

**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, October 22, 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 October 8, 2019 council meeting minutes, it was seconded, and all were in favor.

**C. Announcements:** None

**D. Introduction of Ordinances:**

- **\*19-098: AMEND THE GRANTS BUDGET: APPROPRIATE FEDERAL FUNDING OF \$170,213 TO THE JAG (JUSTICE ASSISTANCE GRANT) 2019 – ENHANCED CRIME PREVENTION AND OFFICER WELLNESS INITIATIVE FOR THE NEW CASTLE COUNTY DEPARTMENT OF PUBLIC SAFETY. Introduced by: Mr. Bell, Mr. Street**
- **\*19-099: AMEND THE GRANTS BUDGET: APPROPRIATE ANTICIPATED FEDERAL FUNDS OF \$16,848,780 FROM THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO THE SECTION 8 HOUSING CHOICE VOUCHERS – 2020 GRANT, WHICH WILL BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES. Introduced by: Mr. Hollins, Ms. Diller**
- **\*19-100: AMEND THE FY2020 CAPITAL BUDGET: APPROPRIATE \$43,335 FROM THE REGISTER OF WILLS TECHNOLOGY FEE ACCOUNT TO THE DEPARTMENT OF PUBLIC WORKS, SECURITY CAPITAL PROJECT. Introduced by: Mr. Sheldon, Mr. Woods**

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

- Councilwoman Durham reported that the Boards and Commissions Subcommittee met on 8/15/19 and discussed items on tonight's agenda.
- Councilwoman Kilpatrick reported that the Land Use Committee met on 8/15/19 and discussed items on tonight's agenda, and discussed the current process for assessing amendments to existing plans.

- Councilman Smiley reported that the Finance Committee met on 8/22/19 and discussed items on tonight's agenda, approved amendments to Council's grant application, and approved grant requests.
- Councilman Smiley reported that the Executive Committee met on 8/22/19 and discussed an item on tonight's agenda, changed some of the committee meeting times, heard an update regarding the Board of Assessment, and held an executive session.

**F. Consent Calendar:**

- **R19-188: HONORING M. BRUCE LEFF FOR HIS SERVICE TO THE CITIZENS OF NEW CASTLE COUNTY BY SERVING ON THE BOARD OF ASSESSMENT REVIEW. Introduced by: Mr. Tackett, Ms. Diller**
- **R19-189: HONORING SUSAN EGGERT FOR HER SERVICE AS A DEDICATED EMPLOYEE OF THE NEW CASTLE COUNTY DEPARTMENT OF COMMUNITY SERVICES ON THE OCCASION OF HER RETIREMENT. Introduced by: Ms. Diller**
- **R19-190: HONORING THE WILLIAM WALTHER FAMILY FOR RECEIVING THE "NEW CASTLE COUNTY FARM FAMILY OF THE YEAR AWARD FOR 2019." Introduced by: Mr. Bell, Mr. Carter**
- **R19-191: CONGRATULATING REPRESENTATIVE S. QUINTON "QUINN" JOHNSON ON RECEIVING THE "DISTINGUISHED SERVICE TO AGRICULTURE AWARD." Introduced by: Mr. Bell, Mr. Carter**
- **R19-192: EXTENDING CONDOLENCES TO THE FAMILY AND FRIENDS OF MR. GUIZELOUS "GUY" O. MOLOCK, SR. Introduced by: Mr. Street**
- **R19-193: CONSENTING TO THE APPOINTMENT OF BETH B. MILLER, ESQ. TO THE NEW CASTLE COUNTY BOARD OF ASSESSMENT REVIEW. Introduced by: Mr. Hollins**
- **R19-194: CONSENTING TO THE REAPPOINTMENT OF SAMUEL R. HARBISON, JR. TO THE NEW CASTLE COUNTY DIVERSITY COMMISSION. Introduced by: Ms. Diller**
- **R19-195: CONSENTING TO THE REAPPOINTMENT OF SARAH E. BROWN TO THE NEW CASTLE COUNTY DIVERSITY COMMISSION. Introduced by: Mr. Hollins**
- **R19-196: CONSENTING TO THE APPOINTMENT OF LEAH GRAY TO THE NEW CASTLE COUNTY PLANNING BOARD. Introduced: Mr. Bell**
- **R19-197: CONSENTING TO THE REAPPOINTMENT OF CLAYTON STACEY TO THE NEW CASTLE COUNTY DIVERSITY COMMISSION. Introduced by: Mr. Hollins**

**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:**

- **R19-198: RESOLUTION OF THE COUNCIL OF NEW CASTLE COUNTY AFFIRMING ITS COMMITMENT TO THE PARIS CLIMATE ACCORD, ENVIRONMENTAL SUSTAINABILITY, AND COMBATING CLIMATE CHANGE. Introduced by: Ms. Hartley-Nagle**
  - It was moved and seconded that R19-198 be read by title only and placed before Council for its consideration.
  - Public comment
  - Councilman Smiley moved to go out of order for the purpose of presenting the resolution. The motion was seconded and approved.
  - Presentation

**Resolution 19-198—Adopted**

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

- Councilman Smiley moved to return to the regular order of business. The motion was seconded and approved.
- **R19-199: RESOLUTION APPROVING ISSUANCE OF CERTAIN BONDS OR NOTES BY THE VOLUNTEER HOSE COMPANY OF MIDDLETOWN. Introduced by: Mr. Carter**  
--It was moved and seconded that R19-199 be read by title only and placed before Council for its consideration.

**Resolution 19-199—Adopted**

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

- **R19-200: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT FOR DOCUMENT TECHNOLOGY SYSTEMS FOR ANNUAL MAINTENANCE CONTRACT FOR RECORDER OF DEEDS TRAKRECORD SOFTWARE FOR THE OFFICE OF TECHNOLOGY AND ADMINISTRATIVE SERVICES IN THE AMOUNT OF \$53,000.00. Introduced by: Mr. Smiley, Mr. Cartier**  
--It was moved and seconded that R19-200 be read by title only and placed before Council for its consideration.

**Resolution 19-200—Adopted**

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

- **R19-201: GRANTING RELIEF FROM THE LEVEL OF SERVICE REQUIREMENTS OF CHAPTER 40 OF THE NEW CASTLE COUNTY CODE (ALSO KNOWN AS THE UNIFIED DEVELOPMENT CODE OR “UDC”), WITH RESPECT TO THE MAJOR LAND DEVELOPMENT PLAN FOR BARLEY MILL PLAZA, PROPOSED MIXED USE DEVELOPMENT LOCATED AT THE NORTHEASTERLY CORNER OF ROUTE 48 (LANCASTER PIKE) AND ROUTE 141 (CENTRE ROAD), 4417 LANCASTER PIKE, WILMINGTON, DELAWARE, 19805, TAX PARCEL NO. 07-032.20-003. Introduced by: Ms. Durham**  
--It was moved and seconded that R19-201 be read by title only and placed before Council for its consideration.  
--Mike Hoffman spoke on behalf of the applicant.  
--Tyrese Bryant spoke on behalf of the applicant.  
--Public comment

**Resolution 19-201—Adopted**

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

**I. Consideration of Ordinances:**

- **°19-097: AMEND THE GRANTS BUDGET: APPROPRIATE \$35,392.00 IN ACTUAL PROGRAM INCOME TO THE COMMUNITY POLICING GRANT, WHICH IS ADMINISTERED BY THE DEPARTMENT OF PUBLIC SAFETY. Introduced by: Mr. Bell, Mr. Street**  
--It was moved and seconded that °19-097 be read by title only and placed before Council for its consideration and adoption.

**Ordinance 19-097—Adopted**

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

- **SUBSTITUTE NO. 1 TO °19-072: TO AMEND NEW CASTLE COUNTY CODE CHAPTER 40 (“UNIFIED DEVELOPMENT CODE”), ARTICLE 6 (“SIGN REGULATIONS”) REGARDING ELECTRONIC VARIABLE MESSAGE SIGNS. Introduced by: Mr. Tackett, Ms. Kilpatrick**

--It was moved and seconded that Substitute No. 1 to °19-072 be read by title only and placed before Council for its consideration and adoption.

**Substitute No. 1 to Ordinance 19-072—Adopted**

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

Absent: Woods

- **°19-080: (STATUS: 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, Mr. Cartier**

--It was moved and seconded that °19-080 be lifted from the table, read by title only, and placed before Council for its consideration and adoption.

- **FLOOR AMENDMENT NO. 1 TO °19-080: (STATUS: 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, Mr. Cartier**

--It was moved and seconded that Floor Amendment No. 1 to °19-080 be read by title only and placed before Council for its consideration and adoption.

**Floor Amendment No. 1 to Ordinance 19-080—Adopted**

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

No: Durham

**Ordinance 19-080 as Amended by Floor Amendment No. 1—Adopted**

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

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

- **R19-202: HONORING THE LIFE OF MR. JAMES “JIMMY” TARABICOS. Introduced by: Mr. Sheldon, All of Council**

--It was moved and seconded that R19-202 be read by title only and placed before Council for its consideration.

**Resolution 19-202—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: 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 7:43 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*