

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 24, 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

Absent

Kenneth R. Woods

B. Approval of Minutes:

- Councilman Smiley moved to approve the September 10, 2019 council meeting minutes, it was seconded, and all were in favor.

C. Announcements:

- Councilman Cartier announced that he had a presentation this evening.
- Councilman Smiley announced that there was no further information on Director of Public Safety position and requested this item be placed on the next Public Safety Committee Agenda.
- 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.

D. Introduction of Ordinances:

- **19-094: AMEND THE FY2020 APPROVED OPERATING BUDGET: APPROPRIATE \$15,000 IN FUNDING RECEIVED FROM THE CLERK OF THE PEACE TECHNOLOGY FEE ACCOUNT TO THE CONTRACTUAL SERVICES BUDGET LINE ITEM FOR A CLERGY REGISTRATION SYSTEM. Introduced by: Mr. Smiley, Mr. Cartier**
- **19-095: AMEND THE FY2020 CAPITAL BUDGET: APPROPRIATE \$108,512 FROM THE RECORDER OF DEEDS TECHNOLOGY FEE ACCOUNT WITHIN THE OFFICE OF THE RECORDER OF DEEDS TO THE DEPARTMENT OF PUBLIC WORKS, SECURITY CAPITAL PROJECT. Introduced by: Mr. Sheldon, Mr. Woods**
- **19-096: AMEND THE GRANTS BUDGET: APPROPRIATE \$2,061.67 IN INTEREST INCOME AND \$173,206.56 IN PROGRAM INCOME TO THE HOME INVESTMENT PARTNERSHIP PROGRAM (HOME) FY2019 GRANT, WHICH WILL BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES. Introduced by: Mr. Hollins, Ms. Diller**

E. Reports from Select and Special Committees:

- Councilwoman Diller reported that the Boards and Commissions Subcommittee met on 9/17/19 and discussed 3 re-appointments, interviewed one new appointment, and heard comments from a former member of the Board of Assessment.
- Councilman Tackett reported that the Land Use Committee met on 9/17/19 and discussed items on tonight's agenda, received an update from the General Manager Rich Hall and there was a request for item to be placed on a future agenda.
- Councilman Smiley reported that the Finance Committee met on 9/24/19 and discussed items on tonight's agenda, approved grants, received a quarterly update from UBS, discussed the Director of Public Safety position, and appointed Councilwoman Durham as the chair to the Boards and Commissions Subcommittee.
- Councilwoman Diller reported that the Community Services Committee met on 9/24/19 and discussed items on tonight's agenda and received an updated on the expanded summer youth employment program.

F. Consent Calendar:

- **R19-163: HONORING THE LIFE OF MRS. ANN M. PAOLI. Introduced by: Mr. Sheldon, All of Council**
- **R19-164: CONSENTING TO THE APPOINTMENT OF JONATHAN COCHRAN TO THE NEW CASTLE COUNTY PLANNING BOARD. Introduced by: Ms. Kilpatrick**
- **R19-165: CONSENTING TO THE REAPPOINTMENT OF WILLIAM V. MCGLINCHEY TO THE NEW CASTLE COUNTY PLANNING BOARD. Introduced by: Ms. Durham**
- **R19-166: REAPPOINTING ERASTUS MONG'ARE TO THE NEW CASTLE COUNTY DIVERSITY COMMISSION. Introduced by: Mr. Tackett**
- **R19-167: REAPPOINTING STEPHEN J. CORDANO TO THE NEW CASTLE COUNTY COUNCIL AUDIT COMMITTEE. Introduced by: Ms. Diller**
- **R19-168: REMEMBERING THE LIFE OF LAWRENCE M. SULLIVAN. Introduced by: Ms. Hartley-Nagle**

Consent Calendar—Adopted

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

G. Presentations:

- Councilman Cartier presented R19-162.

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

- **R19-169: AMEND THE FY2020 CAPITAL PROGRAM: APPROPRIATE \$8,051 FROM THE RECORDER OF DEEDS TECHNOLOGY FEE ACCOUNT TO THE DEPARTMENT OF ADMINISTRATION, INFORMATION SYSTEMS EXPANSION II CAPITAL PROJECT. Introduced by: Mr. Smiley, Mr. Cartier**

--It was moved and seconded that R19-169 be read by title only and placed before Council for its consideration.

Resolution 19-169—Adopted

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

- **R19-170: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT FOR INFOR PUBLIC SECTOR, INC. FOR THE RENEWAL OF THE MAINTENANCE CONTRACT FOR ANNUAL TECHNICAL SERVICES AGREEMENT FOR THE OFFICE OF**

TECHNOLOGY AND ADMINISTRATIVE SERVICES IN THE AMOUNT OF \$189,716.61.

Introduced by: Mr. Smiley, Mr. Cartier

--It was moved and seconded that R19-170 be read by title only and placed before Council for its consideration.

Resolution 19-170—Adopted

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

Absent: Woods

- **R19-171: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT FOR RAVE WIRELESS, INC. FOR LICENSING ASSOCIATED WITH THE RAVE MOBILITY PANIC BUTTON FOR THE DEPARTMENT OF PUBLIC SAFETY IN THE AMOUNT OF \$200,000.00. Introduced by: Mr. Smiley, Mr. Cartier**

--It was moved and seconded that R19-171 be read by title only and placed before Council for its consideration.

Resolution 19-171—Adopted

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

Absent: Woods

- **R19-172: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT FOR INTERFAITH HOUSING DELAWARE, INC. FOR A PASS-THROUGH GRANT FOR THE DEPARTMENT OF COMMUNITY SERVICES IN THE AMOUNT OF \$150,000.00. Introduced by: Mr. Smiley, Mr. Cartier**

--It was moved and seconded that R19-172 be read by title only and placed before Council for its consideration.

Resolution 19-172—Adopted

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

Absent: Woods

- **R19-173: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT FOR HABITAT FOR HUMANITY OF NEW CASTLE COUNTY, INC. FOR A PASS-THROUGH GRANT FOR THE DEPARTMENT OF COMMUNITY SERVICES IN THE AMOUNT OF \$150,000.00. Introduced by: Mr. Smiley, Mr. Cartier**

--It was moved and seconded that R19-173 be read by title only and placed before Council for its consideration.

Resolution 19-173—Adopted

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

Absent: Woods

- **R19-174: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT FOR HABITAT FOR HUMANITY OF NEW CASTLE COUNTY, INC. FOR A PASS-THROUGH GRANT FOR THE DEPARTMENT OF COMMUNITY SERVICES IN THE AMOUNT OF \$75,000.00. Introduced by: Mr. Smiley, Mr. Cartier**

--It was moved and seconded that R19-174 be read by title only and placed before Council for its consideration.

Resolution 19-174—Adopted

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

Absent: Woods

- **R19-175: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT FOR 2 FISH HOME RENOVATIONS FOR A PASS-THROUGH GRANT FOR THE DEPARTMENT OF COMMUNITY SERVICES IN THE AMOUNT OF \$100,000.00. Introduced by: Mr. Smiley, Mr. Cartier**

--It was moved and seconded that R19-175 be read by title only and placed before Council for its consideration.

Resolution 19-175—Adopted

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

Absent: Woods

- **R19-176: TO RENAME THE STREET KNOWN AS “QUEEN AVENUE” IN DUROSS HEIGHTS TO “W. QUEEN AVENUE,” COUNCIL DISTRICT 7. Introduced by: Mr. Smiley**

--It was moved and seconded that R19-176 be read by title only and placed before Council for its consideration.

Resolution 19-176—Adopted

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

Absent: Woods

- **R19-177: TO RESCIND NEW CASTLE COUNTY RESOLUTION NO. 81-360 AND REVERT TO STREET NAMES SHOWN ON RECORDER OF DEEDS MICROFILM NO. 5985 THAT WERE NEVER CHANGED; TO DEFINE THE SUBDIVISION NAME FOR LOTS 1-74 AND 109-123 AS “YORKTOWNE” WITH CIVIC ORGANIZATION NAMED “YORKTOWNE”; TO DEFINE THE SUBDIVISION NAME FOR LOTS 75-105 AND 124-228 AS “THISTLEBERRY FARM” WITH A CIVIC ORGANIZATION/MAINTENANCE CORPORATION NAMED “PENN MANOR MAINTENANCE CORPORATION.” Introduced by: Ms. Kilpatrick**

--It was moved and seconded that R19-177 be read by title only and placed before Council for its consideration and adoption.

Resolution 19-177—Adopted

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

Absent: Woods

- **R19-178: PLAN OF THE VILLAGE AT PINE VIEW; PENCADER HUNDRED; SOUTHEASTERLY CORNER OF THE FRENCHTOWN AND FRAZER ROAD INTERSECTION; MAJOR LAND DEVELOPMENT PLAN THAT PROPOSES TO DEVELOP THE PROPERTY INTO AN OPEN SPACE PLANNED DEVELOPMENT CONSISTING OF 172 ATTACHED AND DETACHED SINGLE FAMILY LOTS AND TO CREATE TWO SEPARATE LOTS (REMAINING LANDS A & B) ON 149.74 +/- ACRES; S ZONING; COUNCIL DISTRICT 11. Introduced by: Mr. Tackett**

--It was moved and seconded that R19-178 be read by title only and placed before Council for its consideration and adoption.

Resolution 19-178—Adopted

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

Absent: Woods

- **R19-179: PLAN OF INCYTE CAMPUS EXPANSION; BRANDYWINE HUNDRED; NORTH SIDE OF AUGUSTINE CUT-OFF AT THE WEST 18TH STREET SPLIT; MAJOR LAND DEVELOPMENT PLAN THAT PROPOSES TO CONSTRUCT A 199,785 SQUARE FOOT OFFICE/LABORATORY BUILDING, A 264 SPACE PARKING DECK, AND ASSOCIATED SITE IMPROVEMENTS; OR ZONING; COUNCIL DISTRICT 2. Introduced by: Ms. Durham**
--It was moved and seconded that R19-179 be read by title only and placed before Council for its consideration and adoption.

Resolution 19-179—Adopted

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

I. Consideration of Ordinances:

- **°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**
--It was moved and seconded that °19-089 be read by title only and placed before Council for its consideration.

Ordinance 19-089—Approved

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

- **°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**
--It was moved and seconded that °19-090 be read by title only and placed before Council for its consideration.

Ordinance 19-090—Approved

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

- **°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**
--It was moved and seconded that °19-091 be read by title only and placed before Council for its consideration and adoption.

Ordinance 19-091—Approved

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

- **°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**

--It was moved and seconded that °19-092 be read by title only and placed before Council for its consideration and adoption

Ordinance 19-092—Approved

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

Absent: Woods

- **°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, Mr. Smiley**

--It was moved and seconded that °19-093 be read by title only and placed before Council for its consideration.

Ordinance 19-093—Approved

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

Absent: 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:

- **R19-180: REMEMBERING THE LIFE OF BROTHER MICHAEL J. ROSENELLO, JR. Introduced by: Ms. Hartley-Nagle, Mr. Bell**

--It was moved and seconded that R19-180 be read by title only and placed before Council for its consideration.

Resolution 19-180—Adopted

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

Absent: Woods

K. Introduction/Consideration of Emergency Ordinances: None

L. Public Comment/Other:

--Branden Fletcher spoke about police misconduct and issues with the NCCPD.

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 7:13 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