

**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 10, 2019**

- A. The meeting was called to order by President Hartley-Nagle at 6:31 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 August 27, 2019 council meeting minutes, it was seconded, and all were in favor.

**C. Announcements:**

- Councilwoman Durham announced that she would table Ordinance 19-080.
- Councilman Bell announced that Ordinance 17-095 and Ordinance 17-096 would remain tabled and stated that he is still awaiting to hear from the developer to proceed.
- Councilman Cartier announced that he would move to consider companion legislation, Resolution 19-159 and Ordinance 19-081, together.

**D. Introduction of Ordinances:**

- **19-088: REVISE ZONING MAP: BRANDYWINE HUNDRED, NORTH SIDE OF SILVERSIDE ROAD, SOUTH SIDE OF WILMONT DRIVE; 3203 SILVERSIDE ROAD, TAX PARCEL NO. 06-052.00-232, 0.35 ACRES FROM NC15 (NEIGHBORHOOD CONSERVATION) TO NC15 AND H (HISTORIC OVERLAY ZONE). Introduced by: Ms. Durham**
- **19-089: AMEND THE FY2020 APPROVED OPERATING BUDGET: APPROPRIATE FUNDING RECEIVED FROM THE REGISTER OF WILLS TECHNOLOGY FEE ACCOUNT, RECORDER OF DEEDS TECHNOLOGY FEE ACCOUNT AND CLERK OF THE PEACE TECHNOLOGY FEE ACCOUNT TO THEIR RESPECTIVE CONTRACTUAL SERVICES BUDGET LINE ITEMS FOR YEAR TWO OF MICROSOFT OFFICE 365 LICENSING. Introduced by: Mr. Smiley, Mr. Cartier**
- **19-090: AMEND THE FY2020 CAPITAL BUDGET: APPROPRIATE \$8,051 FROM THE RECORDER OF DEEDS TECHNOLOGY FEE ACCOUNT WITHIN THE OFFICE OF THE RECORDER OF DEEDS TO THE DEPARTMENT OF ADMINISTRATION,**

**INFORMATION SYSTEMS EXPANSION II CAPITAL PROJECT. Introduced by: Mr. Smiley, Mr. Cartier**

- **\*19-091: AMEND THE GRANTS BUDGET: APPROPRIATE \$141,698.71 IN PROGRAM INCOME AND REALIGN \$556,884.67 IN THE COMMUNITY DEVELOPMENT BLOCK GRANT FY2019 WHICH WILL BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES. Introduced by: Mr. Hollins, Ms. Diller**
- **\*19-092: AMEND THE GRANTS BUDGET: APPROPRIATE \$100,000.00 IN FUNDING FROM THE STATE OF DELAWARE, DEPARTMENT OF LABOR WITH FUNDS PROVIDED BY THE STATE OF DELAWARE, DEPARTMENT OF HEALTH AND SOCIAL SERVICES TO THE 2019 STATE YEAR-ROUND YOUTH EMPLOYMENT PROGRAM GRANT, TO BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES. Introduced by: Mr. Hollins, Ms. Diller**
- **\*19-093: AMEND THE FY2020 APPROVED OPERATING BUDGET: APPROPRIATE \$54,000 FROM THE NEW CASTLE COUNTY TECHNOLOGY FEE ACCOUNT WITHIN THE OFFICE OF THE RECORDER OF DEEDS TO THE NEW CASTLE COUNTY COUNCIL CONTRACTUAL SERVICES LINE ITEM FOR FISCAL YEAR 2020. Introduced by: Mr. Carter**

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

- Councilman Woods reported that the Public Works Committee met on 9/3/19 and the presentation was postponed to a later date.
- Councilman Cartier reported that the Finance Committee met on 9/10/19 and discussed items on tonight's agenda, approved grants and heard from the Executive Office.
- Councilman Street reported that the Public Safety Committee met on 9/10/19 and discussed items on tonight's agenda and had presentations from the Police, Paramedics, and the 911 center.

**F. Consent Calendar: None**

**G. Presentations: None**

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

- **R19-157: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT FOR FAMILY PROMISE OF NORTHERN NEW CASTLE COUNTY, INC. FOR A PASS-THROUGH GRANT FOR THE DEPARTMENT OF COMMUNITY SERVICES IN THE AMOUNT OF \$90,000.00. Introduced by: Mr. Smiley, Mr. Cartier**  
--It was moved and seconded that R19-157 be read by title only and placed before Council for its consideration and adoption.

**Resolution 19-157—Adopted**

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

- **R19-158: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT FOR THE CITY OF NEWARK PLANNING AND DEVELOPMENT DEPARTMENT FOR A PASS-THROUGH GRANT FOR THE DEPARTMENT OF COMMUNITY SERVICES IN THE AMOUNT OF \$269,319.00. Introduced by: Mr. Smiley, Mr. Cartier**  
--It was moved and seconded that R19-158 be read by title only and placed before Council for its consideration and adoption.

**Resolution 19-158—Adopted**

Yes: Bell, Carter, Cartier, Diller, Durham, Hartley-Nagle, Hollins, Kilpatrick, Sheldon, Street, Tackett, Woods  
Not Voting: Smiley

- **R19-159: AMEND THE FY2020 CAPITAL PROGRAM: APPROPRIATE \$50,000 IN FUNDING FROM THE STATE OF DELAWARE FISCAL YEAR 2020 BOND AND CAPITAL IMPROVEMENTS ACT TOWARD THE DEPARTMENT OF PUBLIC WORKS, GENERAL PARKLAND IMPROVEMENTS CAPITAL PROJECT. Introduced by: Mr. Sheldon, Mr. Woods, Mr. Cartier, Ms. Hartley-Nagle**
- **°19-081: AMEND THE FY2020 CAPITAL BUDGET: APPROPRIATE \$50,000 IN FUNDING FROM THE STATE OF DELAWARE FISCAL YEAR 2020 BOND AND CAPITAL IMPROVEMENTS ACT TOWARD THE DEPARTMENT OF PUBLIC WORKS, GENERAL PARKLAND IMPROVEMENTS CAPITAL PROJECT. Introduced by: Mr. Sheldon, Mr. Woods, Mr. Cartier, Ms. Hartley-Nagle**  
 --Councilman Cartier moved to consider R19-159 and °19-081 together. The motion was seconded and approved.  
 --It was moved and seconded that R19-159 and °19-081 be read by title only and placed before Council for its consideration and adoption.

**Resolution 19-159 and Ordinance 19-081—Adopted**

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

- **R19-160: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT FOR THE STATE OF DELAWARE, DEPARTMENT OF HEALTH AND SOCIAL SERVICES FOR ANIMAL CONTROL SERVICES AS MANDATED BY THE STATE OF DELAWARE FOR THE DEPARTMENT OF PUBLIC SAFETY IN THE AMOUNT OF \$1,607,178.71. Introduced by: Mr. Smiley, Mr. Cartier**  
 --It was moved and seconded that R19-160 be read by title only and placed before Council for its consideration and adoption.

**Resolution 19-160—Adopted**

Yes: Carter, Cartier, Diller, Durham, Hartley-Nagle, Hollins, Kilpatrick, Sheldon, Tackett, Woods  
 Not Voting: Bell, Smiley  
 Present: Street

**I. Consideration of Ordinances:**

- **°19-080: (STATUS: TO BE TABLED) TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 6 (“BUILDING CODE”), ARTICLE 3 (“ADMINISTRATION”), SEC. 6.03.020. (“SPECIAL GUIDELINES FOR WORK DONE ON HISTORIC STRUCTURES”) REGARDING ISSUANCE OF A DEMOLITION PERMIT BY THE HISTORIC REVIEW BOARD. Introduced by: Ms. Durham, Mr. Carter**  
 --It was moved and seconded that °19-080 be read by title only and placed before Council for its consideration.  
 --Councilwoman Durham moved to table °19-080. The motion was seconded and approved.

**Ordinance 19-080—Tabled**

- **°19-081: AMEND THE FY2020 CAPITAL BUDGET: APPROPRIATE \$50,000 IN FUNDING FROM THE STATE OF DELAWARE FISCAL YEAR 2020 BOND AND CAPITAL IMPROVEMENTS ACT TOWARD THE DEPARTMENT OF PUBLIC WORKS, GENERAL PARKLAND IMPROVEMENTS CAPITAL PROJECT. Introduced by: Mr. Sheldon, Mr. Woods, Mr. Cartier, Ms. Hartley-Nagle**  
 -- °19-081 was considered under Item H with companion legislation, R19-159.

- **°19-082: AMEND THE GRANTS BUDGET: APPROPRIATE \$33,755 FROM THE STATE OF DELAWARE, DEPARTMENT OF TRANSPORTATION TO THE EZION FAIR CHURCH – PARKING LOT IMPROVEMENTS GRANT FOR THE DEPARTMENT OF PUBLIC WORKS. Introduced by: Mr. Sheldon, Mr. Woods**

--It was moved and seconded that °19-082 be read by title only and placed before Council for its consideration and adoption.

**Ordinance 19-082—Adopted**

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

- **°19-083: TO AMEND THE PAY PLAN AND RATES OF PAY FOR CLASSIFIED SERVICE MANAGERS AND ADMINISTRATORS, REPRESENTED BY THE DELAWARE PUBLIC EMPLOYEES COUNCIL 81, AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES (AFSCME), AFL-CIO, AFFILIATE LOCAL 3109, TO REVISE THE POSITION TITLE OF TRANSPORTATION DIVISION MANAGER TO FLEET SERVICES MANAGER AND TO ADOPT THE REVISED CLASS SPECIFICATION. Introduced by: Ms. Hartley-Nagle**

--It was moved and seconded that °19-083 be read by title only and placed before Council for its consideration and adoption.

**Ordinance 19-083—Adopted**

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

- **°19-084: AMEND THE GRANTS BUDGET: APPROPRIATE \$400,000 IN FUNDS FROM THE DELAWARE STATE HOUSING AUTHORITY TO THE STRONG NEIGHBORHOODS HOUSING PROGRAM III GRANT TO BE ADMINISTERED BY THE NEW CASTLE COUNTY DEPARTMENT OF COMMUNITY SERVICES. Introduced by: Mr. Hollins, Ms. Diller**

--It was moved and seconded that °19-084 be read by title only and placed before Council for its consideration and adoption.

**Ordinance 19-084—Adopted**

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

- **°19-085: AMEND THE GRANTS BUDGET: APPROPRIATE \$150,000 IN ANTICIPATED STATE OF DELAWARE GRANT-IN-AID FUNDS TO THE POLICE BEHAVIORAL HEALTH GRANT TO BE ADMINISTERED BY THE NEW CASTLE COUNTY DEPARTMENT OF PUBLIC SAFETY. Introduced by: Mr. Bell, Mr. Street**

--It was moved and seconded that °19-085 be read by title only and placed before Council for its consideration and adoption.

**Ordinance 19-085—Adopted**

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

- **°19-086: AMEND THE GRANTS BUDGET: APPROPRIATE \$50,000 IN FUNDING FROM THE STATE OF DELAWARE DEPARTMENT OF SAFETY AND HOMELAND SECURITY TO THE COLD CASE DNA GRANT TO BE ADMINISTERED BY THE NEW CASTLE COUNTY DEPARTMENT OF PUBLIC SAFETY. Introduced by: Mr. Bell, Mr. Street**

--It was moved and seconded that °19-086 be read by title only and placed before Council for its consideration and adoption.

**Ordinance 19-086—Adopted**

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

- **°19-087: TO PROVIDE FOR THE INSTALLATION OF TRADITIONAIRE STREET LIGHTS IN THE COLONY AT SUMMIT BRIDGE - EAST SUBDIVISION LOCATED IN THE PENCADER HUNDRED AND FOR A LIGHT TAX BASED ON THE COST OF STREET LIGHTS. Introduced by: Mr. Carter**

--It was moved and seconded that °19-087 be read by title only and placed before Council for its consideration and adoption.

**Ordinance 19-087—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:**

- **R19-161: REMEMBERING THE LIFE OF CELESTINE MURRAY BULLOCK. Introduced by: Ms. Hartley-Nagle**

--It was moved and seconded that R19-161 be read by title only and placed before Council for its consideration.

**Resolution 19-161—Adopted**

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

- **R19-162: HONORING THE DELAWARE RUNNING CLUB’S “BEST FOOT FORWARD PROGRAM,” ITS CONTRIBUTION TO THE SPORT OF RUNNING IN NEW CASTLE COUNTY, AND THE CLUB’S OUTSTANDING SUPPORT OF THE EDGEMOOR GARDENS TRACK TEAM. Introduced by: Mr. Cartier, Ms. Hartley-Nagle**

--It was moved and seconded that R19-162 be read by title only and placed before Council for its consideration.

**Resolution 19-162—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:**

--Brad Siegfreed and Henry Miller spoke about 4185 Kirkwood St Georges Road and the “The Refuge”

**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 7:14 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*