

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 24, 2018

- 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
Elisa Diller
Karen Hartley-Nagle
Penrose Hollins
William Powers, Jr.
Timothy P. Sheldon
George Smiley
Jea P. Street
David L. Tackett
Robert S. Weiner
Kenneth R. Woods

Absent

John J. Cartier
Janet T. Kilpatrick

- B. **Approval of Minutes:**
- Councilman Smiley moved to approve the July 10, 2018 Council meeting minutes, it was seconded and all were in favor.
- C. **Announcements:**
- Councilman Weiner announced that he had an Item J and a presentation.
 - Councilman Bell announced that Ordinance 17-095 and Ordinance 17-096 would remain on the table.
 - Councilman Sheldon announced that he had a presentation.
- D. **Introduction of Ordinances:**
- **18-076: AMEND THE GRANTS BUDGET: APPROPRIATE AN ADDITIONAL \$55,000 IN FEDERAL FUNDING FROM THE DEPARTMENT OF HOMELAND SECURITY FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) TO THE EMERGENCY MANAGEMENT FY2018 GRANT. Introduced by: Mr. Bell, Mr. Street**
 - **18-077: AMEND THE FY2019 CAPITAL BUDGET: APPROPRIATE \$30,000 FROM DELAWARE GREENWAYS TO THE DEPARTMENT OF PUBLIC WORKS, GREENWAY SYSTEMS CAPITAL PROJECT. Introduced by: Mr. Smiley**
 - **18-078: APPROVING: (1) THE ANNEXATION INTO THE CITY OF WILMINGTON, DELAWARE OF THE FOLLOWING EIGHT (8) PARCELS OF LAND: (A) TERRITORY 1, BEING 800 SOUTH MARKET STREET (TAX PARCEL ID NO. 10-001.00-015), 810 SOUTH MARKET STREET (TAX PARCEL ID NO. 10-001.00-016), 800 SOUTH WALNUT STREET (TAX PARCEL ID NOS. 10-001.00-077, 10-001.00-019, AND 10-001.00-020), 0 GARASCHE LANE (TAX PARCEL ID NO. 10-001.00-022), AND A SEPARATE BUT ADJACENT PROPERTY ALSO KNOWN AS 0 GARASCHE LANE (TAX PARCEL ID NO. 26-057.00-050), CONTAINING APPROXIMATELY 4.51 ACRES CONTIGUOUS WITH THE CITY BOUNDARY IN THE VICINITY OF THE SOUTH WILMINGTON ANALYSIS AREA, NEW CASTLE COUNTY,**

DELAWARE; AND (B) TERRITORY 2, BEING 787 SOUTH MADISON STREET (TAX PARCEL ID NO. 07-040.30-001), CONTAINING APPROXIMATELY 3.72 ACRES CONTIGUOUS WITH THE CITY BOUNDARY IN THE VICINITY OF THE BROWNTOWN/HEDGEVILLE ANALYSIS AREA, NEW CASTLE COUNTY, DELAWARE. Introduced by: Mr. Street

E. Reports from Select and Special Committees:

- Councilwoman Diller reported that the Boards and Commissions Sub-Committee met on 7/17/18 and interviewed two appointments and discussed the Board of Assessment.
- Councilman Tackett reported that the Land Use Committee met on 7/17/18 and discussed items on tonight's agenda.
- Councilman Smiley reported that the Finance Committee met on 7/24/18 and discussed items on tonight's agenda and approved grants.
- Councilwoman Diller reported that the Community Services Committee met on 7/24/18 and received an update on the department's programs.

F. Consent Calendar: None

- Councilman Smiley moved to go out of order to consider the resolutions under Item J. The motion was seconded and approved.

- **R18-116: HONORING THE LIFE AND LEGACY OF V. EUGENE "GENE" McCOY. Introduced by: Mr. Weiner**
--It was moved and seconded that R18-116 be read by title only and placed before Council for its consideration and adoption.

Resolution 18-116—Adopted

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

Absent: Cartier, Kilpatrick

- **R18-119: HONORING THE LIFE AND LEGACY OF JANE BALDT RAMSEY. Introduced by: Mr. Weiner, Mr. Powers**
--It was moved and seconded that R18-119 be read by title only and placed before Council for its consideration and adoption.

Resolution 18-119—Adopted

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

Absent: Cartier, Kilpatrick

- **R18-117: HONORING THE LIFE LAWRENCE "LARRY" H. DuHADAWAY, JR., AND EXPRESSING CONDOLENCES TO HIS FAMILY AND FRIENDS. Introduced by: Mr. Bell**
--It was moved and seconded that R18-117 be read by title only and placed before Council for its consideration and adoption.

Resolution 18-117—Adopted

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

Absent: Cartier, Kilpatrick

- **R18-118: HONORING THE LIFE OF DAVID KARL WEIR. Introduced by: Mr. Cartier**
--It was moved and seconded that R18-118 be read by title only and placed before Council for its consideration and adoption.

Resolution 18-118—Adopted

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

Absent: Cartier, Kilpatrick

- **R18-120: HONORING WILMINGTON UNIVERSITY FOR THEIR COMMITMENT TO RAISING AWARENESS OF HUMAN TRAFFICKING THROUGH EDUCATION. Introduced by: Ms. Hartley-Nagle**

--It was moved and seconded that R18-120 be read by title only and placed before Council for its consideration and adoption.

Resolution 18-120—Adopted

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

Absent: Cartier, Kilpatrick

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

G. Presentations:

- Councilman Weiner and Councilman Powers presented R18-119 to the Ramsey family.
- Councilman Sheldon, Councilman Woods and Councilman Street presented a tribute and honored several individuals.
- President Hartley-Nagle presented R18-120 to a representative from Wilmington University.

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

- **R18-109: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT FOR NEW CASTLE CONSERVATION DISTRICT FOR PAYMENT OF ANNUAL APPROPRIATIONS 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 R18-109 be read by title only and placed before Council for its consideration.

Resolution 18-109—Adopted

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

Absent: Cartier, Kilpatrick

- **R18-110: 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 R18-110 be read by title only and placed before Council for its consideration.

Resolution 18-110—Adopted

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

Absent: Cartier, Kilpatrick

- **R18-111: AUTHORIZING THE NEW CASTLE COUNTY EXECUTIVE TO ACCEPT A GRANT FROM DELAWARE GREENWAYS TO SUPPORT A FEASIBILITY STUDY FOR AN OFF ROAD PATHWAY CONNECTING THE WILMINGTON-NEW CASTLE TRAIL TO CHURCHMANS ROAD. Introduced by: Mr. Smiley, All of Council**

--It was moved and seconded that R18-111 be read by title only and placed before Council for its consideration.

Resolution 18-111—Adopted

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

Absent: Cartier, Kilpatrick

- **R18-112: CONSENTING TO THE APPOINTMENT OF KAYODE ABEGUNDE TO THE NEW CASTLE COUNTY FINANCIAL ADVISORY COUNCIL. Introduced by: Mr. Bell**

--It was moved and seconded that R18-112 be read by title only and placed before Council for its consideration and adoption.

Resolution 18-112—Adopted

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

- **R18-113: REAPPOINTING DOMENICK A. PERONTI TO THE NEW CASTLE COUNTY BOARD OF ASSESSMENT REVIEW. Introduced by: Mr. Woods**

--It was moved and seconded that R18-113 be read by title only and placed before Council for its consideration and adoption.

Resolution 18-113—Adopted

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

- **R18-114: PLAN OF AVON CENTER; WHITE CLAY CREEK HUNDRED, NORTH SIDE OF ROUTE 273, 3,699 FEET WEST OF RED MILL ROAD; MAJOR SUBDIVISION PLAN THAT PROPOSES TO CONSTRUCT 197,505 SQUARE FEET OF RETAIL SPACE, 93,400 SQUARE FEET OF OFFICE SPACE, 12,655 SQUARE FEET OF RESTAURANT SPACE, 7,000 SQUARE FEET OF EXHIBIT SPACE AND 299,900 GROSS FLOOR AREA OF RESIDENTIAL/APARTMENT SPACE; CR ZONING; COUNCIL DISTRICT 5. Introduced by: Ms. Diller**

--It was moved and seconded that R18-114 be read by title only and placed before Council for its consideration.

Resolution 18-114—Adopted

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

- **R18-115: CONGRATULATING APOSTLE, DR. ROBERT REVELLE, SR. ON HIS 25TH PASTORAL ANNIVERSARY AT MOUNT ZION GREATER HARVEST MINISTRIES INTERNATIONAL. Introduced by: Mr. Hollins, Mr. Street, Ms. Hartley-Nagle**

--It was moved and seconded that R18-115 be read by title only and placed before Council for its consideration and adoption.

Resolution 18-115—Adopted

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

I. Consideration of Ordinances

- **°18-074: AMEND THE FY2018 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**

--It was moved and seconded that °18-074 be read by title only and placed before Council for its consideration and adoption.

Ordinance 18-074—Adopted

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

- **°18-075: TO AMEND NEW CASTLE COUNTY CODE CHAPTER 1 (“GENERAL PROVISIONS”) AND CHAPTER 2 (“ADMINISTRATION”) AND TO CREATE A NEW CHAPTER 29 (“AGRICULTURE”). Introduced by: Mr. Powers**
 --It was moved and seconded that Substitute No. 1 to °18-075 be read by title only and placed before Council for its consideration and adoption.
 --Councilman Powers moved to table Substitute No. 1 to °18-075. The motion was seconded and approved.

Substitute No. 1 to Ordinance 18-075—Tabled

- **°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

J. Time Sensitive Congratulatory/Honorary Resolutions:

--These resolutions were discussed and approved on prior to Item G (Presentations).

K. Introduction/Consideration of Emergency Ordinances: None

L. Public Comment/Other:

--Councilman Smiley discussed the Department of Land Use’s rough draft proposal for NCC Land Preservation Advisory Committee. Discussion ensued.

- Rich Hall, General Manager of Land Use, commented on the draft proposal.
- Councilman Smiley moved to adopt only Item B. The motion was withdrawn.
- Councilman Powers moved to adopt only Item B (Mission Statement). The motion was withdrawn.

--Public Comment: Donald Sharp, Bill Foster, Stewart Ramsey

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 7:44 p.m.

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