

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

MINUTES

Tuesday, September 22, 2020

- 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

William J. 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:

- Councilwoman Diller moved to approve the September 8, 2020 council meeting minutes, it was seconded, and all were in favor.

C. Announcements:

- Councilman Carter announced that, at the appropriate time, he will move to table Ordinance 20-101, will ask to suspend the rules for Ordinance 20-102 and will introduce a floor amendment to Ordinance 20-102.
- Councilman Hollins announced that he will introduce a floor amendment to Ordinance 20-100.
- Councilman Smiley announced that Ordinance 20-104 will not be introduced.

D. Introduction of Ordinances:

20-103: AMEND THE FY2021 APPROVED OPERATING BUDGET: APPROPRIATE \$71,899 IN FUNDING RECEIVED FROM THE RECORDER OF DEEDS TECHNOLOGY FEE ACCOUNT TO THE DEPARTMENT OF LAND USE, GEOGRAPHIC INFORMATION SYSTEMS EQUIPMENT BUDGET LINE ITEM. Introduced by: Mr. Tackett, Ms. Kilpatrick

20-105: AMEND THE GRANTS BUDGET: APPROPRIATE \$150,000 FROM THE STATE OF DELAWARE FY2021 OPERATING BUDGET TO THE FY2021 POLICE BEHAVIORAL HEALTH GRANT TO BE ADMINISTERED BY THE NEW CASTLE COUNTY DEPARTMENT OF PUBLIC SAFETY. Introduced by: Mr. Bell, Mr. Street

20-106: AMEND THE GRANTS BUDGET: FOR FY2021, APPROPRIATE \$26,663.00 FROM THE DEPARTMENT OF STATE, DELAWARE DIVISION OF LIBRARIES AS A FEDERAL PASS THROUGH GRANT FROM THE INSTITUTE OF MUSEUM AND LIBRARY SERVICES (IMLS) CARES ACT GRANT TO BE DISTRIBUTED EQUALLY TO THE TEN NEW CASTLE COUNTY LIBRARIES WHICH ARE ALL ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES. Introduced by: Mr. Hollins, Ms. Diller

E. Reports from Select and Special Committees:

- Councilman Carter reported that the Technology Sub-committee met on 9/22/20 and received an update on live streaming and archiving of Council meetings, discussed a recommendation for agenda management software, and discussed Zoom meetings.

- Councilman Smiley reported that the Finance Committee met on 9/22/20 and discussed items on tonight's agenda, received a presentation from UBS, and reviewed grant requests.
- Councilman Smiley reported that the Executive Committee met on 9/22/20 and discussed items on tonight's agenda, discussed Legislative Assistance Transfers, and received an update on CARES Act spending.
- Councilman Hollins reported that the Community Services Committee met on 9/22/20 and discussed an item on tonight's agenda, received a presentation from Girl Scout Troop 1198, and discussed the Delaware Family Reentry Pilot Program.

F. Consent Calendar:

R20-183: REAPPOINTING LINDA BAILEY TO THE NEW CASTLE COUNTY COUNCIL AUDIT COMMITTEE. Introduced by: Ms. Kilpatrick, Mr. Tackett

R20-184: REAPPOINTING SHARITA PERKINS TO THE NEW CASTLE COUNTY COUNCIL AUDIT COMMITTEE. Introduced by: Mr. Smiley

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:

R20-185: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT FOR CATHOLIC CHARITIES, INC. FOR A PASS-THROUGH GRANT FOR THE DEPARTMENT OF COMMUNITY SERVICES IN THE AMOUNT OF \$60,000.00. Introduced by: Mr. Smiley, Mr. Cartier, Mr. Hollins

--It was moved and seconded that R20-185 be read by title only and placed before Council for its consideration.

Resolution 20-185—Adopted

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

R20-186: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT FOR THE CITY OF NEWARK FOR A PASS-THROUGH GRANT FOR THE DEPARTMENT OF COMMUNITY SERVICES IN THE AMOUNT OF \$286,913.00. Introduced by: Mr. Smiley, Mr. Cartier

--It was moved and seconded that R20-186 be read by title only and placed before Council for its consideration.

Resolution 20-186—Adopted

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

R20-187: 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 \$178,690.55. Introduced by: Mr. Smiley, Mr. Cartier, Mr. Hollins

--It was moved and seconded that R20-187 be read by title only and placed before Council for its consideration.

Resolution 20-187—Adopted

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

R20-188: TO AMEND NEW CASTLE COUNTY COUNCIL PROCEDURAL RULE 9.1.2 REGARDING PUBLIC ATTENDEES. Introduced by: Mr. Smiley

--It was moved and seconded that R20-188 be read by title only and placed before Council for its consideration.

Resolution 20-188—Adopted

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

I. Consideration of Ordinances:

°20-098: TO AMEND THE PAY PLAN AND RATES OF PAY FOR NON-UNION UNCLASSIFIED SERVICE ROW OFFICE EMPLOYEES AND REVISE THE CLASS SPECIFICATION FOR THE CHIEF DEPUTY POSITION. Introduced by: Ms. Hartley-Nagle

--It was moved and seconded that °20-098 be read by title only and placed before Council for its consideration.

Ordinance 20-098—Adopted

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

°20-099: TO AMEND NEW CASTLE COUNTY CODE CHAPTER 14 (“FINANCE AND TAXATION”), ARTICLE 5 (“ABATEMENT OF PROPERTY TAXES AND PENALTY”) TO PROVIDE THE CHIEF FINANCIAL OFFICER ADDITIONAL AUTHORITY TO ABATE PENALTIES FOR TAXPAYERS AFFECTED BY THE COVID-19 PUBLIC HEALTH EMERGENCY. Introduced by: Mr. Smiley

--It was moved and seconded that °20-099 be read by title only and placed before Council for its consideration.

--Public comment: Sue Thomas, Michael Smith (Chief Finance Officer)

Ordinance 20-099—Adopted

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

- **°20-100: TO AMEND NEW CASTLE COUNTY CODE ARTICLE 5 (“DEPARTMENTS AND OFFICES”), SECTION 2.05.510. (“NEW CASTLE COUNTY DIVERSITY COMMISSION - POWERS AND DUTIES”) RELATING TO THE DIVERSITY COMMISSION’S POWERS AND DUTIES. Introduced by: Mr. Hollins, Mr. Carter, Mr. Street, Ms. Durham**

--It was moved and seconded that °20-100 be read by title only and placed before Council for its consideration.

-- Councilman Hollins introduce Floor Amendment No. 1.

-- Councilman Hollins moved to amend the under the Now, Therefore Clause, Item C. by deleting the word January and insert the word March. The motion was seconded by Councilwoman Kilpatrick and the floor amended was approved by voice vote.

--Councilman Hollins moved to have °20-100 as amended be read by title only and placed before Council for its consideration and adoption. The motion was seconded.

--Public comment: Sarah Brown, Mike Hojnicky (General Manager of the Department of Administration)

Ordinance 20-100 as amended by Floor Amendment No. 1—Adopted

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

- **°20-101: AMENDING NEW CASTLE COUNTY CODE CHAPTER 28 (“PLANNING”), SECTION 28.01.003 (“COMPREHENSIVE DEVELOPMENT PLAN”) TO REQUIRE A SOCIAL JUSTICE ELEMENT, AN ENVIRONMENTAL JUSTICE ELEMENT, AND A HAZARDS MITIGATION ELEMENT BE EXPLICITLY INCLUDED IN THE 2022 COMPREHENSIVE DEVELOPMENT PLAN AND ALL FUTURE COMPREHENSIVE DEVELOPMENT PLANS AND PLAN UPDATES. Introduced by: Mr. Carter, Mr. Cartier, Ms. Durham, Mr. Hollins, Mr. Street**

--It was moved and seconded that °20-101 be tabled.

Ordinance 20-101 – Tabled

- **SUBSTITUTE NO. 1 TO °20-102: AMENDING CHAPTER 7 (“PROPERTY MAINTENANCE CODE”), ARTICLE 1. (“STANDARDS FOR PROPERTY MAINTENANCE”) TO ALLOW FOR TEMPORARY EMERGENCY HOUSING AS A RESULT OF A NATURAL DISASTER.**
Introduced by: Mr. Carter, Mr. Bell, Ms. Hartley-Nagle

--It was moved and seconded that Substitute No. 1 to °20-102 be read by title only and placed before Council for its consideration.

--Councilman Carter moved Floor Amendment No. 1 to Substitute No. 1 to °20-102. The floor amendment would insert the following language under SECTION PM 113, 2 (after the first sentence): The permit fee associated with this temporary use is waived. The motion was seconded by Councilman Bell and the floor amendment was approved by voice vote.

--Councilman Carter moved to have Substitute No. 1 to °20-102 as amended by Floor Amendment No. 1 read by title only and placed before Council for its consideration and adoption. The motion was seconded.

--Public comment: Rich Hall (General Manager of the Department of Land Use)

Substitute No. 1 to Ordinance 20-102 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: 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 Smiley to adjourn, it was seconded, and the meeting was adjourned at 7:34 pm.

A recording of the meeting is available upon request.

Respectfully submitted by Anthony deFiore, Legislative Aide.