

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

MINUTES

Tuesday, June 22, 2021

- 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 performed the Pledge of Allegiance.

Roll Call

Present

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

William J. Bell

B. Approval of Minutes:

- Councilman Smiley moved to approve the June 8, 2021 council meeting minutes, it was seconded by Councilman Cartier, and all were in favor.

C. Announcements:

- Councilman Carter announced that at the appropriate time, he will move to table ordinance 19-108.
- Councilwoman Durham announced that she will have a Substitute No. 2 to ordinance 21-066.

D. Introduction of Ordinances:

°21-079: AMEND THE FY2021 APPROVED SEWER FUND OPERATING BUDGET: REALIGN BUDGETARY FUNDING OF \$903,000 WITHIN THE DEPARTMENT OF PUBLIC WORKS SEWER FUND TO FUND LEGAL AND EXPERT CONSULTANT FEES. Introduced by: Mr. Sheldon, Mr. Woods

°21-080: AMEND THE GRANTS BUDGET: APPROPRIATE \$375,000 TO THE CONTRACTED POLICE DUTY REVOLVING FUND, WHICH IS ADMINISTERED BY THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF POLICE. Introduced by: Mr. Bell, Ms. Hartley-Nagle

°21-081: AMEND THE FY2022 CAPITAL BUDGET: INCREASE APPROPRIATIONS AND BOND AUTHORIZATIONS \$1,119,395 AND APPROPRIATE \$651,455 IN FUNDING FROM THE STATE OF DELAWARE DEPARTMENT OF TRANSPORTATION TO THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF LIBRARIES, APPOQUINIMINK LIBRARY CAPITAL PROJECT. Introduced by: Mr. Hollins, Ms. Diller

°21-082: AUTHORIZING THE ISSUANCE OF \$1,119,395 IN GENERAL OBLIGATION BONDS OF NEW CASTLE COUNTY FOR THE DEPARTMENT OF COMMUNITY SERVICES,

DIVISION OF LIBRARIES, APPOQUINIMINK LIBRARY CAPITAL PROJECT. Introduced by: Mr. Hollins, Ms. Diller

E. Reports from Select and Special Committee:

- Councilman Smiley reported that the Executive Committee met on 6/22/21 and discussed an item on tonight's agenda and held an executive session on cybersecurity.
- Councilwoman Kilpatrick reported that the Land Use Committee met on 6/15/21 and discussed an item on tonight's agenda and received a presentation from the Youth Planning Board Co-chairs on their progress.
- Councilman Sheldon reported that the Personnel Subcommittee met on 6/15/21 and held an Ethics Training session.
- Councilman Smiley reported that the Finance Committee met on 6/22/21 and discussed items on tonight's agenda and received an update on Federal CARES Act expenditures.

F. Consent Calendar:

R21-112: HONORING THE LIFE AND LEGACY OF ELENA BINGHAM. Introduced by: Mr. Hollins

Consent Calendar

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

Absent: Bell

G. Presentations: None

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

R21-113: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT FOR AZTECA SYSTEMS HOLDINGS LLC FOR LICENSE AND SUPPORT FOR CITYWORKS® SOFTWARE FOR THE OFFICE OF TECHNOLOGY AND ADMINISTRATIVE SERVICES IN THE AMOUNT OF \$72,500.00. Introduced by: Mr. Smiley, Mr. Cartier

--It was moved and seconded that R21-113 be read by title only and placed before Council for its consideration.

Resolution 21-113—Adopted

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

Absent: Bell

R21-114: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT FOR COGSDALE CORPORATION FOR THE RENEWAL OF ANNUAL MAINTENANCE AND SOFTWARE LICENSING FEE FOR THE OFFICE OF TECHNOLOGY AND ADMINISTRATIVE SERVICES IN THE AMOUNT OF \$69,210.71. Introduced by: Mr. Smiley, Mr. Cartier

--It was moved and seconded that R21-114 be read by title only and placed before Council for its consideration.

Resolution 21-114—Adopted

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

Absent: Bell

R21-115: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT FOR N. HARRIS CORPORATION FOR THE RENEWAL OF ANNUAL MAINTENANCE OF

CASHIERING SOFTWARE FOR THE OFFICE OF TECHNOLOGY AND ADMINISTRATIVE SERVICES IN THE AMOUNT OF \$58,267.01. Introduced by: Mr. Smiley, Mr. Cartier

--It was moved and seconded that R21-115 be read by title only and placed before Council for its consideration.

Resolution 21-115—Adopted

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

Absent: Bell

R21-116: AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE A PARTNERSHIP AGREEMENT WITH DELAWARE WILDLANDS, INC. TO PRESERVE 950 PORT PENN ROAD, MIDDLETOWN, DELAWARE 19709 (TAX PARCEL NO. 13.014-00.038), SITUATED IN THE PORT PENN CORRIDOR, THEREBY INCREASING THE AMOUNT OF PRESERVED AND PROTECTED LAND IN NEW CASTLE COUNTY. Introduced by: Mr. Bell, Ms. Kilpatrick, Mr. Sheldon

--It was moved and seconded that R21-116 be read by title only and placed before Council for its consideration.

Resolution 21-116—Adopted

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

No: Street

Absent: Bell

R21-117: APPOINTING THE MEMBERS OF THE 2021 NEW CASTLE COUNTY COUNCIL REDISTRICTING COMMISSION. Introduced by: Ms. Hartley-Nagle, Mr. Hollins

--It was moved and seconded that R21-117 be read by title only and placed before Council for its consideration.

Resolution 21-117—Adopted

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

Absent: Bell

I. Consideration 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

--It was moved and seconded that °21-077 be read by title only and placed before Council for its consideration.

Ordinance 21-077—Adopted

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

Absent: Bell

°21-078: (STATUS: TO BE TABLED) 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

--It was moved and seconded that °21-078 be read by title only and placed before Council for its consideration. It was moved and seconded that °21-078 be tabled.

°19-108: TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 40 (ALSO KNOWN AS THE UNIFIED DEVELOPMENT CODE OR “UDC”), ARTICLE 22 (“DRAINAGE, UTILITIES, SEPTIC SYSTEMS, PARKING, LOADING, AND LIGHTING”), REGARDING ON-SITE WASTEWATER TREATMENT (SEPTIC) SYSTEMS. Introduced by: Mr. Carter
--It was moved and seconded that °19-108 be read by title only and placed before Council for its consideration. It was moved and seconded that °19-108 be tabled.

SUBSTITUTE NO. 2 TO °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
--It was moved and seconded that Substitute No. 2 to °21-066 be lifted from the table.
--It was moved and seconded that Substitute No. 2 to °21-066 be read by title only and placed before Council for its consideration.

Substitute No. 2 to Ordinance 21-066—Adopted

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

J. Time Sensitive Congratulatory/Honorary Resolutions:

R21-118: RECOGNIZING AND CELEBRATING JUNETEENTH AS AN OFFICIAL NATIONAL HOLIDAY AND CONGRATULATING THE NAACP WILMINGTON BRANCH ON THEIR 106TH ANNIVERSARY. Introduced by: Ms. Hartley-Nagle
--It was moved and seconded that R21-118 be read by title only and placed before Council for its consideration.

Resolution 21-118—Adopted

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

R21-119: HONORING THE LIFE AND LEGACY OF LINDA A. SMITH. Introduced by: Mr. Hollins

--It was moved and seconded that R21-119 be read by title only and placed before Council for its consideration.

Resolution 21-119—Adopted

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

K. Introduction/Consideration of Emergency Ordinances: None

L. Public Comment/Other:

- Henry Miller asked when Council would be returning to in-person Council meetings.
- Councilman Street spoke regarding the positive police presence at a recent Juneteenth celebration and thanked NCCPD.
- Councilman Smiley spoke regarding ordinance 21-080 and that it reflects a council request that division of police be broken out by section.
- Councilwoman Durham spoke regarding the upcoming Personnel Subcommittee meeting.
- Councilwoman Kilpatrick spoke regarding the upcoming Personnel Subcommittee meeting.

M. Motion to Adjourn:

There being no further testimony, a motion was made by Councilman Smiley to adjourn, it was seconded by Councilman Woods, and the meeting was adjourned at 7:13 pm.

A recording of the meeting is available upon request.

Respectfully submitted by Anthony deFiore, Legislative Assistant.