

**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, May 14, 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  
Kenneth R. Woods

Absent

David L. Tackett

**B. Approval of Minutes:**

- Councilman Smiley moved to approve the April 30, 2019 council meeting minutes, it was seconded, and all were in favor.

**C. Announcements:**

- Councilman Bell announced that Ordinance 17-095 and Ordinance 17-096 would remain tabled and provided an update on the legislation.

**D. Introduction of Ordinances:**

- **19-047: REVISE ZONING MAP: NEW CASTLE HUNDRED, SOUTH SIDE OF PULASKI HIGHWAY, APPROXIMATELY 1100 FEET EAST OF SALEM CHURCH ROAD; 1604, 1612, 1616 AND 0 PULASKI HIGHWAY, TAX PARCEL NOS. 10-048.00-001, 10-048.00-002, 10-048.00-003 AND 10-048.00-004, 4.69 ACRES FROM NC21 (NEIGHBORHOOD CONSERVATION) TO CR (COMMERCIAL REGIONAL)** The Exploratory Major Land Development Plan for **Lidl** proposes to rezone the property to CR for development of a 29,089 square foot grocery store and a 7,200 square foot specialty retail building with associated site improvements on 4.69 acres. **2018-0399-S/Z. Introduced by: Mr. Bell**
- **19-048: AMEND THE GRANTS BUDGET: APPROPRIATE \$2,278,499 FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND \$425,000 IN ESTIMATED PROGRAM INCOME TO THE COMMUNITY DEVELOPMENT BLOCK GRANT FY2020, WHICH WILL BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES.** Introduced by: Mr. Hollins, Ms. Diller
- **19-049: AMEND THE GRANTS BUDGET: FOR FY2020, APPROPRIATE FEDERAL FUNDS OF \$196,701 FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN**

**DEVELOPMENT (HUD) TO THE EMERGENCY SOLUTIONS GRANT FY2020, WHICH WILL BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES.**

**Introduced by: Mr. Hollins, Ms. Diller**

- **°19-050: AMEND THE GRANTS BUDGET: FOR FY2020, APPROPRIATE FEDERAL FUNDS OF \$893,090 FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND ESTIMATED PROGRAM INCOME OF \$75,000 TO THE FY2020 HOME INVESTMENT PARTNERSHIP PROGRAM (HOME), WHICH IS ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES. Introduced by: Mr. Hollins, Ms. Diller**
- **°19-051: AMEND THE GRANTS BUDGET: FOR FY2020, APPROPRIATE \$1,954,056 FROM THE DEPARTMENT OF STATE, DELAWARE DIVISION OF LIBRARIES TO: (A) LIBRARY ADMINISTRATION \$1,727,739; (B) APPOQUINIMINK LIBRARY \$12,809; (C) BEAR LIBRARY \$30,318; (D) CLAYMONT LIBRARY \$12,707; (E) BRANDYWINE HUNDRED LIBRARY \$69,740; (F) ELSMERE LIBRARY \$12,706; (G) HOCKESSIN LIBRARY \$15,448; (H) KIRKWOOD LIBRARY \$19,150; (I) NEWARK LIBRARY \$26,727; (J) ROUTE 9 LIBRARY \$10,300; AND (K) WOODLAWN LIBRARY \$16,412 WHICH ARE ALL ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES. Introduced by: Mr. Hollins, Ms. Diller**
- **°19-052: AMEND THE FY2019 CAPITAL BUDGET: APPROPRIATE UP TO \$156,000 FROM THE RECORDER OF DEEDS TECHNOLOGY FEE ACCOUNT THE DEPARTMENT OF ADMINISTRATION, INFORMATION SYSTEMS EXPANSION II CAPITAL PROJECT TO SUPPORT FIVE TECHNOLOGICAL INITIATIVES. Introduced by: Mr. Carter**

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

- Councilman Cartier reported that the Finance Committee met on 5/13/19 to hold a general budget discussion.
- Councilman Cartier reported that the Finance Committee met on 5/14/19 and discussed items on tonight's agenda and approved grants.
- Councilwoman Kilpatrick reported that the Land Use Committee met on 5/7/19 and discussed items on tonight's agenda.
- Councilman Sheldon reported that the Public Works Committee met on 5/7/19 for an update on GreeNCC.

**F. Consent Calendar:**

- **R19-082: HONORING MANNY ALVAREZ FOR TWENTY YEARS OF SERVICE AND LEADERSHIP WITH THE PIEDMONT BABE RUTH LEAGUE. Introduced by: Ms. Kilpatrick**
- **R19-083: CONSENTING TO THE RE-APPOINTMENT OF MARGARET ANN RYAN TO THE NEW CASTLE COUNTY LIBRARY ADVISORY BOARD, A SUBCOMMITTEE OF THE DEPARTMENT OF COMMUNITY SERVICES BOARD. Introduced by: Mr. Bell**
- **R19-084: CONSENTING TO THE RE-APPOINTMENT OF ANITA L. STERLING TO THE NEW CASTLE COUNTY LIBRARY ADVISORY BOARD, A SUBCOMMITTEE OF THE DEPARTMENT OF COMMUNITY SERVICES BOARD. Introduced by: Ms. Kilpatrick**
- **R19-085: CONSENTING TO THE RE-APPOINTMENT OF JUDITH A. TAGGART TO THE NEW CASTLE COUNTY LIBRARY ADVISORY BOARD, A SUBCOMMITTEE OF THE DEPARTMENT OF COMMUNITY SERVICES BOARD. Introduced by: Ms. Diller**
- **R19-086: CONGRATULATING RASHID MUSTAFA, MUHAMMAD SALAAM AND DAN ELKINS FOR THEIR ACHIEVEMENTS IN HELPING OUR CHILDREN TO FIND THE PATH TO A BETTER FUTURE. Introduced: Mr. Street, Mr. Cartier**

**Consent Calendar—Adopted**

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

Absent: Tackett

**G. Presentations:**

- Councilmembers Street and Cartier presented R19-086

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

- **R19-087: PLAN OF HOMEWOOD SUITES WILMINGTON CHRISTIANA; WHITE CLAY CREEK HUNDRED; NORTH OF THE INTERSECTION OF STANTON-OGLETOWN ROAD AND CHURCHMANS ROAD; MAJOR LAND DEVELOPMENT PLAN THAT PROPOSES TO TITLE SUBDIVIDE TWO LOTS AND CONSTRUCT A 95,121 SQUARE FOOT HOTEL; CR ZONING; COUNCIL DISTRICT 1. Introduced: Mr. Woods**

--It was moved and seconded that R19-087 be read by title only and placed before Council for its consideration and adoption.

--Shawn Tucker, attorney for the applicant, spoke

--Steven Johns, engineer for the applicant, spoke

--Nick Ghandi spoke

--Councilman Street announced he will recuse himself from the vote due to the involvement of his employer in the project

**Resolution 19-087—Adopted**

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

Not Voting: Street

Absent: Tackett

- **R19-088: CONSENTING TO THE APPOINTMENT OF JACQUELINE D. JENKINS, ED.D TO THE POSITION OF CHIEF HUMAN RESOURCES OFFICER. Introduced by: Ms. Hartley-Nagle**

--It was moved and seconded that R19-088 be read by title only and placed before Council for its consideration.

**Resolution 19-088—Adopted**

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

Absent: Tackett

**I. Consideration of Ordinances:**

- **°19-043: AMEND THE GRANTS BUDGET: APPROPRIATE \$5,000 FEDERAL PASS THROUGH FUNDING FROM THE HIGH INTENSITY DRUG TRAFFICKING AREA FUNDS THROUGH THE DELAWARE DEPARTMENT OF JUSTICE TO THE 2019 HIDTA/DOJ-HERO HELP INITIATIVE GRANT FOR THE DEPARTMENT OF PUBLIC SAFETY. Introduced by: Mr. Bell, Mr. Street**

--It was moved and seconded that °19-043 be read by title only and placed before Council for its consideration and adoption.

**Ordinance 19-043—Adopted**

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

Absent: Tackett

- **°19-044: AMEND THE FY2019 APPROVED SEWER FUND OPERATING BUDGET: REALIGN BUDGETARY FUNDING OF \$300,000 WITHIN THE DEPARTMENT OF PUBLIC WORKS TO FUND LEGAL AND ATTORNEY FEES.** Introduced by: Mr. Sheldon, Mr. Woods  
--It was moved and seconded that °19-044 be read by title only and placed before Council for its consideration and adoption.

**Ordinance 19-044—Adopted**

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

Absent: Tackett

- **°19-033: TO AMEND THE PAY PLAN AND RATES OF PAY FOR NON-UNION CLASSIFIED SERVICE EMPLOYEES AND REVISE THE CLASS SPECIFICATION FOR THE POSITION OF PAYROLL SUPERVISOR.** Introduced by: Ms. Hartley-Nagle  
-- °19-033 remained 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 tabled.

**J. Time Sensitive Congratulatory/Honorary Resolutions:**

- **R19-089: HONORING AND COMMENDING THE NEW CASTLE COUNTY BOARD OF REALTORS FOR THEIR COMMITMENT TO FAIR HOUSING AND ENSURING ITS SUCCESS.** Introduced by: Ms. Hartley-Nagle  
--It was moved and seconded that R19-089 be read by title only and placed before Council for its consideration.

**Ordinance 19-089—Adopted**

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

Absent: Tackett

- **R19-090: SUPPORTING THE DELAWARE DEPARTMENT OF JUSTICE, THE DELAWARE GENERAL ASSEMBLY, THE DELAWARE OFFICE OF DEFENSE SERVICES AND OTHER STAKEHOLDERS IN THEIR EFFORTS TOWARDS CRIMINAL JUSTICE REFORM.** Introduced by: Ms. Hartley-Nagle  
--It was moved and seconded that R19-090 be read by title only and placed before Council for its consideration.

**Ordinance 19-090—Adopted**

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

Present: Street

Absent: Tackett

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

**L. Public Comment/Other:** None

**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 7:16 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 Anthony deFiore, Legislative Aide*