

**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, September 25, 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  
John J. Cartier  
Elisa Diller  
Karen Hartley-Nagle  
Penrose Hollins  
Janet T. Kilpatrick  
William Powers, Jr.  
Timothy P. Sheldon  
George Smiley  
Jea P. Street  
David L. Tackett  
Robert S. Weiner  
Kenneth R. Woods

**B. Approval of Minutes:**

- Councilman Smiley moved to approve the September 11, 2018 Council meeting minutes, it was seconded and all were in favor.

**C. Announcements:**

- Councilman Cartier announced that R18-141 would remain tabled.
- Councilman Weiner announced that °18-094 and °18-095 would be tabled.
- Councilman Bell announced that °17-095 and °17-096 would remain tabled.
- Councilman Street announced that several of his constituents would like to address Council under public comment.

**D. Introduction of Ordinances:**

- **°18-096: AUTHORIZING THE ISSUANCE OF \$8,000,000 IN GENERAL OBLIGATION BONDS OF NEW CASTLE COUNTY FOR THE DEPARTMENT OF PUBLIC WORKS, CHRISTINA RIVER FORCE MAIN CAPITAL PROJECT. Introduced by: Mr. Smiley, Mr. Cartier**
- **°18-097: AMEND THE CAPITAL BUDGET: INCREASE APPROPRIATIONS \$8,000,000 FOR THE DEPARTMENT OF PUBLIC WORKS, CHRISTINA RIVER FORCE MAIN CAPITAL PROJECT. Introduced by: Mr. Smiley, Mr. Cartier**
- **°18-098: AMEND THE FY2019 CAPITAL BUDGET: APPROPRIATE \$71,700 FROM THE RECORDER OF DEEDS TECHNOLOGY FEE ACCOUNT TO THE DEPARTMENT OF ADMINISTRATION, INFORMATION SYSTEMS EXPANSION II CAPITAL PROJECT. Introduced by: Mr. Smiley, Mr. Cartier**
- **°18-099: AMEND THE FY2019 CAPITAL BUDGET: APPROPRIATE \$2,300 IN STATE OF DELAWARE, DEPARTMENT OF TRANSPORTATION (DELDOT) FUNDING TOWARDS THE DEPARTMENT OF PUBLIC WORKS, GENERAL PARKLAND IMPROVEMENTS CAPITAL PROJECT. Introduced by: Mr. Sheldon, Mr. Powers**
- **°18-100: TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 26 (“HUMAN**

**RESOURCES”) ARTICLE 3 (“OTHER POST-EMPLOYMENT BENEFITS TRUST FUND”) REGARDING ADMINISTRATIVE ISSUES. Introduced by: Mr. Smiley, Mr. Cartier**

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

- Councilman Smiley reported that the Finance Committee met on 9/25/18 and discussed items on tonight’s agenda and approved grants.
- Councilman Hollins reported that the Community Services Committee met on 9/25/18 and discussed items on tonight’s agenda and had a presentation on the summer youth employment program, Diamond State Community Land Trust and vacant housing. There was a discussion on Interfaith Housing under other.
- Councilwoman Kilpatrick reported that the Personnel Sub-Committee met on 9/25/18 and presented service awards and discussed a personnel matter.

**F. Consent Calendar:**

- **R18-150: CONGRATULATING ELEANOR MARTHA HALL ON HER 100<sup>th</sup> BIRTHDAY.**  
**Introduced by: Mr. Smiley**

**Consent Calendar--Adopted**

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

**G. Presentations: None**

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

- **R18-151: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT FOR INFOR PUBLIC SECTOR, INC. FOR THE RENEWAL OF THE MAINTENANCE CONTRACT FOR ANNUAL TECHNICAL SERVICES AGREEMENT FOR THE OFFICE OF TECHNOLOGY AND ADMINISTRATIVE SERVICES IN THE AMOUNT OF \$192,281.91.** **Introduced by: Mr. Smiley, Mr. Cartier**  
--It was moved and seconded that R18-151 be read by title only and placed before Council for its consideration.

**Resolution 18-151—Adopted**

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

- **R18-152: AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE A FINANCING AGREEMENT WITH THE DELAWARE WATER POLLUTION CONTROL REVOLVING FUND, ACTING BY AND THROUGH THE DELAWARE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL, IN AN AMOUNT NOT TO EXCEED \$1,675,885, TO FUND SEWER PIPE REPAIRS AT TWENTY-FIVE LOCATIONS, AND REPLACE MANHOLE FRAMES AND COVERS AT TWENTY-ONE LOCATIONS THROUGHOUT THE MILL CREEK SEWERSHED; PROVIDING FOR THE PURCHASE OF THE BOND; AND AUTHORIZING THE EXECUTION OF VARIOUS DOCUMENTS IN CONNECTION THEREWITH.** **Introduced by: Mr. Smiley, Mr. Cartier**  
--It was moved and seconded that R18-152 be read by title only and placed before Council for its consideration.

**Resolution 18-152—Adopted**

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

- **R18-153: AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE A FINANCING AGREEMENT WITH THE DELAWARE WATER POLLUTION CONTROL REVOLVING FUND, ACTING BY AND THROUGH THE DELAWARE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL, IN AN AMOUNT NOT TO EXCEED \$782,469, TO FUND PIPE REPAIRS AT FIVE LOCATIONS AND CONDUCT POST**

**CONSTRUCTION CCTV INSPECTION OF 1000 LF OF SEWER PIPE, LOCATED WITHIN THE SAME AREA OF NEW CASTLE COUNTY; PROVIDING FOR THE PURCHASE OF THE BOND; AND AUTHORIZING THE EXECUTION OF VARIOUS DOCUMENTS IN CONNECTION THEREWITH. Introduced by: Mr. Smiley, Mr. Cartier**

--It was moved and seconded that R18-153 be read by title only and placed before Council for its consideration.

**Resolution 18-153—Adopted**

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

- **R18-154: APPROVING THE TAX EXEMPT STATUS OF AMERICAN TURNERS OF DELAWARE, INC. FOR RECREATIONAL PROPERTY LOCATED AT 701 SOUTH CLAYTON STREET, WILMINGTON, DELAWARE TAX PARCEL NO. 26-033.40-167. Introduced by: Mr. Street**

--It was moved and seconded that R18-154 be read by title only and placed before Council for its consideration and adoption.

**Resolution 18-154—Adopted**

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

- **R18-155: RESOLUTION IN SUPPORT OF AN ORDINANCE TO PROVIDE A FINITE TAX EXEMPTION FOR DOT FOODS, INC. IN SUPPORT OF ECONOMIC DEVELOPMENT IN NEW CASTLE COUNTY. Introduced by: Mr. Bell**

--It was moved and seconded that R18-155 be read by title only and placed before Council for its consideration and adoption.

**Resolution 18-155—Adopted**

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

- **R18-141: (STATUS: TABLED) AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT FOR DIAMOND STATE C-L-T, INC. FOR A PASS-THROUGH GRANT FOR THE DEPARTMENT OF COMMUNITY SERVICES IN THE AMOUNT OF \$50,000.00. Introduced by: Mr. Smiley, Mr. Cartier**

--R18-141 remained tabled.

**I. Consideration of Ordinances**

- **°18-091: AMEND THE GRANTS BUDGET: APPROPRIATE AN ADDITIONAL \$8,000 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 FY2019. Introduced by: Mr. Bell, Mr. Street**

--It was moved and seconded that °18-091 be read by title only and placed before Council for its consideration and adoption.

**Ordinance 18-091—Adopted**

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

- **°18-092: AMEND THE GRANTS BUDGET: APPROPRIATE FUNDING OF \$50,000 FROM THE STATE OF DELAWARE, DIVISION OF LIBRARIES TO THE NEW CASTLE COUNTY FY2019 IMPLEMENT LIBRARY CARDS AGES 0-12 GRANT, TO BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES. Introduced by: Mr. Hollins, Ms. Diller**

--It was moved and seconded that °18-092 be read by title only and placed before Council for its consideration and adoption.

**Ordinance 18-092—Adopted**

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

- **°18-094: TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 2 (“ADMINISTRATION”), ARTICLE 2 (“COUNTY COUNCIL”) TO REQUIRE PUBLIC ACCESS TO NEW CASTLE COUNTY COUNCIL MEETINGS BY WAY OF CERTAIN AUDIO AND VIDEO SYSTEMS.**

**Introduced by: Mr. Weiner**

-Councilman Weiner moved to table °18-094. The motion was seconded and approved.

**Ordinance 18-094—Tabled**

- **°18-095: TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 2 (“ADMINISTRATION”), ARTICLE 4 (“BOARDS, COMMITTEES AND COMMISSIONS”), DIVISION 2.04.000. (“GENERALLY”) TO REQUIRE CERTAIN NEW CASTLE COUNTY BOARDS TO PROVIDE PUBLIC ACCESS TO PUBLIC MEETINGS BY WAY OF CERTAIN AUDIO AND VIDEO SYSTEMS. Introduced by: Mr. Weiner**

-Councilman Weiner moved to table °18-095. The motion was seconded and approved.

**Ordinance 18-095—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: None**

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

**L. Public Comment/Other:**

- John Collins and Charlie Gonzalez brought forth a concern about truck traffic in Holloway Terrace.

**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*