

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, February 26, 2019

- 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
David Carter
John J. Cartier
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

B. Approval of Minutes:

- Councilman Smiley moved to approve the February 12, 2019 council meeting minutes, it was seconded, and all were in favor.

C. Announcements:

- Councilman Cartier announced that his microphone was not working.
- Councilman Tackett announced that he may have to leave early due to car issues.
- Councilman Smiley announced that he was tabling °19-015 at the Recorder of Deeds request and that he had a Floor Amendment for °18-124.
- Councilman Bell announced that °17-095 and °17-096 would remain tabled until he receives notification from the applicants to proceed.

D. Introduction of Ordinances:

- **°19-016: TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 14 (“FINANCE AND TAXATION”) TO ESTABLISH THE REASSESSMENT RESERVE ACCOUNT WITHIN THE GENERAL FUND. Introduced by: Mr. Smiley, Ms. Kilpatrick, Ms. Diller, Mr. Carter**
- **°19-017: AMEND THE FY2019 APPROVED SEWER FUND OPERATING BUDGET: APPROPRIATE \$3,138,588 OF SEWER RATE STABILIZATION RESERVE TO THE DEPARTMENT OF PUBLIC WORKS SEWER FUND COMMUNICATION AND UTILITIES BUDGET LINE ITEM. Introduced by: Mr. Sheldon, Mr. Woods**

E. Reports from Select and Special Committees:

- Councilwoman Diller reported that the Boards and Commissions Sub-Committee met on 2/19/19 and interviewed
- Councilwoman Kilpatrick reported that the Land Use Committee met on 2/19/19 and discussed items on tonight’s agenda,

- Councilman Smiley reported that the Finance Committee met on 2/26/19 and discussed items on tonight's agenda, approved grants, approved funding for upgrades to Council Chambers, appointed 2 members of Council to serve on the City/County Building negotiations, and approved the hiring of a legislative aide for the 6th District.

F. Consent Calendar:

- **R19-030: HONORING DR. JOSEPH E. JOHNSON. Introduced by: Mr. Street**
- **R19-031: HONORING THE LIFE OF CHARLES N. "CHARLIE" O'NEAL AND EXPRESSING CONDOLENCES TO HIS FAMILY AND FRIENDS. Introduced by: Mr. Bell, All of Council**
- **R19-032: HONORING THE LIFE OF FRANKLIN D. COOKE, SR. AND EXPRESSING CONDOLENCES TO HIS FAMILY AND FRIENDS. Introduced by: Ms. Hartley-Nagle**
- **R19-033: HONORING THE LIFE AND LEGACY OF THOMAS C. MARSHALL, JR. Introduced by: Ms. Kilpatrick**

Consent Calendar—Adopted

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

G. Presentations: None

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

- **R19-034: CONSENTING TO THE APPOINTMENT OF VIKKI BANDY AS CHAIR TO THE NEW CASTLE COUNTY BOARD OF ASSESSMENT REVIEW. Introduced by: Mr. Woods**
--It was moved and seconded that R19-034 be read by title only and placed before Council for its consideration and adoption.

Resolution 19-034—Adopted

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

- **R19-035: CONSENTING TO THE APPOINTMENT OF DARRYL PARSON TO THE NEW CASTLE COUNTY PLANNING BOARD. Introduced by: Mr. Hollins**
--It was moved and seconded that R19-035 be read by title only and placed before Council for its consideration.

Resolution 19-035—Adopted

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

- **R19-036: CONSENTING TO THE APPOINTMENT OF TIFFANY EARLE TO THE NEW CASTLE COUNTY HOUSING ADVISORY BOARD. Introduced by: Mr. Carter**
--It was moved and seconded that R19-036 be read by title only and placed before Council for its consideration and adoption.

Resolution 19-036—Adopted

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

- **R19-037: CONSENTING TO THE APPOINTMENT OF RENEE SPRUIEL AS CHAIRPERSON TO THE NEW CASTLE COUNTY HOUSING ADVISORY BOARD.**
Introduced by: Ms. Diller
--It was moved and seconded that R19-037 be read by title only and placed before Council for its consideration and adoption.

Resolution 19-037—Adopted

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

- **R19-038: TO RENAME THE APARTMENT PORTION OF “CHESTNUT HILL PRESERVE,” TAX PARCEL NUMBER 11-003.30-049, LOCATED ON THE SOUTH SIDE OF CHESTNUT HILL ROAD, 3077 FEET EAST OF MARROWS ROAD TO “OUR LADY OF GRACE VILLAGE.”** **Introduced by: Ms. Diller**
--It was moved and seconded that R19-038 be read by title only and placed before Council for its consideration and adoption.

Resolution 19-038—Adopted

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

I. Consideration of Ordinances:

- **°19-010: AMEND THE GRANTS BUDGET: APPROPRIATE \$38,435.39 IN EMERGENCY ILLEGAL DRUG ENFORCEMENT (EIDE) FUNDS FROM THE STATE OF DELAWARE, DEPARTMENT OF SAFETY AND HOMELAND SECURITY TO THE NEW CASTLE COUNTY DEPARTMENT OF PUBLIC SAFETY’S EIDE – FY2019 DRUG CONTROL OVERTIME GRANT.** **Introduced by: Mr. Bell, Mr. Street**
--It was moved and seconded that °19-010 be read by title only and placed before Council for its consideration and adoption.

Ordinance 19-010—Adopted

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

Present: Hollins, Street

- **°19-011: AMEND THE GRANTS BUDGET: APPROPRIATE \$50,842.89 IN STATE AID TO LOCAL LAW ENFORCEMENT (SALLE) FUNDS FROM THE STATE OF DELAWARE, DEPARTMENT OF SAFETY AND HOMELAND SECURITY TO THE STATE AID TO LOCAL LAW ENFORCEMENT (SALLE) - FY2019 TARGETED ANALYTIC POLICING SYSTEM (TAPS) OVERTIME GRANT FOR THE DEPARTMENT OF PUBLIC SAFETY.** **Introduced by: Mr. Bell, Mr. Street**
--It was moved and seconded that °19-011 be read by title only and placed before Council for its consideration and adoption.
--Public Comment: Erin Goldner

Ordinance 19-011—Adopted

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

No: Hollins

Present: Street

- **°19-012: AMEND THE FY2019 APPROVED OPERATING BUDGET: INCREASE THE AUTHORIZED POSITION COUNT FOR THE DEPARTMENT OF PUBLIC SAFETY BY FIFTEEN PARAMEDIC POSITIONS IN ORDER TO ACCOMMODATE THE UPCOMING 2019 NEW CASTLE COUNTY PARAMEDIC CLASS. Introduced by: Mr. Bell, Mr. Street, Ms. Hartley-Nagle**

--It was moved and seconded that °19-012 be read by title only and placed before Council for its consideration and adoption.

--Public Comment: Erin Goldner

Ordinance 19-012—Adopted

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

- **°19-013: TO PROVIDE FOR THE INSTALLATION OF ARLINGTON STREET LIGHTS IN THE CROOKED BILLET SUBDIVISION LOCATED IN CHRISTIANA HUNDRED AND FOR A LIGHT TAX BASED ON THE COST OF STREET LIGHTS. Introduced by: Ms. Durham**

--It was moved and seconded that °19-013 be read by title only and placed before Council for its consideration and adoption.

Ordinance 19-013—Adopted

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

- **°19-014: TO ABATE OUTSTANDING NEW CASTLE COUNTY REAL PROPERTY TAXES AND PENALTY ON THE PROPERTY OF THE UNITY EVANGELICAL LUTHERAN CHURCH, INC. LOCATED AT 2101 LANCASTER AVENUE, WILMINGTON, DE, PARCEL NO. 26-026.30-058. Introduced by: Mr. Street**

--It was moved and seconded that °19-014 be read by title only and placed before Council for its consideration and adoption.

Ordinance 19-014—Adopted

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

- **°19-015: TO AMEND NEW CASTLE COUNTY CODE CHAPTER 2 (“ADMINISTRATION”), SECTION 2.03.004 (“FEES FOR RECORDER OF DEEDS”) RELATING TO CERTAIN CHANGES TO FEES OF THE OFFICE OF THE RECORDER OF DEEDS. Introduced by: Mr. Smiley, Mr. Cartier**

--It was moved and seconded that °19-015 be read by title only and placed before Council for its consideration.

--Councilman Smiley moved to table °19-015. The motion was seconded and approved.

Ordinance 19-015—Tabled

- **°18-093: TO PLACE A ONE-YEAR MORATORIUM ON ALL MAJOR LAND DEVELOPMENT APPLICATIONS AND CERTAIN MINOR LAND DEVELOPMENT APPLICATIONS PROPOSING THE USE OF ON-SITE WASTEWATER TREATMENT AND DISPOSAL (“SEPTIC”) SYSTEMS IN NEW CASTLE COUNTY. Introduced by: Ms. Kilpatrick, Mr. Tackett**

--It was moved and seconded that °18-093 be read by title only and placed before Council for its consideration and adoption.

--Public Comment – Peggy Schultz

Ordinance 18-093—Adopted

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

- **°18-124: TO AMEND NEW CASTLE COUNTY CODE CHAPTER 26 (“HUMAN RESOURCES”), ARTICLE 3 (“MERIT SYSTEM”), SECTION 26.03.206. (“DEFERRED COMPENSATION PLAN”) REGARDING DISTRIBUTION OF PLAN PROCEEDS. Introduced by: Mr. Smiley, Mr. Cartier, All of Council**

--It was moved and seconded that °18-124 be read by title only and placed before Council for its consideration.

--Councilman Smiley moved Floor Amendment No. 1 which changes the date on page 2, in Section 1, Sub-section 3 e, from July 1, 2019 to March 15, 2019. The amendment was seconded and unanimously approved.

--Councilman Smiley moved to have °18-124 as amended by Floor Amendment No. 1 read by title only and placed before Council for its consideration. The motion was seconded.

Ordinance 18-124 as a amended by Floor Amendment No. 1 —Adopted

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

- **°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:

- **R19-039: URGING THE DELAWARE GENERAL ASSEMBLY TO PARTIALLY RESTORE THE PARAMEDIC REIMBURSEMENT RATE TO 50% FOR STATE-MANDATED COUNTY PARAMEDIC SERVICES TO ADDRESS INCREASED DEMAND FOR SERVICES. Introduced by: Ms. Kilpatrick, All of Council**

--It was moved and seconded that R19-039 be read by title only and placed before Council for its consideration and adoption.

Resolution 19-039—Adopted

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

K. Introduction/Consideration of Emergency Ordinances: None

L. Public Comment/Other:

- Erin Goldner addressed Council about Glasgow Trailer Park and addiction/recovery homes.
- Mohammad Salam, Sakeenah Salaam and Michelle Smith addressed Council with concerns over Le Parc Condominiums.

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 8:38 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