTY DEPARTMENT OF PUBLIC SAFETY'S CRIMINAL JUSTICE COUNCIL (CJC) NEW CASTLE COUNTY POLICE DEPARTMENT (NCCPD) EXPANSION OF VICTIM SERVICES 3rd YEAR GRANT. Introduced by: Mr. Bell, Mr. Street**  
--It was moved and seconded that °19-061 be read by title only and placed before Council for its consideration and adoption.

**Ordinance 19-061—Adopted**

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

Absent: Diller

- **°19-062: AMEND THE GRANTS BUDGET: APPROPRIATE \$205,375 IN ANTICIPATED STATE OF DELAWARE GRANT-IN-AID FUNDS TO THE ABSALOM JONES SENIOR CENTER FY2020, WHICH WILL BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES. Introduced by: Mr. Hollins, Ms. Diller**  
--It was moved and seconded that °19-062 be read by title only and placed before Council for its consideration and adoption.

**Ordinance 19-062—Adopted**

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

Absent: Diller

- **°19-063: TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 2 (“ADMINISTRATION”) REGARDING THE FEES FOR THE SHERIFF’S OFFICE. Introduced by: Mr. Smiley**  
--It was moved and seconded that °19-063 be read by title only and placed before Council for its consideration and adoption.  
  
--It was moved and seconded that °19-063 be tabled.

- **°19-064: TO PROVIDE FOR THE INSTALLATION OF GRANVILLE STREET LIGHTS IN THE FARMINGTON PH 3 SUBDIVISION LOCATED IN THE PENCADER HUNDRED AND FOR A LIGHT TAX BASED ON THE COST OF STREET LIGHTS. Introduced by: Mr. Tackett**  
--It was moved and seconded that °19-064 be read by title only and placed before Council for its consideration and adoption.

**Ordinance 19-064—Adopted**

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

Absent: Diller

Councilman Tackett moved to consider °19-065 and °19-066 together. The motion was seconded and approved.

- **°19-065: 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: Ms. Diller, Mr. Tackett**  
--It was moved and seconded that °19-065 be read by title only and placed before Council for its consideration and adoption.
- **°19-066: AMEND THE FY2019 APPROVED OPERATING BUDGET: REDUCE THE GRANTS AND FIXED CHARGES BUDGET LINE ITEM OF COUNTY COUNCIL TO PROVIDE FUNDING FOR THE SENIOR HOME REPAIR PROGRAM GRANT. Introduced by: Ms. Diller, Mr. Tackett**  
--It was moved and seconded that °19-066 be read by title only and placed before Council for its consideration and adoption.

**Ordinances 19-065 and 19-066 —Adopted**

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

Absent: 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:** None

**K. Introduction/Consideration of Emergency Ordinances:** None

**L. Public Comment/Other:**

- Henry Miller spoke regarding a problem with a nearby recovery house
- Sharon Scarmozzi spoke regarding a problem with a nearby recovery house

**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 7:29 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 Anthony deFiore, Legislative Aide*