

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, July 9, 2019

- A. The meeting was called to order by President Hartley-Nagle at 6:34 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
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

Absent

John J. Cartier

B. Approval of Minutes:

- Councilman Smiley moved to approve the June 25, 2019 council meeting minutes, it was seconded, and all were in favor.

C. Announcements:

- Councilman Bell announced that Ordinances 17-095 and 17-096 will remain tabled at the request of the applicant.
- Councilman Tackett announced that he will remove Resolution 19-122 from the Consent Calendar.
- Councilman Sheldon announced that he will go out of order to consider Resolution 19-127.

D. Introduction of Ordinances:

- **19-073: AMEND THE FY2019 APPROVED OPERATING BUDGET: APPROPRIATE STATE OF DELAWARE FUNDING RECEIVED FOR THE NEW CASTLE COUNTY POLICE EMPLOYEE'S RETIREMENT SYSTEM TO THE DEPARTMENT OF PUBLIC SAFETY EMPLOYEE BENEFITS BUDGETARY LINE ITEM. Introduced by: Mr. Smiley, Mr. Cartier**
- **19-074: AMEND THE FY2020 APPROVED OPERATING BUDGET: APPROPRIATE \$31,512 OF TAX STABILIZATION RESERVE TO THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF POLICE GRANTS AND FIXED CHARGES BUDGET LINE ITEM. Introduced by: Mr. Bell, Mr. Street**

E. Reports from Select and Special Committees:

- Councilman Hollins reported that the Executive Committee met on 7/9/19 and discussed items on tonight's agenda, discussed General Assembly legislation, and held an executive session.

- Councilman Smiley reported that the Finance Committee met on 7/9/19 and discussed items on tonight's agenda, approved grant requests, and received an update on Super Liens.
- Councilman Bell reported that the Public Safety Committee met on 7/9/19 and discussed an item on tonight's agenda and an item on the next Council meeting agenda.

F. Consent Calendar:

- Councilman Tackett moved to remove R19-122 from the Consent Calendar. The motion was seconded and approved.
- **R19-118: CELEBRATING AND HONORING THE SERVICE OF FATHER JOHN GAYTON TO THE NAVY AND HOLY ROSARY PARRISH ON THE OCCASION OF HIS RETIREMENT FROM MILITARY SERVICE. Introduced by: Mr. Cartier**
- **R19-119: CELEBRATING THE LIFE OF CHARLES THOMAS ARMBRUSTER, JR. AND HONORING HIS MILITARY SERVICE TO OUR NATION AND HIS DEDICATION TO THE VETERAN ORGANIZATIONS OF DELAWARE. Introduced by: Mr. Cartier, Ms. Durham**
- **R19-120: CONSENTING TO THE REAPPOINTMENT OF LEONE CAHILL-KROUT TO THE NEW CASTLE COUNTY PLANNING BOARD. Introduced by: Mr. Sheldon**
- **R19-121: CONSENTING TO THE REAPPOINTMENT OF RICHARD DAVIS TO THE NEW CASTLE COUNTY FINANCIAL ADVISORY COUNCIL. Introduced by: Mr. Bell**

Consent Calendar—Adopted

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

G. Presentations: None

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

- **R19-122: APPOINTING KARL BROCKENBROUGH TO THE NEW CASTLE COUNTY AUDIT COMMITTEE. Introduced by: Mr. Tackett**
 --It was moved and seconded that R19-122 be read by title only and placed before Council for its consideration and adoption.

Floor Amendment No. 1 to R19-122: APPOINTING KARL BROCKENBROUGH TO THE NEW CASTLE COUNTY AUDIT COMMITTEE. Introduced by: Mr. Tackett

--It was moved and seconded that Floor Amendment No. 1 to R19-122 be read by title only and placed before Council for its consideration and adoption.

Floor Amendment No. 1 to Resolution 19-122—Adopted

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

Resolution 19-122 as Amended by Floor Amendment No. 1—Adopted

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

- Councilman Sheldon moved to go out of order to consider to R19-127. The motion was seconded and approved.

- **R19-127: RESOLUTION APPROVING ISSUANCE OF ONE OR MORE TAX-EXEMPT LEASE PURCHASE AGREEMENTS BY THE MILL CREEK FIRE COMPANY IN AN AMOUNT NOT TO EXCEED \$1,600,000 FOR THE PURPOSE OF FINANCING TWO FIRE TRUCKS. Introduced by: Mr. Sheldon, Ms. Kilpatrick, Mr. Woods**
--It was moved and seconded that R19-127 be read by title only and placed before Council for its consideration.

Resolution 19-127—Adopted

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

- **R19-123: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT FOR THE STATE OF DELAWARE DIVISION OF COMMUNICATIONS FOR YEARLY MAINTENANCE CONTRACT FOR VOLUNTEER FIRE SERVICE HIGH-BAND PAGING SYSTEM FOR THE DEPARTMENT OF PUBLIC SAFETY IN THE AMOUNT OF \$65,050.97. Introduced by: Mr. Smiley, Mr. Cartier**
--It was moved and seconded that R19-123 be read by title only and placed before Council for its consideration.

Resolution 19-123—Adopted

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

- **R19-124: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT FOR NEW CASTLE CONSERVATION DISTRICT TO PROVIDE REQUIRED LOCAL MATCH FOR THE DEPARTMENT OF PUBLIC WORKS IN THE AMOUNT OF \$75,000.00. Introduced by: Mr. Smiley, Mr. Cartier**
--It was moved and seconded that R19-124 be read by title only and placed before Council for its consideration.

Resolution 19-124—Adopted

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

- **R19-125: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT FOR NEW CASTLE CONSERVATION DISTRICT FOR ANNUAL EQUIPMENT LEASE PAYMENT FOR THE DEPARTMENT OF PUBLIC WORKS IN THE AMOUNT OF \$45,000.00. Introduced by: Mr. Smiley, Mr. Cartier**
--It was moved and seconded that R19-125 be read by title only and placed before Council for its consideration.

Resolution 19-125—Adopted

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

- **R19-126: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT FOR THE STATE OF DELAWARE DIVISION OF COMMUNICATIONS FOR CONTINUATION OF VHF RADIO COMMUNICATIONS SYSTEM MAINTENANCE AND ASSOCIATED SERVICES FOR THE DEPARTMENT OF PUBLIC WORKS IN THE AMOUNT OF \$66,229.00. Introduced by: Mr. Smiley, Mr. Cartier**
--It was moved and seconded that R19-126 be read by title only and placed before Council for its consideration.

Resolution 19-126—Adopted

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

I. Consideration 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**

--It was moved and seconded that °19-067 be read by title only and placed before Council for its consideration and adoption.

Ordinance 19-067—Adopted

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

- **°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**

--It was moved and seconded that °19-068 be read by title only and placed before Council for its consideration and adoption.

Ordinance 19-068—Adopted

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

- **°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**

--It was moved and seconded that °19-069 be read by title only and placed before Council for its consideration and adoption.

Ordinance 19-069—Adopted

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

- **°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**

--It was moved and seconded that °19-070 be read by title only and placed before Council for its consideration and adoption.

Ordinance 19-070—Adopted

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

- **°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**
--It was moved and seconded that °19-071 be read by title only and placed before Council for its consideration and adoption.

Ordinance 19-071—Adopted

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

- **°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:

- Karen Miller spoke regarding an issue with a nearby drug treatment facility
- Henry Miller spoke regarding an issue with a nearby drug treatment facility

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 7:07 p.m.

Karen Hartley-Nagle
Council President
New Castle County

*A recording of the meeting is available upon request.
Respectfully submitted by Anthony deFiore, Legislative Aide*