

**REGULAR MEETING OF THE NEW CASTLE COUNTY COUNCIL
VIRTUAL ZOOM WEBINAR MEETING**

MINUTES

Tuesday, June 8, 2021

- A.** The meeting was called to order by President Hartley-Nagle at 7:00 PM. A moment of silence was recognized; members of Council performed the Pledge of Allegiance.

Roll Call

Present for meeting

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

Absent for roll call

J. William Bell
David L. Tackett
Kenneth R. Woods

- Councilman Bell, Councilman Tackett and Councilman Woods all joined the meeting a few minutes after the roll call.

B. Approval of Minutes:

- Councilman Smiley moved to approve the May 25, 2021 council meeting minutes, the motion was seconded by Councilman Cartier and approved.

C. Announcements:

--Councilwoman Durham announced that she would lift 20-066 from the table and introduce Substitute No. 1 this evening.

--Councilman Smiley announced that he had floor amendments for Ordinance 21-075 and Ordinance 20-076.

D. Introduction of Ordinances:

- 21-077: AMEND THE GRANTS BUDGET: APPROPRIATE AN ADDITIONAL \$44,870 IN FEDERAL FUNDING FROM THE DEPARTMENT OF HOMELAND SECURITY FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) TO THE EMERGENCY MANAGEMENT FY2021 GRANT. Introduced by: Mr. Bell, Ms. Hartley-Nagle
- 21-078: AMEND THE FY2021 CAPITAL BUDGET: APPROPRIATE \$8,000,000 IN FUNDING FROM THE REASSESSMENT RESERVE ACCOUNT TO THE DEPARTMENT OF ADMINISTRATION, REASSESSMENT 2024 CAPITAL PROJECT. Introduced by: Mr. Smiley, Mr. Cartier

E. Reports from Select and Special Committees:

- Councilman Hollins reported that the Executive Committee met on 6/8/21 and discussed Council Agenda Item Js.
- President Hartley-Nagle reported that the Public Safety Committee met on 6/8/21 and discussed an item on tonight's agenda and the June 22nd Agenda and had a presentation by the Volunteer Firefighters Association and brief discussion on police jurisdictional agreements.
- Councilman Cartier reported that the Finance Committee met on 6/8/20 and discussed items on tonight's agenda, approved grants, adjusted Council's meeting schedule for August and December, and had a discussion on the formatted schedule of County Council's workshops to discuss the American Rescue Plan funding priorities.

F. Consent Calendar: None

G. Presentations: None

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

- R21-103: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT FOR ANDE CORPORATION FOR PURCHASE AGREEMENT FOR RAPID DNA ANALYSIS MACHINE FOR THE DEPARTMENT OF PUBLIC SAFETY IN THE AMOUNT OF \$95,000.00. Introduced by: Mr. Smiley, Mr. Cartier
--Councilman Smiley moved that R21-103 be read by title only and placed before Council for its consideration. The motion was seconded by Councilwoman Diller.

Resolution 21-103—Adopted

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

- R21-104: AMEND THE FY2021 CAPITAL PROGRAM: APPROPRIATE \$750,000 IN FUNDING FROM THE GENERAL FUND TAX STABILIZATION RESERVE ACCOUNT TO THE DEPARTMENT OF PUBLIC WORKS, GENERAL PARKLAND IMPROVEMENTS 2021 CAPITAL PROJECT. Introduced by: Mr. Sheldon, Mr. Woods
--Councilman Sheldon moved that R21-104 be read by title only and placed before Council for its consideration and adoption. The motion was seconded by Councilman Tackett.

Resolution 21-104—Adopted

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

- R21-105: APPROVING THE RECREATIONAL PROPERTY TAX-EXEMPT STATUS OF THE CRESTMOOR SWIM CLUB LOCATED AT 640 W. SUMMIT AVENUE, WILMINGTON, DELAWARE TAX PARCEL NO. 07-042.20-033. Introduced by: Mr. Woods
--Councilman Woods moved that R21-105 be read by title only and placed before Council for its consideration. The motion was seconded by Councilman Tackett.

Resolution 21-105—Adopted

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

- R21-106: RESOLUTION APPROVING REISSUANCE OF CERTAIN BONDS OR NOTES BY THE CLAYMONT FIRE COMPANY NO. 1. Introduced by: Mr. Cartier
--Councilman Cartier moved that R21-106 be read by title only and placed before Council for its consideration. The motion was seconded by Councilman Tackett.

Resolution 21-106—Adopted

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

- R21-107: AUTHORIZING THE COUNTY EXECUTIVE TO SIGN AN AGREEMENT BETWEEN THE STATE OF DELAWARE, DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL AND NEW CASTLE COUNTY AND TO AMEND THE FY2021 CAPITAL PROGRAM: TO AMEND THE CAPITAL PROJECT DESCRIPTION FOR THE WATER QUALITY IMPROVEMENT PLAN CAPITAL PROJECT TO RECOGNIZE ROBSCOTT MANOR AS A SUB-PROJECT. Introduced by: Mr. Sheldon, Mr. Woods, Ms. Diller
--Councilwoman Diller moved that R21-107 be read by title only and placed before Council for its consideration. The motion was seconded by Councilman Cartier.

Resolution 21-107—Adopted

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

- R21-108: AUTHORIZING THE CHIEF ADMINISTRATIVE OFFICER TO ACCEPT A DONATION OF A PAVILION, PARK BENCHES AND OTHER ITEMS FROM THE FRIENDS AND FAMILY OF JOSHUA BORIN. Introduced by: Ms. Durham
--Councilwoman Durham moved that R21-108 be read by title only and placed before Council for its consideration. The motion was seconded by Councilman Tackett.

Resolution 21-108—Adopted

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

- R21-109: CONDEMNING VIOLENCE, HARASSMENT, AND BIAS AGAINST JEWISH PERSONS IN THE UNITED STATES. Introduced by: Mr. Woods, Mr. Bell, Mr. Carter, Mr. Cartier, Ms. Diller, Ms. Durham, Ms. Hartley-Nagle, Mr. Hollins, Ms. Kilpatrick, Mr. Sheldon, Mr. Smiley, Mr. Street, Mr. Tackett
--Councilman Woods moved that R21-109 be read by title only and placed before Council for its consideration. The motion was seconded by Councilman Sheldon.

Resolution 21-109—Adopted

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

- R21-110: AUTHORIZING THE EXECUTION OF A SOFTWARE AS A SERVICE AND PROFESSIONAL SERVICES AGREEMENT WITH TYLER TECHNOLOGIES, INC. TO PROVIDE AND IMPLEMENT A COMPUTER ASSISTED MASS APPRAISAL SYSTEM AND CONDUCT THE FISCAL YEAR 2024 GENERAL REASSESSMENT. Introduced by: Mr. Smiley, Mr. Cartier
--Councilman Cartier moved that R21-110 be read by title only. The motion was seconded by Councilman Hollins.
--Councilman Cartier moved to table R21-110. The motion was seconded by Councilman Smiley and approved.

Resolution 21-110—Tabled

I. Consideration of Ordinances:

- °21-067: AMEND THE GRANTS BUDGET: APPROPRIATE \$205,375 IN ANTICIPATED STATE OF DELAWARE GRANT-IN-AID FUNDS TO THE ABSALOM JONES SENIOR CENTER FY2022, WHICH WILL BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES. Introduced by: Mr. Hollins, Ms. Diller

--Councilman Hollins moved that °20-067 be read by title only and placed before Council for its consideration and adoption. The motion was seconded by Councilman Smiley.

Ordinance 20-067—Adopted

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

- °21-068: AMEND THE GRANTS BUDGET: APPROPRIATE \$17,450.28 IN ACTUAL PROGRAM INCOME TO THE NCC FARMER'S MARKET GRANT, WHICH IS ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES. Introduced by: Mr. Hollins, Ms. Diller
--Councilman Hollins moved that °20-068 be read by title only and placed before Council for its consideration and adoption. The motion was seconded by Councilman Smiley.

Ordinance 20-068—Adopted

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

- °21-069: AMEND THE GRANTS BUDGET: APPROPRIATE ACTUAL PROGRAM INCOME OF \$164,000 AND \$600,000 IN ANTICIPATED PROGRAM INCOME TO THE NEIGHBORHOOD STABILIZATION PROGRAM II GRANT, WHICH IS ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES. Introduced by: Mr. Hollins, Ms. Diller
--Councilwoman Diller moved that °20-069 be read by title only and placed before Council for its consideration and adoption. The motion was seconded by Councilman Hollins.

Ordinance 20-069—Adopted

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

- °21-070: AMEND THE GRANTS BUDGET: APPROPRIATE \$40,462.33 FROM THE UNITED STATES DEPARTMENT OF JUSTICE AND \$9,537.67 IN INTEREST INCOME TO THE ASSET FORFEITURE-FEDERAL GRANT, WHICH IS ADMINISTERED BY THE DEPARTMENT OF PUBLIC SAFETY. Introduced by: Mr. Bell, Ms. Hartley-Nagle
--Councilman Bell moved that °20-070 be read by title only and placed before Council for its consideration and adoption. The motion was seconded by Councilman Tackett.

Ordinance 20-070—Adopted

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

- °21-071: AMEND THE GRANTS BUDGET: APPROPRIATE \$110.00 IN PROGRAM INCOME AND \$9,074.38 FROM SALE OF VEHICLES TO THE ASSET SEIZURE GRANT, WHICH IS ADMINISTERED BY THE DEPARTMENT OF PUBLIC SAFETY. Introduced by: Mr. Bell, Ms. Hartley-Nagle
--Councilman Bell moved that °20-071 be read by title only and placed before Council for its consideration and adoption. The motion was seconded by Councilman Hollins.

Ordinance 20-071—Adopted

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

- °21-072: AMEND THE GRANTS BUDGET: APPROPRIATE INVESTMENT AND PROGRAM INCOME TO JUSTICE ASSISTANCE GRANTS (JAG) 2017, 2018, 2019 AND 2020 FOR THE NEW CASTLE COUNTY DEPARTMENT OF PUBLIC SAFETY. Introduced by: Mr. Bell, Ms. Hartley-Nagle

--Councilman Bell moved that °20-072 be read by title only and placed before Council for its consideration and adoption. The motion was seconded by Councilman Tackett.

Ordinance 20-072—Adopted

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

- °21-073: AMEND THE GRANTS BUDGET: APPROPRIATE \$285,490 IN FEDERAL FUNDING FROM THE DEPARTMENT OF HOMELAND SECURITY FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) AND \$75,000 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 FY2022. Introduced by: Mr. Bell, Ms. Hartley-Nagle
--Councilman Bell moved that °20-073 be read by title only and placed before Council for its consideration and adoption. The motion was seconded by Councilman Tackett.

Ordinance 20-073—Adopted

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

- °21-074: AMEND THE FY2021 CAPITAL BUDGET: APPROPRIATE \$750,000 IN FUNDING FROM THE GENERAL FUND TAX STABILIZATION RESERVE ACCOUNT TO THE DEPARTMENT OF PUBLIC WORKS, GENERAL PARKLAND IMPROVEMENTS 2021 CAPITAL PROJECT. Introduced by: Mr. Sheldon, Mr. Woods
--Councilman Sheldon moved that °20-074 be read by title only and placed before Council for its consideration and adoption. The motion was seconded by Councilman Bell.

Ordinance 20-074—Adopted

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

- °21-075: AMEND THE GRANTS BUDGET: APPROPRIATE FUNDING FROM NEW CASTLE COUNTY COUNCIL TO THE SENIOR HOME REPAIR PROGRAM GRANT, WHICH IS ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES. Introduced by: Mr. Smiley, Ms. Diller, Mr. Tackett, Mr. Woods, Mr. Sheldon, Mr. Cartier
--Councilman Smiley moved that °20-075 be read by title only and placed before Council for its consideration. The motion was seconded by Councilwoman Diller.
--Councilman Smiley moved to amend °20-075 by replacing the dollar amount of \$4,150 wherever listed throughout the ordinance with \$14,005 and Exhibit A shall be corrected accordingly. The motion was seconded by Councilwoman Diller and approved.
--Councilman Smiley moved that °20-075 as amended by Floor Amendment No. 1 be read by title only and placed before Council for its consideration. The motion was seconded by Councilman Cartier.

Ordinance 20-075 as amended by Floor Amendment No. 1—Adopted

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

- °21-076: AMEND THE FY2021 APPROVED OPERATING BUDGET: REDUCE THE GRANTS AND FIXED CHARGES BUDGET LINE ITEM OF COUNTY COUNCIL TO PROVIDE FUNDING FOR NEW CASTLE COUNTY GRANTS. Introduced by: Mr. Smiley, Ms. Diller, Mr. Tackett, Mr. Woods, Mr. Sheldon, Mr. Cartier
--Councilman Smiley moved that °20-076 be read by title only and placed before Council for its consideration. The motion was seconded by Councilman Tackett.

--Councilman Smiley moved to amend °20-076 by replacing the dollar amount of \$4,150 wherever listed throughout the ordinance with \$14,005 and all attached Exhibits (A-1, A-2, A-3, A-4, and A-5) shall be corrected accordingly. The motion was seconded by Councilman Bell and approved.

--Councilman Smiley moved that °20-076 as amended by Floor Amendment No. 1 be read by title only and placed before Council for its consideration. The motion was seconded by Councilwoman Diller.

Ordinance 20-076 as amended by Floor Amendment No. 1—Adopted

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

- °21-066: (STATUS: TABLED) TO AMEND NEW CASTLE COUNTY CODE CHAPTER 2 (“ADMINISTRATION”), ARTICLE 5 (“DEPARTMENTS AND OFFICES”), SECTION 2.05.306 (“OPEN SPACE ADVISORY COMMITTEE”) RELATING TO MEMBERSHIP OF THE OPEN SPACE ADVISORY COMMITTEE. Introduced by: Ms. Durham, Mr. Carter
--Councilwoman Durham moved to lift °20-066 from the table. The motion was seconded by Councilman Carter and approved.
--Councilwoman Durham moved that Substitute No. 1 to °20-066 be read by title only and placed before Council for its consideration and adoption. The motion was seconded by Councilman Cartier.
--Councilwoman Durham moved to table Substitute No. 1 to °20-066. The motion was seconded by Councilman Carter and approved

Substitute No. 1 Ordinance 20-066—Tabled

J. Time Sensitive Congratulatory/Honorary Resolutions:

- R21-111: CELEBRATING AND HONORING THE LIFE OF JOSEPH H. DULIN AND EXPRESSING CONDOLENCES TO HIS FAMILY AND FRIENDS. Introduced by: Mr. Cartier, Ms. Hartley-Nagle, Mr. Bell, Mr. Carter, Ms. Diller, Ms. Durham, Mr. Hollins, Ms. Kilpatrick, Mr. Sheldon, Mr. Smiley, Mr. Street, Mr. Tackett, Mr. Woods
--Councilman Cartier moved that R21-111 be read by title only and placed before Council for its consideration. The motion was seconded by Councilwoman Diller.

Resolution 21-111—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:

-- Nancy Willing – Announced that she updated the Civic Leagues Facebook page and noted that SB122 passed the Senate today.

M. Motion to Adjourn

There being no further testimony, Councilman Smiley moved to adjourn the meeting. The motion was seconded by Councilman Cartier and approved. The meeting was adjourned at 8:05 PM.

A recording of the meeting is available upon request.

Respectfully submitted by Tara Finnigan, Deputy Clerk of Council.