

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, April 10, 2018

- A. The meeting was called to order by President Hartley-Nagle at 6:33 p.m.
The Prayer was silent; members of Council remained standing for the Pledge of Allegiance.

Roll Call

Present

J. William Bell
John J. Cartier
Elisa Diller
Karen Hartley-Nagle
Penrose Hollins
Janet T. Kilpatrick
William Powers, Jr.
Timothy P. Sheldon
George Smiley
Jea P. Street
David L. Tackett
Robert S. Weiner
Kenneth R. Woods

B. Approval of Minutes:

- Councilman Cartier moved to approve the March 27, 2018 Council meeting minutes, it was seconded, and all were in favor.
- Councilman Smiley moved to approve the March 27, 2018 Special meeting minutes, it was seconded, and all were in favor

C. Announcements:

- Councilman Smiley announced that Council would hold their second Budget Hearing on Monday, April 16, 2018.
- Councilman Bell announced that °17-095 and °17-096 would remain tabled.

D. Introduction of Ordinances:

- **°18-024: THE ANNUAL REVENUE ORDINANCE OF NEW CASTLE COUNTY FOR FISCAL YEAR 2019 BEGINNING JULY 1, 2018. Introduced by: Mr. Smiley, Mr. Cartier**
- **°18-025: CALCULATION OF SEWER SERVICE CHARGES EFFECTIVE JULY 1, 2018 FOR FISCAL YEAR 2019. Introduced by: Mr. Smiley, Mr. Cartier**
- **°18-026: AN ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF NEW CASTLE COUNTY FOR THE PURPOSE OF FINANCING CERTAIN CAPITAL PROJECTS APPROVED IN THE FISCAL YEAR 2019 CAPITAL BUDGET. Introduced by: Mr. Smiley, Mr. Cartier**
- **°18-027: THE CAPITAL BUDGET ORDINANCE OF NEW CASTLE COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2018. Introduced by: Mr. Smiley, Mr. Cartier**
- **°18-028: ADOPT THE ANNUAL OPERATING BUDGET OF NEW CASTLE COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2018. Introduced by: Mr. Smiley, Mr. Cartier**
- **°18-029: TO AMEND NEW CASTLE COUNTY CODE CHAPTER 14 (“FINANCE AND TAXATION”) TO PERMIT THE COLLECTION OF CODE ENFORCEMENT FEES BY ADDING UNPAID AMOUNTS TO THE PROPERTY TAX BILL OF THE PROPERTY SUBJECT TO THE CODE ENFORCEMENT ACTION. Introduced by: Ms. Diller**
- **°18-030: TO AMEND NEW CASTLE COUNTY CODE CHAPTER 2 (“ADMINISTRATION”) TO**

RENAME THE OFFICE OF ADMINISTRATIVE SERVICES TO THE OFFICE OF TECHNOLOGY AND ADMINISTRATIVE SERVICES. Introduced by: Mr. Weiner

- **°18-031: TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 2 (“ADMINISTRATION”), CHAPTER 6 (“BUILDING CODE”), CHAPTER 7 (“PROPERTY MAINTENANCE CODE”), CHAPTER 12 (“DRAINAGE”), CHAPTER 14 (“FINANCE AND TAXATION”), CHAPTER 24 (“PARKS AND RECREATION”), CHAPTER 38 (“UTILITIES”) AND CHAPTER 40 (“UNIFIED DEVELOPMENT CODE”) TO RENAME THE DEPARTMENT OF SPECIAL SERVICES TO THE DEPARTMENT OF PUBLIC WORKS. Introduced by: Mr. Cartier, Mr. Sheldon**
- **°18-032: TO AMEND THE PAY PLAN AND RATES OF PAY FOR NON-UNION UNCLASSIFIED SERVICE EMPLOYEES OF THE EXECUTIVE OFFICE, CHANGE THE TITLE OF CHIEF OF ADMINISTRATIVE SERVICES TO CHIEF OF TECHNOLOGY AND ADMINISTRATIVE SERVICES, AND APPROVE THE REVISED POSITION DESCRIPTION PURSUANT TO *NEW CASTLE COUNTY CODE* SECTION 26.03.105 (F). Introduced by: Ms. Hartley-Nagle**
- **°18-033: TO AMEND THE PAY PLAN AND RATES OF PAY FOR NON-UNION UNCLASSIFIED SERVICE EMPLOYEES OF THE EXECUTIVE OFFICE, CHANGE THE TITLE OF SPECIAL SERVICES DEPARTMENT GENERAL MANAGER TO PUBLIC WORKS DEPARTMENT GENERAL MANAGER, AND APPROVE THE REVISED POSITION DESCRIPTION PURSUANT TO *NEW CASTLE COUNTY CODE* SECTION 26.03.105 (F). Introduced by: Ms. Hartley-Nagle**
- **°18-034: TO AMEND THE PAY PLAN AND RATES OF PAY FOR NON-UNION CLASSIFIED SERVICE EMPLOYEES, CHANGE THE TITLES OF SPECIAL SERVICES PROGRAM MANAGER TO PUBLIC WORKS PROGRAM MANAGER, CHANGE SPECIAL SERVICES PROJECT MANAGER TO PUBLIC WORKS PROJECT MANAGER, CHANGE SPECIAL SERVICES SENIOR MANAGER TO PUBLIC WORKS SENIOR MANAGER, AND APPROVE THE REVISED POSITION DESCRIPTIONS OF PUBLIC WORKS PROGRAM MANAGER, PUBLIC WORKS PROJECT MANAGER AND PUBLIC WORKS SENIOR MANAGER PURSUANT TO *NEW CASTLE COUNTY CODE* SECTION 26.03.105(F). Introduced by: Ms. Hartley-Nagle**
- **°18-035: TO AMEND THE PAY PLAN AND RATES OF PAY FOR CLASSIFIED SERVICE EMPLOYEES REPRESENTED BY DELAWARE PUBLIC EMPLOYEES COUNCIL 81, AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES (“AFSCME”), AFFILIATE LOCAL 459, AND CHANGE THE TITLES OF SPECIAL SERVICES SPECIALIST I AND SPECIAL SERVICES SPECIALIST II TO PUBLIC WORKS SPECIALIST I AND PUBLIC WORKS SPECIALIST II. Introduced by: Ms. Hartley-Nagle**
- **°18-036: TO AMEND THE PAY PLAN AND RATES OF PAY FOR CLASSIFIED SERVICE EMPLOYEES REPRESENTED BY DELAWARE PUBLIC EMPLOYEES COUNCIL 81, AFSCME, AFL-CIO, AFFILIATE LOCAL 1607, AND TO CHANGE THE TITLES OF SPECIAL SERVICES DATA TECHNICIAN AND SPECIAL SERVICES PROJECT ADMINISTRATOR TO PUBLIC WORKS DATA TECHNICIAN AND PUBLIC WORKS PROJECT ADMINISTRATOR, AND TO APPROVE THE REVISED POSITION DESCRIPTION OF PUBLIC WORKS PROJECT ADMINISTRATOR PURSUANT TO *NEW CASTLE COUNTY CODE* SECTION 26.03.105(F). Introduced by: Ms. Hartley-Nagle**
- **°18-037: TO AMEND THE PAY PLAN AND RATES OF PAY FOR UNCLASSIFIED TEMPORARY SEASONAL AND PART-TIME RECURRING EMPLOYEES AND CHANGE THE TITLES OF SPECIAL SERVICES WORKER I, SPECIAL SERVICES WORKER II, SPECIAL SERVICES WORKER III AND SPECIAL SERVICES WORKER IV TO PUBLIC WORKS WORKER I, PUBLIC WORKS WORKER II, PUBLIC WORKS WORKER III AND PUBLIC WORKS WORKER IV. Introduced by: Ms. Hartley-Nagle**

E. Reports from Select and Special Committees:

- Councilman Cartier reported that the first Budget Hearing was held on 4/9/18 and the Capital Budget, Revenues, Debt Services and Contingencies were discussed. He also reported that Finance Committee met on 4/10/18 and discussed an item on tonight’s agenda, approved a grant and travel request.

F. Consent Calendar – None

G. **Presentations:** None

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

- **R18-052: ADOPTING THE NEW CASTLE COUNTY CAPITAL PROGRAM FOR FISCAL YEAR 2019 THROUGH 2024. Introduced by: Mr. Smiley, Mr. Cartier**
--It was moved and seconded that R18-052 be read by title only and placed before Council.
--Councilman Smiley moved to table R18-052. The motion was seconded and unanimously approved.

Resolution 18-052—Tabled

- **R18-053: TO SET NEW CASTLE COUNTY’S FISCAL YEAR 2019 CONTRIBUTION RATE FOR THE COUNTY’S PENSION PLANS. Introduced by: Mr. Smiley, Mr. Cartier**
--It was moved and seconded that R18-053 be read by title only and placed before Council.

Resolution 18-053—Adopted

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

- **R18-054: AUTHORIZING \$15,000.00 INCREASE TO THE PURCHASE ORDER CONTRACT FOR VANDEMARK AND LYNCH FOR STRUCTURAL REVIEWS FOR THE CODE ENFORCEMENT DIVISION OF THE DEPARTMENT OF LAND USE, FOR A TOTAL PURCHASE ORDER CONTRACT OF \$40,000.00. Introduced by: Mr. Smiley, Mr. Cartier**
--It was moved and seconded that R18-054 be read by title only and placed before Council.

Resolution 18-054—Adopted

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

- **R18-055: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT FOR NEW CASTLE CONSERVATION DISTRICT FOR DESIGN AND REPAIR OF THE FAILING OUTFALL LOCATIONS AT SPRING CREEK POND #1 AND #2 FOR THE DEPARTMENT OF SPECIAL SERVICES IN THE AMOUNT OF \$105,000.00. Introduced by: Mr. Smiley, Mr. Cartier**
--It was moved and seconded that R18-055 be read by title only and placed before Council.

Resolution 18-055—Adopted

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

I. **Consideration of Ordinances**

- **°18-022: AMEND THE GRANTS BUDGET: APPROPRIATE \$116,300 IN FUNDING FROM WEST END NEIGHBORHOOD HOUSE TO THE CITI FOUNDATION PATHWAY TO PROGRESS SUMMER YOUTH EMPLOYMENT PROGRAM GRANT, TO BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES AS A SUBGRANTEE. Introduced by: Mr. Hollins, Ms. Diller, Ms. Hartley-Nagle**
--It was moved and seconded that °18-022 be read by title only and placed before Council for its consideration and adoption.

Ordinance 18-022--Adopted

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

- **°18-023: AMEND THE GRANTS BUDGET: APPROPRIATE AN ADDITIONAL \$67,500 IN FEDERAL FUNDS FROM THE U.S. DEPARTMENT OF HOMELAND SECURITY, THROUGH THE DELAWARE EMERGENCY MANAGEMENT AGENCY (DEMA), UNDER THE DEPARTMENT OF SAFETY AND HOMELAND SECURITY, AND STATE FUNDING OF \$19,875 FROM THE DELAWARE DEPARTMENT OF TRANSPORTATION (DELDOT);**

TRANSFER FUNDING OF \$2,625 FROM THE EXISTING NEW CASTLE COUNTY OFFICE OF EMERGENCY MANAGEMENT (OEM) MATCH GRANT TO THE BAYVIEW BEACH ELEVATION PROJECT GRANT. Introduced by: Mr. Bell, Mr. Street, Mr. Powers

--It was moved and seconded that °18-023 be read by title only and placed before Council for its consideration and adoption.

Ordinance 18-023--Adopted

Yes: Bell, Cartier, Diller, Hartley-Nagle, Hollins, Kilpatrick, Powers, Sheldon, Smiley, Street, Tackett, Weiner, 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 table
- **°17-070: (STATUS: TABLED) TO AMEND NEW CASTLE COUNTY CODE CHAPTER 14 (“FINANCE AND TAXATION”) REGARDING THE PROCESS FOR ABATEMENT OF CERTAIN TAXES AND PENALTIES FOR CERTAIN EXEMPT ORGANIZATIONS. Introduced by: Mr. Smiley**
-- °17-070 remained tabled.

J. Time Sensitive Congratulatory/Honorary Resolutions: None

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 Cartier to adjourn, it was seconded, and the meeting was adjourned at 6:58 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