

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, November 10, 2009

- A. The meeting was called to order by President Clark at 7:04 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
Paul G. Clark
Elisa Diller
Penrose Hollins
William Powers, Jr.
Joseph M. Reda
Timothy P. Sheldon
George Smiley
Jea P. Street
David L. Tackett
William J. Tansey
Robert S. Weiner

- B. **Approval of Minutes:**
It was moved for the approval of the minutes from October 27, 2009. The motion was seconded.
All were in favor and the minutes were adopted.
- C. **Announcements:**
Councilman Powers announced he will introduce Floor Amendment #1 to Substitute 1 to amend °09-067.
Councilman Reda announced he will introduce Floor Amendment #1 & 2 to Substitute 1 to amend °09-068.
Councilman Cartier announced he will table °09-071.
- D. **Introduction of Ordinances:**
°09-111: AMEND THE GRANTS BUDGET: REALIGN FUNDING APPROPRIATED TO HUD EMERGENCY SHELTER-ECONOMIC STIMULUS GRANT. Introduced by: Mr. Hollins, Mr. Cartier
°09-112: AMEND THE GRANTS BUDGET: REALIGN FUNDING APPROPRIATED TO THE NEIGHBORHOOD STABILIZATION PROGRAM. Introduced by: Mr. Hollins, Mr. Cartier
°09-113: AMEND THE PAY PLAN AND RATES OF PAY FOR CLASSIFIED SERVICE EMPLOYEES REPRESENTED BY AFSCME LOCAL 1607 AND APPROVE THE CLASS SPECIFICATION FOR PAYROLL ASSISTANT. Introduced by: Mr. Clark
- E. **Reports from Select and Special Committees:**
Councilman Tansey reported that the Finance Committee met on 11/10/09.
Councilman Tackett reported that the Land Use Committee met on 11/3/09.
Councilman Bell reported that the Public Safety Committee met on 11/10/09.

President Clark reported that the Executive/Personnel Committee met on 11/10/09.

Consent Calendar:

R09-173: CONGRATULATING MICKI EDELSON FOR RECEIVING THE WILMINGTON SENIOR CENTER LIFETIME ACHIEVEMENT AWARD.

Introduced by: Mr. Clark

R09-174: TO RENAME A RESIDENTIAL STREET INCORRECTLY CHANGED TO EGYPT HILL ROAD FROM ITS RECORDED GUN CLUB ROAD BACK TO GUN CLUB ROAD; FROM YORKLYN ROAD EAST; LOCATED IN HOCKESSIN. Introduced by: Mr. Tansey

R09-175: CONGRATULATING CHRISTOPHER N. SKROBOT FOR ACHIEVING THE RANK OF EAGLE SCOUT. Introduced by: Mr. Cartier, Mr. Clark

R09-176: AUTHORIZING THE EXECUTION OF CERTAIN CONTRACTS. Introduced by: Mr. Smiley, Mr. Tansey

R09-177: CONGRATULATING ERIC M. GRZYBOWSKI ON ACHIEVING THE RANK OF EAGLE SCOUT. Introduced by: Mr. Smiley

R09-178: CONGRATULATING PARAMEDIC FIRST CLASS JAMES L. EVANS, SR. FOR HIS DEDICATED SERVICE TO THE RESIDENTS OF NEW CASTLE COUNTY. Introduced by: Mr. Tackett

R09-179: CONGRATULATING NEERAJ VIJAY ON ACHIEVING THE RANK OF EAGLE SCOUT. Introduced by: Mr. Tackett

R09-180: REALLOCATE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS TO A NEW SUB-RECIPIENT. Introduced by: Mr. Hollins

President Clark moved for the adoption of the Consent Calendar. The motion was seconded.

Consent Calendar: ADOPTED

Yes: Bell, Cartier, Clark, Diller, Hollins, Powers, Reda, Sheldon, Smiley, Street, Tackett, Tansey
Weiner

G. Presentations: None

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

I. Consideration of Ordinances:

09-109: AMEND THE GRANTS BUDGET: APPROPRIATE \$375,000 TO THE PROPERTY MAINTENANCE REVOLVING FUND. Introduced by: Mr. Smiley, Mr. Tansey, Mr. Reda

Councilman Reda made a motion that 09-109 be read by title only and placed before Council for its consideration and adoption.

09-109: ADOPTED

Yes: Bell, Cartier, Clark, Diller, Hollins, Powers, Reda, Sheldon, Smiley, Tackett, Tansey,
Weiner

No: Street

°09-110: AMEND THE GRANTS BUDGET: APPROPRIATE \$16,411, 281 TO SECTION 8 HOUSING CHOICE VOUCHERS 2010. Introduced by: Mr. Hollins, Mr. Cartier

Councilman Cartier made a motion that °09-110 be read by title only and placed before Council for its consideration and adoption.

°09-110: ADOPTED

Yes: Bell, Cartier, Clark, Diller, Hollins, Powers, Reda, Sheldon, Smiley, Street, Tackett, Tansey, Weiner

SUBSTITUE 1 TO °09-067: TO REVISE CHAPTER 40 OF THE NEW CASTLE COUNTY CODE (ALSO KNOWN AS THE UNIFIED DEVELOPMENT CODE – UDC) REGARDING ARTICLE 5 (SITE CAPACITY AND CONCURRENCY CALCULATIONS), ARTICLE 11 (TRANSPORTATION IMPACT), AND ARTICLE 22 (DRAINAGE, UTILITIES, SEPTIC SYSTEMS, PARKING, LOADING, AND LIGHTING). Introduced by: Mr. Reda, Mr. Tackett

Councilman Powers moved for the adoption of floor Amendment #1 to Substitute 1 to °09-067.

AMENDMENT #1: FAILED

Yes: Bell, Powers, Sheldon, Street, Tackett

No: Cartier, Clark, Diller, Hollins, Reda, Smiley, Tansey, Weiner

SUBSTITUE 1 TO °09-067: ADOPTED

Yes: Cartier, Clark, Diller, Hollins, Reda, Sheldon, Smiley, Tackett, Tansey, Weiner

No: Bell, Powers, Street,

SUBSTITUE 1 TO °09-068: TO REVISE CHAPTER 40 OF THE NEW CASTLE COUNTY CODE (ALSO KNOWN AS THE UNIFIED DEVELOPMENT CODE – UDC) REGARDING ARTICLE 2 (ESTABLISHMENT OF ZONING DISTRICTS), ARTICLE 3 (USE REGULATIONS), ARTICLE 4 (DISTRICT INTENSITY AND BULK STANDARDS), ARTICLE 10 (ENVIRONMENTAL STANDARDS), ARTICLE 20 (SLD DESIGN PRINCIPALS), ARTICLE 21 (IMPROVEMENT AND DESIGN STANDARDS), ARTICLE 30 (COUNTY COUNCIL AND ADMINISTRATIVE BODIES), ARTICLE 31 (PROCEDURES AND ADMINISTRATION), AND ARTICLE 33 (DEFINITIONS). Introduced by: Mr. Reda, Mr. Tackett

Councilman Reda made a motion to adopt floor Amendment #1 which was seconded.

AMENDMENT # 1: ADOPTED

Yes: Bell, Cartier, Clark, Diller, Hollins, Powers, Reda, Sheldon, Smiley, Street, Tackett, Tansey, Weiner

Councilman Reda made a motion to adopt floor Amendment #2 which was seconded.

AMENDMENT # 2: ADOPTED

Yes: Bell, Cartier, Clark, Diller, Hollins, Powers, Reda, Sheldon, Smiley, Street, Tackett, Tansey, Weiner

°09-068: AS AMENDED BY FLOOR AMENDMENT #1 & #2 TO REVISE CHAPTER 40 OF THE NEW CASTLE COUNTY CODE (ALSO KNOWN AS THE UNIFIED DEVELOPMENT CODE – UDC) REGARDING ARTICLE 2 (ESTABLISHMENT OF ZONING DISTRICTS), ARTICLE 3 (USE REGULATIONS), ARTICLE 4 (DISTRICT INTENSITY AND BULK STANDARDS), ARTICLE 10 (ENVIRONMENTAL STANDARDS), ARTICLE 20 (SLD DESIGN PRINCIPALS), ARTICLE 21 (IMPROVEMENT AND DESIGN STANDARDS), ARTICLE 30 (COUNTY COUNCIL AND ADMINISTRATIVE BODIES), ARTICLE 31 (PROCEDURES AND ADMINISTRATION), AND ARTICLE 33 (DEFINITIONS). Introduced by: Mr. Reda, Mr. Tackett

Councilman Reda made a motion that °09-068 be read by title only and placed before Council for its consideration and adoption as amended by Substitute 1 & 2.

°09-068 AS AMENDED: ADOPTED

Yes: Bell, Cartier, Clark, Diller, Hollins, Powers, Reda, Sheldon, Smiley, Street, Tackett, Tansey, Weiner

°09-071: TO REVISE CHAPTER 40 OF THE NEW CASTLE COUNTY CODE (ALSO KNOW AS THE UNIFIED DEVELOPMENT CODE – UDC) REGARDING ARTICLE 12 (SEWER AND WATER IMPACT) TO PERMIT PROPERTY ADJACENT TO THE PUBLIC SEWER SERVICE AREA TO CONNECT TO THE PUBLIC SANITARY SEWER UNDER CERTAIN CONDITIONS. Introduced by: Mr. Cartier

Councilman Cartier Tabled °09-071

J. Time Sensitive Congratulatory/Honorary Resolutions

K. Introduction/Consideration of Emergency Ordinances: None

L. Public Comment/Other:

M. Motion to Adjourn:

There being no further testimony, a motion to adjourn was made and it was seconded the meeting was adjourned at 8:25 p.m.

Paul G. Clark
Council President
New Castle County

**The sign in sheet is included by reference.*

