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, January 14, 2014

A. The meeting was called to order by President Bullock at 6:35 p.m.
The Prayer was silent; members of Council remained standing for the Pledge of Allegiance.

Roll Call

Present
J. William Bell
Christopher A. Bullock
John J. Cartier
Elisa Diller
Penrose Hollins
Janet T. Kilpatrick
William Powers, Jr.
Joseph M. Reda
Timothy P. Sheldon
George Smiley
Jea P. Street
David L. Tackett
Robert S. Weiner

B. Approval of Minutes:
Councilman Smiley moved for the approval of the minutes from December 17, 2013. The motion was seconded by Councilwoman Kilpatrick. All were in favor and the minutes were adopted.

C. Announcements:

- Councilman Powers announced that, at the appropriate time, he will have a presentation.
- Councilman Sheldon announced that, at the appropriate time, he will have a presentation.
- Councilman Bell announced that, at the appropriate time, he will have a presentation.

D. Introduction of Ordinances:

- **º14-001: AMEND THE PAY PLANS AND RATES OF PAY FOR NON-UNION CLASSIFIED SERVICE EMPLOYEES – REMOVE THE PAY PLAN AND RATES OF PAY FOR NON-UNION CLASSIFIED SERVICE EMPLOYEES HIRED ON OR AFTER JULY 1, 2011. Introduced by: Mr. Bullock**
- **º14-002: AMEND THE PAY PLAN AND RATES OF PAY FOR CLASSIFIED SERVICE EMPLOYEES REPRESENTED BY THE DELAWARE PUBLIC EMPLOYEES COUNCIL 81, AFSCME (AMERICAN FEDERATION OF STATE, COUNTY, AND MUNICIPAL EMPLOYEES) (AFL-CIO), AND ITS AFFILIATE LOCAL 459, BY AMENDING THE PAY GRADE AND RATES OF PAY FOR THE POSITION OF CLASSIFICATIONS OF PIPELAYER AND ELECTRICIAN. Introduced by: Mr. Bullock**
- **º14-003: TO AMEND NEW CASTLE COUNTY CODE CHAPTER 2 ("ADMINISTRATION") CONCERNING COUNTY ATTORNEY OR DESIGNEE APPROVAL OF EXECUTIVE BRANCH GENERATED LEGISLATION AS TO FORM AND LEGALITY. Introduced by: Mr. Weiner**

- **º14-004: TO AMEND THE FEE PROVISIONS APPLICABLE TO THE REGISTER OF WILLS BY WAIVING THE FEE FOR SAFEKEEPING OF WILLS FOR MEMBERS OF THE DELAWARE NATIONAL GUARD. Introduced by: Mr. Smiley, Mr. Cartier**
- **º14-005: AMEND THE FY2014 APPROVED OPERATING BUDGET: REALIGN THE FY2014 APPROPRIATION TO THE DEPARTMENT OF LAND USE BY TRANSFERRING $300,000 FROM SALARIES AND WAGES TO CONTRACTUAL SERVICES FUND PLANNING CONSULTING SERVICES. Introduced by: Mr. Tackett, Mr. Reda**
- **º14-006: TO AMEND NEW CASTLE COUNTY CODE CHAPTER 2 ("ADMINISTRATION"), DIVISION 2.03.100 ('THE CODE OF ETHICS"), REGARDING DEFINITIONS AND STATEMENTS OF FINANCIAL INTERESTS. Introduced by: Mr. Smiley, Mr. Weiner, Mr. Bullock**
- **º14-007: TO AMEND NEW CASTLE COUNTY CODE CHAPTER 2, ("ADMINISTRATION"), ARTICLE 3 ("OFFICERS AND EMPLOYEES"), REGARDING THE CODE OF CONDUCT SECTION OF THE NEW CASTLE COUNTY CODE OF ETHICS. Introduced by: Mr. Smiley, Mr. Weiner, Mr. Bullock**
- **º14-008: TO PROVIDE FOR THE INSTALLATION OF GRANVILLE STREET LIGHTS WITH STANDARD POLES IN THE DARLEY GREEN SUBDIVISION BLOCKS A,B,D,E1, AND S, LOCATED IN BRANDYWINE HUNDRED, AND FOR A LIGHT TAX BASED ON THE COST OF SAID STREET LIGHTS. Introduced by: Mr. Cartier**
- **º14-009: TO PROVIDE FOR THE INSTALLATION OF GRANVILLE STREET LIGHTS WITH STANDARD POLES IN THE DARLEY GREEN SUBDIVISION BLOCK E2, LOCATED IN BRANDYWINE HUNDRED, AND FOR A LIGHT TAX BASED ON THE COST OF SAID STREET LIGHTS. Introduced by: Mr. Cartier**
- **º14-010: TO PROVIDE FOR THE INSTALLATION OF GRANVILLE STREET LIGHTS WITH STANDARD POLES IN THE DARLEY GREEN SUBDIVISION BLOCKS B4 and I, LOCATED IN BRANDYWINE HUNDRED, AND FOR A LIGHT TAX BASED ON THE COST OF SAID STREET LIGHTS. Introduced by: Mr. Cartier**
- **º14-011: TO ABATE THE WILLS FOR SAFEKEEPING FEE FOR THE DAY OF JANUARY 20, 2014. Introduced by: Mr. Smiley, Mr. Cartier**

E. Reports from Select and Special Committees:

- Councilman Cartier reported that the Finance Committee met on 1/14/14 for a presentation from the Chief Financial Officer on the County's finances and from the Chief Administrative Officer on the County's unfunded liabilities, to discuss items on tonight's agenda, and to approve grant requests.
- Council President Bullock reported that the Executive Committee met on 1/14/14 to interview Board nominees, to discuss items on tonight's agenda, and for an executive session.
- Councilman Powers reported that the Special Services Committee met on 1/7/14 for a presentation on proposed drainage improvements at the Kirkwood Library.

F. Consent Calendar:

- **R14-001: EXTENDING CONDOLENCES TO THE FAMILY AND FRIENDS OF MRS. WILLIEN HARRIS. Introduced by: Mr. Street**
- **R14-002: HONORING THE LIFE OF WILLIAM F. SHAHAN, JR. Introduced by: Mr. Bullock, All of Council**
- **R14-003: HONORING THE LIFE OF LOUISE F. STAATS POORE AND EXPRESSING CONDOLENCES TO HER FAMILY AND FRIENDS. Introduced by: Mr. Powers**
- **R14-004: CONGRATULATING AND COMMENDING LIEUTENANT FLOYD E. WILEY, Jr. ON HIS RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT. Introduced by: Mr. Bell**
- **R14-005: CONGRATULATING AND COMMENDING LIEUTENANT FRANKLIN R. ROBINSON ON HIS RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT. Introduced by: Mr. Bell**

- **R14-006: CONGRATULATING AND COMMENDING SENIOR CORPORAL GERALD "MARTY" CAPASSO ON HIS RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT. Introduced by: Mr. Bell**
- **R14-007: CONGRATULATING AND COMMENDING SENIOR CORPORAL WARREN MICHAEL PINKETT ON HIS RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT. Introduced by: Mr. Bell**
- **R14-008: CONGRATULATING AND COMMENDING SENIOR CORPORAL JOHN C. DALE ON HIS RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT. Introduced by: Mr. Bell**
- **R14-009: CONGRATULATING AND COMMENDING SENIOR CORPORAL COLLEEN T. STANTON ON HER RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT. Introduced by: Mr. Bell**
- **R14-010: CONGRATULATING AND COMMENDING SENIOR LIEUTENANT WENDY L. HUDSON ON HER RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT. Introduced by: Mr. Bell**
- **R14-011: CONGRATULATING AND COMMENDING MAJOR MARK HITCH ON HIS RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT. Introduced by: Mr. Bell**
- **R14-012: CONGRATULATING AND COMMENDING LIEUTENANT PHILLIP H. HILL ON HIS RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT. Introduced by: Mr. Bell**
- **R14-013: CONGRATULATING AND COMMENDING SENIOR CORPORAL MARY A. FRISWELL ON HER RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT. Introduced by: Mr. Bell**
- **R14-014: COMMENDING PASQUALE S. CANZANO, P.E., BCEE FOR HIS REMARKABLE SERVICE WITH THE DELAWARE SOLID WASTE AUTHORITY. Introduced by: Mr. Sheldon**
- **R14-015: CONGRATULATING NICHOLAS WALTERS ON EARNING THE ROYAL RANGER GOLD MEDAL OF ACHIEVEMENT. Introduced by: Mr. Powers**
- **R14-016: CONGRATULATING TUCKER WHITEMAN ELLIS FOR ACHIEVING THE RANK OF EAGLE SCOUT. Introduced by: Mr. Weiner**
- **R14-017: CONGRATULATING HAYS WILLIAM FAULKNER FOR ACHIEVING THE RANK OF EAGLE SCOUT. Introduced by: Mr. Weiner**
- **R14-018: CONGRATULATING JOSHUA MUNDAY FOR ACHIEVING THE RANK OF EAGLE SCOUT. Introduced by: Mr. Weiner**
- **R14-019: CONGRATULATING ZACHARY PENDLEY FOR ACHIEVING THE RANK OF EAGLE SCOUT. Introduced by: Mr. Weiner**
- **R14-020: CONGRATULATING BRADFORD LINCOLN SMITH FOR ACHIEVING THE RANK OF EAGLE SCOUT. Introduced by: Mr. Weiner**
- **R14-021: CONGRATULATING MATTHEW STONE FOR ACHIEVING THE RANK OF EAGLE SCOUT. Introduced by: Mr. Weiner**
- **R14-022: APPOINTING CHRISTOPHER SIMON TO THE NEW CASTLE COUNTY ETHICS COMMISSION AND TO CLARIFY HIS STATUS AS A COUNCIL APPOINTEE. Introduced by: Ms. Kilpatrick**
- **R14-023: APPOINTING SCOTT SAUNDERS TO THE NEW CASTLE COUNTY DIVERSITY COMMISSION. Introduced by: Mr. Bullock, Mr. Powers**
- **R14-024: APPOINTING STEPHANIE AVINGER TO THE NEW CASTLE COUNTY DEPARTMENT OF COMMUNITY SERVICES BOARD. Introduced by: Mr. Bullock, Ms. Kilpatrick**
- **R14-025: REAPPOINTING MIGUEL GONZALEZ TO THE NEW CASTLE COUNTY ETHICS COMMISSION. Introduced by: Mr. Powers, Mr. Weiner**

Consent Calendar--Adopted

Yes: Bell, Bullock, Cartier, Diller, Hollins, Kilpatrick, Powers, Reda, Sheldon, Smiley, Street, Tackett, Weiner

G. Presentations:

- Councilman Bell and Councilman Powers presented R13-277 to the recipient.
- Councilman Sheldon presented R13-278 to the recipient.
- Councilman Bell and Councilman Powers presented R13-264 to Elmer Setting, Chief of Police and Joe Bryant, Director of Public Safety.

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

- **R14-026: AUTHORIZING THE COUNTY EXECUTIVE TO SIGN THE DELAWARE PUBLIC EMPLOYEES COUNCIL 81, AFSCME (AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES) (AFL-CIO), AND ITS AFFILIATE LOCAL 459, COLLECTIVE BARGAINING AGREEMENT. Introduced by: Mr. Bullock**
  -- It was moved and seconded that R14-026 be read by title only and placed before Council for its consideration and adoption.

  Resolution 14-026—Adopted
  Yes: Bell, Bullock, Cartier, Diller, Hollins, Kilpatrick, Powers, Reda, Sheldon, Smiley, Street, Tackett, Weiner

  -- Councilman Weiner asked to combine R14-027 and R14-028.

- **R14-027: REQUESTS THE COUNTY EXECUTIVE IMPLEMENT BOTH LIVE AND DELAYED BROADCASTS OF ALL NEW CASTLE COUNTY COUNCIL MEETINGS. Introduced by: Mr. Weiner**
- **R14-028: TO AMEND RULE 4 ("REGULAR COUNCIL MEETINGS"), SECTION 4.1 ("IN GENERAL") OF THE RULES OF THE COUNTY COUNCIL OF NEW CASTLE COUNTY TO INCLUDE NOTICE THAT ALL REGULAR MEETING OF COUNTY COUNCIL ARE BROADCAST AND STREAMED. Introduced by: Mr. Weiner**
  -- It was moved and seconded that R14-027 and R14-028 be read by title only and tabled.

- **R14-029: APPROVING THE REFUND OF TAXES PAID IN ERROR ON PARCEL # 1401200027. Introduced by: Mr. Smiley, Mr. Cartier**
  -- It was moved and seconded that R14-029 be read by title only and placed before Council for its consideration and adoption.

  Resolution 14-029--Adopted
  Yes: Bell, Bullock, Cartier, Diller, Hollins, Kilpatrick, Powers, Reda, Sheldon, Smiley, Street, Tackett, Weiner

I. Consideration of Ordinances

- **º13-102: AMEND THE GRANTS BUDGET: APPROPRIATE $36,602 IN ADDITIONAL FY2014 FEDERAL FUNDING TO THE 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 º13-102 be read by title only and placed before Council for its consideration and adoption.

  Ordinance 13-102--Adopted
  Yes: Bell, Bullock, Cartier, Diller, Hollins, Kilpatrick, Powers, Reda, Sheldon, Smiley, Street, Tackett, Weiner

- **º13-103: AMEND THE GRANTS BUDGET: APPROPRIATE $229,854 IN ADDITIONAL FEDERAL FUNDING FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN**

DEVELOPMENT TO THE COMMUNITY DEVELOPMENT BLOCK GRANT FY 2014 ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES. Introduced by: Mr. Hollins, Ms. Diller

-- It was moved and seconded that º13-103 be read by title only and placed before Council for its consideration and adoption.

Ordinance 13-103--Adopted

Yes: Bell, Bullock, Cartier, Diller, Hollins, Kilpatrick, Powers, Reda, Sheldon, Smiley, Street, Tackett, Weiner

J. Time Sensitive Congratulatory/Honorary Resolutions:

- **R14-030: HONORING THE LIFE AND LEGACY OF MRS. COLINTHIA HAZEL GOSA. Introduced by: Mr. Street**

  -- It was moved and seconded that R14-030 be read by title only and placed before Council for its consideration and adoption.

  Resolution 14-030—Adopted

  Yes: Bell, Bullock, Cartier, Diller, Hollins, Kilpatrick, Powers, Reda, Sheldon, Smiley, Street, Tackett, Weiner

K. Introduction/Consideration of Emergency Ordinances: None

L. Public Comment/Other:

- Council President Bullock thanked Judy Mitchell, who was substitute Counsel to Council for the day, for her assistance.
- Councilwoman Diller thanked Councilman Smiley for assisting a constituent with her property taxes.

M. Motion to Adjourn

There being no further testimony, Councilman Smiley made a motion to adjourn, it was seconded by Councilman Sheldon and the meeting was adjourned at 7:25 p.m.

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Christopher A. Bullock
Council President
New Castle County

A recording of the meeting is available upon request.
Respectfully submitted by Anthony deFiore, Legislative Aide to Council President Christopher A. Bullock