

*Wilmington, Delaware  
Louis L. Redding  
City/County Building  
April 7, 2016*

Council met in regular session on the above date at 6:30 p.m., President Theopolis K. Gregory, Sr. presiding.

Invocation was given by Joe Garcia.

The Pledge of Allegiance was recited by City Council.

### ROLL CALL

The following members responded to the Call of the Roll: Council Members Chukwuocha, Congo, Darius Brown, Shabazz, Prado\*, Dorsey Walker, Williams, Freel\*\*, Michael Brown, Walsh and Wright, and Council President Gregory. Total, twelve. Absent, Council Member Cabrera. Total, one.

### MINUTES

After reading a portion of the minutes of March 31, 2016, upon a motion of Ms. Walsh, seconded by Mr. Williams, it was moved they be accepted as written. Motion prevailed.

### REPORT OF COMMITTEES

The City Clerk read the following committee report:

<u>Finance Committee Member</u>	<u>Present</u>	<u>Absent with Leave</u>	<u>Absent w/out Leave</u>
Charles M. "Bud" Freel	X		
Michael A. Brown, Sr.		X	
Samuel Prado	X		
Hanifa G.N. Shabazz		X	
Loretta Walsh		X	

President and Members of Council of  
The City of Wilmington

March 7, 2016

Ladies and Gentlemen:

We, your Finance Committee, to who was referred **Substitute No. 1 to Ordinance No. 15-039** entitled:

AN ORDINANCE TO AMEND CHAPTER 40 OF THE CITY CODE REGARDING ELECTED AND APPOINTED CITY OFFICIALS' DISCLOSURE OF DELINQUENT PROPERTY TAXES, WATER/SEWER FEES, LICENSES AND INSPECTIONS FEES, FEES RELATED TO PARKING OR RED LIGHT VIOLATIONS, OR OTHER OBLIGATIONS OWED TO THE CITY

Have given this Ordinance careful study and recommend Council vote on it accordingly.

Respectfully submitted, Members of  
 Finance Committee  
 /s/Charles M. Freel, Chair  
 /s/Samuel Prado  
 /s/Theopalis K. Gregory, Sr., Ex Officio

Upon a motion of Ms. Walsh, seconded by Mr. Williams/Ms. Shabazz, the aforementioned Report was received, recorded and filed. Motion prevailed.

President Gregory: Mark Mr. Prado present please.

Mrs. Seijo (City Clerk): So noted.

\*Note: At this time, Mr. Prado was marked present and reflected in the minutes herein (Roll Call).

The City Clerk read the following committee report:

<u>Finance Committee Member</u>	<u>Present</u>	<u>Absent with Leave</u>	<u>Absent w/out Leave</u>
Charles M. "Bud" Freel	X		
Michael A. Brown, Sr.		X	
Samuel Prado	X		
Hanifa G.N. Shabazz		X	
Loretta Walsh		X	

President and Members of Council of  
 The City of Wilmington

March 7, 2016

Ladies and Gentlemen:

We, your Finance Committee, to who was referred **Ordinance No. 16-008** entitled:

AN ORDINANCE TO RATIFY AND AUTHORIZE AN  
 AGREEMENT WITH BELFINT, LYONS & SHUMAN, P.A.,  
 FOR THE CONDUCT OF THE CAFR AND FEDERAL FUNDS  
 AUDITS FOR FISCAL YEARS 2015, 2016 AND 2017

Have given this Ordinance careful study and recommend Council vote on it accordingly.

Respected submitted, Members of  
 Finance Committee  
 /s/Charles M. Freel, Chair  
 /s/Samuel Prado  
 /s/Theopalis K. Gregory, Sr., Ex Officio

Upon a motion of Ms. Walsh, seconded by Mr. Williams/Ms. Shabazz, the aforementioned Report was received, recorded and filed. Motion prevailed.

The City Clerk read the following committee report:

<u>Finance Committee Member</u>	<u>Present</u>	<u>Absent with Leave</u>	<u>Absent w/out Leave</u>
Charles M. "Bud" Freel	X		
Michael A. Brown, Sr.		X	
Samuel Prado	X		
Hanifa G.N. Shabazz		X	
Loretta Walsh		X	

President and Members of Council of  
 The City of Wilmington

March 7, 2016

Ladies and Gentlemen:

We, your Finance Committee, to who was referred entitled:

- Update on City's Fund Balances (~actual cash balances available in Fund Balances)
  - General Fund
    - Budget Reserve Account, Unassigned Fund Balance
  - Other Governmental Fund Balances
    - Affordable Housing, Economic Development, Etc.
  - Water Sewer Fund
    - Restricted, Unrestricted

- Internal Services Funds
  - Risk Management, Health & Welfare Fund, Etc.
- Discuss a Resolution Accepting Bond Bill Appropriation Funds from Senate Bill No. 160 for Real Time Crime Center \$750K and Park Improvements \$500K

Have given this Ordinance careful study and recommend Council vote on it accordingly.

Respectfully submitted, Members of  
 Finance Committee  
 /s/Charles M. Freel, Chair  
 /s/Samuel Prado  
 /s/Theopalis K. Gregory, Sr., Ex Officio

Upon a motion of Ms. Walsh, seconded by Mr. Williams, the aforementioned Report was received, recorded and filed. Motion prevailed.

The City Clerk read the following committee report:

<u>Education, Youth &amp; Families Committee Member</u>	<u>Present</u>	<u>Absent with Leave</u>	<u>Absent w/out Leave</u>
Nnamdi O. Chukwuocha	X		
Michael A. Brown Sr.		X	
Maria D. Cabrera		X	
Ernest "Trippi" Congo, II	X		
Hanifa G.N. Shabazz		X	
Sherry Dorsey Walker	X		

President and Members of Council of  
 The City of Wilmington

Date: March 9, 2016

Ladies and Gentlemen:

We, your Education, Youth & Families Committee, met on the above date at 5:00 p.m., Councilman Nnamdi O. Chukwuocha presiding. The following items were discussed:

- Update on the Delaware Met
- Presentation on the "Let's Join Hands Anti-Bullying Program"

Respectfully submitted, Members of  
Education, Youth & Families Committee  
/s/Nnamdi O. Chukwuocha, Chair  
/s/Ernest Congo, II  
/s/Sherry Dorsey Walker

Upon a motion of Mr. Chukwuocha, seconded by Ms. Walsh/Mr. Williams, the aforementioned Report was received, recorded and filed. Motion prevailed.

The City Clerk read the following committee report:

<b>Community and Economic Development Committee Member</b>	<b>Present</b>	<b>Absent with Leave</b>	<b>Absent w/out Leave</b>
Loretta Walsh	X		
Darius J. Brown	X		
Maria D. Cabrera		X	
Ernest "Trippi" Congo, II	X		
Sherry Dorsey Walker		X	
Justen A. Wright	X		

President and Members of Council of  
The City of Wilmington

Date: March 10, 2016

Ladies and Gentlemen:

We, your Community and Economic Development Committee, met on the above date at 5:00 p.m., Councilwoman Loretta Walsh presiding. The following items were discussed:

- Presentation by Zip Code Wilmington
- OED update on Open Data adoption

Respectfully submitted, Members of  
Community and Economic Development Committee  
/s/Loretta Walsh, Chair  
/s/Darius J. Brown  
/s/Ernest Congo, II  
/s/Justen A. Wright

Upon motion of Ms. Walsh, seconded by Mr. Williams/Ms. Shabazz, the aforementioned Report was received, recorded and filed. Motion prevailed.

The City Clerk read the following committee report:

<u>Committee of the Whole</u>	<u>Present</u>	<u>Absent with Leave</u>	<u>Absent w/out Leave</u>
Nnamdi O. Chukwuocha	X		
Ernest "Trippi" Congo, II			X
Darius J. Brown			X
Hanifa G.N. Shabazz	X		
Samuel Prado	X		
Sherry Dorsey Walker	X		
Robert A. Williams	X		
Charles M. Freel		X	
Michael A. Brown, Sr.		X	
Maria D. Cabrera	X		
Loretta Walsh		X	
Justen A. Wright	X		

President and Members of Council of  
The City of Wilmington

March 16, 2016

Ladies and Gentlemen:

We, your Committee of the Whole, met on the above date at 6:00 p.m., Theopalis K. Gregory, Sr. presiding. The following items were discussed:

- A presentation to City Council by the Department of Health and Social Services regarding progress being made toward the implementation of the Centers for Disease Control (CDC) Report entitled "Elevated Rates of Urban Firearm Violence and Opportunities for Prevention."

/s/Nnamdi O. Chukwuocha  
/s/Hanifa Shabazz  
/s/Samuel Prado  
/s/Sherry Dorsey Walker

Respectfully submitted,  
/s/Robert A. Williams  
/s/Justen A. Wright

/s/Theopalis K. Gregory, Sr., President

Upon a motion of Ms. Walsh, seconded by Mr. Williams, the aforementioned Report was received, recorded and filed. Motion prevailed.

Note: Although Ms. Cabrera was present at the meeting, her signature was inadvertently missed.

The City Clerk read the following committee report:

<u>Public Works &amp; Transportation Committee Member</u>	<u>Present</u>	<u>Absent with Leave</u>	<u>Absent w/out Leave</u>
Hanifa G.N. Shabazz, Chair	X		
Michael A. Brown, Sr.		X	
Nnamdi O. Chukwuocha		X	
Samuel Prado		X	
Robert A. Williams	X		

March 16, 2016

President and Members of Council of  
The City of Wilmington

Ladies and Gentlemen:

We, your Public Works & Transportation Committee, met on the above date at 5:00 p.m., Councilwoman Hanifa Shabazz presiding. The following items were discussed:

- WATER QUALITY PRESENTATION

Respectfully submitted, Members of  
Public Works & Transportation Committee  
/s/Hanifa Shabazz, Chair  
/s/Robert A Williams  
/s/Theopalis K. Gregory, Sr., Ex Officio

Upon a motion of Ms. Shabazz, seconded by Mr. Williams, the aforementioned Report was received, recorded and filed. Motion prevailed.

The City Clerk read the following committee report:

<u>Public Works &amp; Transportation Committee Member</u>	<u>Present</u>	<u>Absent with Leave</u>	<u>Absent w/out Leave</u>
Hanifa G.N. Shabazz, Chair	X		
Michael A. Brown, Sr.		X	
Nnamdi O. Chukwuocha		X	
Samuel Prado		X	
Robert A. Williams	X		

President and Members of Council of  
The City of Wilmington

March 16, 2016

Ladies and Gentlemen:

We, your Public Works & Transportation Committee, to who was referred  
**Ordinance No. 16-010** entitled:

AN ORDINANCE TO AUTHORIZE AN EXTENSION TO  
CITY CONTRACT 14045WDPS, FIRE HYDRANT TESTING  
AND REHABILITATION SERVICES, WITH UTILITY  
SERVICE CO., INC.

Have given this Ordinance careful study and recommend Council vote on  
it accordingly.

Respectfully submitted, Members of  
Public Works & Transportation Committee  
/s/Hanifa Shabazz, Chair  
/s/Robert A. Williams  
/s/Theopalis K. Gregory, Sr., Ex Officio

Upon a motion of Ms. Shabazz, seconded by Ms. Walsh/Mr. Williams, the  
aforementioned Report was received, recorded and filed. Motion prevailed.

The City Clerk read the following committee report:

<u>Public Works &amp; Transportation Committee Member</u>	<u>Present</u>	<u>Absent with Leave</u>	<u>Absent w/out Leave</u>
Hanifa G.N. Shabazz, Chair	X		
Michael A. Brown, Sr.		X	
Nnamdi O. Chukwuocha		X	
Samuel Prado		X	
Robert A. Williams	X		

President and Members of Council of  
The City of Wilmington

March 16, 2016

Ladies and Gentlemen:

We, your Public Works & Transportation Committee, to who was referred  
**Ordinance No. 16-011** entitled:



AN ORDINANCE TO AUTHORIZE AN EXTENSION TO CITY CONTRACT 14046WDPS, VALVE INSPECTION, EXERCISING AND REHABILITATION SERVICES WITH UTILITY SERVICE CO., INC.

Have given this Ordinance careful study and recommend Council vote on it accordingly.

Respectfully submitted, Members of  
Public Works & Transportation Committee  
/s/Hanifa Shabazz  
/s/Robert A. Williams  
/s/Theopalis K. Gregory, Sr., Ex Officio

Upon a motion of Ms. Shabazz, seconded by Mr. Williams/Ms. Walsh, the aforementioned Report was received, recorded and filed. Motion prevailed.

The City Clerk read the following committee report:

<u>Health, Aging &amp; Disabilities Committee Member</u>	<u>Present</u>	<u>Absent with Leave</u>	<u>Absent w/out Leave</u>
Robert A. Williams	X		
Darius J. Brown		X	
Charles M. "Bud" Freel		X	
Sherry Dorsey Walker	X		
Justen A. Wright	X		

President and Members of Council of  
The City of Wilmington

March 23, 2016

Ladies and Gentlemen:

We, your Health, Aging & Disabilities Committee, met on the above date at 5:00 p.m., Council Member Robert A. Williams presiding. The following items were discussed:

- Discuss a Resolution encouraging leaders of the Wilmington Police Department to provide training and certify officers to carry Narcan while on duty
- Presentation on the deployment of Narcan

Respectfully submitted, Members of  
 Health, Aging & Disabilities Committee  
 /s/Robert A. Williams, Chair  
 /s/Sherry Dorsey Walker  
 /s/Justen A. Wright

Upon a motion of Mr. Williams, seconded by Ms. Walsh, the  
 aforementioned Report was received, recorded and filed. Motion prevailed.

The City Clerk read the following committee report:

<u>Housing, Licenses &amp; Inspections Committee Member</u>	<u>Present</u>	<u>Absent with Leave</u>	<u>Absent w/out Leave</u>
Marta D. Cabrera	X		
Darius J. Brown		X	
Samuel Prado		X	
Nnamdi O. Chukwuocha	X		
Hanifa G.N. Shabazz		X	
Sherry Dorsey Walker	X		

President and Members of Council of  
 The City of Wilmington

Date: April 5, 2016

Ladies and Gentlemen:

We, your Housing, Licenses & Inspection Committee, to who was referred  
**Ordinance No. 16-013** entitled:

AN ORDINANCE AUTHORIZING THE CITY TO ENTER INTO A  
 LEASE AGREEMENT WITH THE URBAN BIKE PROJECT OF  
 WILMINGTON, INC. FOR THE LEASE OF THE PREMISES  
 LOCATED AT 301 EAST 15<sup>TH</sup> STREET

Have given this Ordinance careful study and recommend  
 Council vote on it accordingly.

Respectfully submitted, Members of  
 Housing, Licenses & Inspections Committee  
 /s/Maria D. Cabrera, Chair  
 /s/Nnamdi O. Chukwuocha  
 /s/Sherry Dorsey Walker

Upon a motion of Mr. Chukwuocha, seconded by Ms. Walsh/Ms.  
 Shabazz, the aforementioned Report was received, recorded and filed. Motion prevailed.

The City Clerk read the following committee report:

<u>Housing, Licenses &amp; Inspections Committee Member</u>	<u>Present</u>	<u>Absent with Leave</u>	<u>Absent w/out Leave</u>
Maria D. Cabrera	X		
Darius J. Brown		X	
Samuel Prado		X	
Nnamdi O. Chukwuocha	X		
Hanifa G.N. Shabazz		X	
Sherry Dorsey Walker	X		

President and Members of Council of  
The City of Wilmington

April 5, 2016

Ladies and Gentlemen:

We, your **Housing, Licenses & Inspections Committee**, met on the above date at 5:00 p.m., Council Member Maria D. Cabrera presiding. The following items were discussed:

- Discuss a Resolution on the proposed amendments to the Price’s Run, Riverside, 11<sup>th</sup> Street Bridge Neighborhood Comprehensive Development Plan
- A presentation on the Landlord Training Program
- A presentation on the Department of Real Estate and Housing’s FY2017 Annual Action Plan 2017-2022 Five Year Consolidated Plan
- Discuss a Resolution authorizing the Mayor to File the Fiscal Year 2017 Consolidated Annual Action Plan with the U.S. Department of Housing and Urban Development including funding for the Community Development Block Grant, Home Improvement Program, Emergency Solutions Grants and Housing Opportunities for People with AIDS

Respectfully submitted, Members of  
Housing, Licenses & Inspections Committee

/s/Maria D. Cabrera, Chair  
/s/Nnamdi O. Chukwuocha

/s/Sherry Dorsey Walker

Upon a motion of Mr. Chukwuocha, seconded by Ms. Walsh/Ms. Shabazz, the aforementioned Report was received, recorded and filed. Motion prevailed

**TREASURER'S REPORT**

The following Treasurer's Report dated April 7, 2016 was read into the record by the City Clerk, and upon a motion of Ms. Walsh, seconded by Mr. Williams, the Report was received, recorded and filed. Motion prevailed.

**TO: THE HONORABLE MAYOR AND CITY COUNCIL OF WILMINGTON April 7, 2016**

102	Community Development Block Grant	M & T Bank	\$ 1.00
104	Old Non-Uniform Pension Account	M & T Bank	\$ 3,396.81
105	Police Pension Account	M & T Bank	\$ 5,507.50
106	Fire Pension Account	M & T Bank	\$ 3,771.73
107	Evidence/Found Currency Account	M & T Bank	\$ 641,000.38
108	Rent Withholding Escrow	M & T Bank	\$ 4,137.97
110	Capital Projects Account	M & T Bank	\$ 1.00
113	Non-Uniform Pension	M & T Bank	\$ 1,252.06
114	Central Deposit	M & T Bank	\$ 85,038.85
117	Cement Workers	Wilmington Savings Fund	\$ 33,474.96
118	Worker's Comp. 3 <sup>rd</sup> Party Account	M & T Bank	\$ 13,003.23
124	Non-Uniform Pension Act of 1990	M & T Bank	\$ 3,950.68
120	Grant-In-Aid Account	M & T Bank	\$ 201,369.00
130	Payroll	M & T Bank	\$ 225,853.51
131	Pension Payroll Account	M & T Bank	\$ 36,624.87
139	Pension Healthcare Account	M & T Bank	<u>\$ 53,161.52</u>
	Total Cash on Hand		<b>\$ 1,311,545.07</b>

*[the remainder of this space intentionally left blank]*

FUND CODE	FUND	INSTITUTION	INVEST. TYPE	MATURITY DATE	INTEREST RATE	INTEREST RECEIVABLE	INVESTMENT AMOUNT
116	General	M&T Bank	RP	04/07/16	0.01%	\$ 1.78	\$ 6,486,018.00
116	General	TD	CD	04/08/16	0.50%	\$ 1,277.78	\$ 2,000,000.00
116	General	TD	CD	04/08/16	0.43%	\$ 1,007.26	\$ 1,500,000.00
116	General	WSFS	CD	04/15/16	0.40%	\$ 876.71	\$ 1,600,000.00
116	General	TD	CD	04/27/16	0.45%	\$ 750.00	\$ 1,500,000.00
116	General	TD	CD	04/29/16	0.50%	\$ 3,888.89	\$ 4,000,000.00
116	General	WSFS	CD	04/29/16	0.40%	\$ 859.17	\$ 1,600,000.00
116	General	WSFS	CD	05/13/16	0.45%	\$ 1,380.82	\$ 2,000,000.00
110	Capital	WSFS	CD	05/20/16	0.40%	\$ 19,945.20	\$ 10,000,000.00
110	Capital	WSFS	CD	05/27/16	0.40%	\$ 11,199.99	\$ 14,000,000.00
116	General	TD	CD	05/27/16	0.50%	\$ 1,833.34	\$ 2,000,000.00
116	General	TD	CD	06/01/16	0.55%	\$ 4,262.50	\$ 3,000,000.00
116	General <sup>1</sup>	TD	CD	06/10/16	0.60%	\$ 21,996.05	\$ 15,169,686.00
110	Capital	TD	CD	06/24/16	0.60%	\$ 16,333.34	\$ 10,000,000.00
514	Risk Management	WSFS	CD	07/11/16	0.40%	\$ 22,805.15	\$ 5,670,097.05
515	Worker's Comp	WSFS	CD	07/11/16	0.40%	\$ 22,805.15	\$ 5,670,097.05
110	Capital	WSFS	CD	11/18/16	0.50%	\$ 99,726.02	\$ 20,000,000.00
104	Escrow Pension	Affinity Wealth					\$ 1,430,488.00
104	Escrow Pension	Vanguard					\$ 41,091,259.00
104	Escrow Pension	Black Rock					\$ 25,092,775.00
104	Escrow Pension	Edgar Lomax					\$ 22,310,401.00
104	Escrow Pension	Wilmington Trust					\$ 45,179,100.00
104	Escrow Pension	Manning & Napier					\$ 10,323,052.00
104	Escrow Pension	Earnest Partners					\$ 17,514,932.00
104	Escrow Pension	GMO					\$ 11,455,691.00
104	Escrow Pension	MFS Management					\$ 22,189,502.00
104	Escrow Pension	American Funds					\$ 9,872,997.00
139	Medical Escrow	Black Rock-OPEB					\$ 14,028,881.00
116	Deferred Comp.	MassMutual					\$ 39,245,842.00
	Total Investments						\$ 365,930,818.10
	Total Cash on Hand						\$ 1,311,545.07
	Grand Total						\$ 367,242,363.17

<sup>1</sup> Budget Reserve

/s/Henry W. Supinski  
City Treasurer

## NON-LEGISLATIVE BUSINESS

Upon a motion of Ms. Walsh, seconded by Mr. Williams, the following non-legislative resolutions were accepted into the record and motion prevailed:

All Council	Sympathy Dr. Emmanuel Babbatunde Durosomo
All Council	Recognize Housing Opportunities of Northern Delaware “Fair Housing Month”
D. Brown/Wright	Sympathy Robert L. Davis, Sr.
D. Brown	Retirement Beverly Ann Williams Berry
D. Brown/Wright	Commend Brandon Lee Brinkley Foundation
Cabrera	Sympathy Leonard Young
Cabrera	Sympathy Lawrence Franklin Hayes
Gregory	Commend Reverends Barbara and Robert Henry
Gregory	Recognize Raheim Burnett
Gregory	Sympathy Coleman E. Smith
Gregory	Sympathy Carolyn Davis Wright
Gregory	Delaware Chapter #0094 of the National Association of Black Veterans
Prado	Sympathy Christian Andrew Serrano
Shabazz	Congratulate Main Street
Dorsey Walker	Recognize Senior Corporal Daniel Vignola
Dorsey Walker	Bishop Eric D. Garnes (Christian Love Worship Cathedral)
Williams	Recognize Price of Piedmont Lodge #475 100 <sup>th</sup> Centennial Celebration
Wright	Congratulate Kenneth Everett
Wright	Welcome Delta Sigma Theta Sorority, Incorporated
Wright	Sympathy Frank R. King
Wright	Congratulate Elder Robert Goodman and First Lady Jean Goodman – New Life United Holy Church of America

## LEGISLATIVE BUSINESS

President Gregory: Mr. Chukwuocha.

Mr. Chukwuocha: Nothing tonight Mr. President. Thank you sir.

President Gregory: Mr. Congo.

Mr. Congo: Nothing tonight. Thank you.

President Gregory: Mr. Darius Brown

Mr. Darius Brown: Yes Mr. President, I have a Resolution and two Ordinances and would like to move that Council dissolved into the Committee of the Whole for the purpose of holding a public hearing.

Ms. Walsh: Second.

Upon a motion of Mr. Darius Brown, seconded by Ms. Walsh, Council dissolved into the Committee of the Whole for the purpose to having two public hearings. Motion prevailed.

**PUBLIC HEARING  
PROPOSED AMENDMENTS TO THE PRICE'S RUN/RIVERSIDE/  
11<sup>TH</sup> STREET BRIDGE NEIGHBORHOOD COMPREHENSIVE  
DEVELOPMENT PLAN AND AN ORDINANCE TO ANNEX A  
PARCEL OF LAND LOCATED AT 3604 DOWNING DIRVE,  
CONTIGUOUS WITH THE CITY BOUNDARY IN THE VICINITY OF  
THE RIVERSIDE NEIGHBORHOOD ANALYSIS AREA, NEW CASTLE  
COUNTY, DELAWARE, AND IN CONNECTION THEREWITH, TO AMEND  
THE BOUNDARIES OF THE 3<sup>RD</sup> DISTRICT, THE BUILDING ZONE MAP –  
FLOOD DISTRICTS AND TO ADD THE ANNEXED TERRITORY TO THE  
CITY'S CORPORATE BOUNDARIES (ORDINANCE NO. 16-012)**

The City Clerk read both Affidavits of Publications into one. Upon a motion of Mr. Darius Brown, seconded by Mr. Williams/Ms. Walsh, the Affidavits of Publications was made a part of the record.

*Note: The Affidavits of Publications was added into the record and is attached herein as an insert from Page 16 through Page 19.*

*[the remainder of this space intentionally left blank]*



**The News Journal**  
**Media Group**

A GANNETT COMPANY

Street Address:  
950 West Basin Road  
New Castle, DE 19720

(302) 324-2500  
(800) 235-9100

Mailing Address:  
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Wilmington, DE 19850

Legal Desk:  
(302) 324-2676  
Legal Fax:  
302 324-2249

SD CITY OF WILMINGTON  
800 N FRENCH ST

WILMINGTON, DE 19801

**AFFIDAVIT OF PUBLICATION**

**State of Delaware**  
**New Castle County**

Personally appeared **The News Journal**

Of the **The News Journal Media Group**, a newspaper printed, published and circulated in the State of Delaware, who being duly sworn, deposeth and saith that the advertisement of which the annexed is a true copy, has been published in the said newspaper 1 times, once in each issue as follows:

03/10/16 A.D 2016

Linda Barber

*Sherry Ann Salvia*



Sworn and subscribed before me, this 10 day of March, 2016

Ad Number: 0001102911

Legal notification printed at larger size for affidavit.



**PUBLIC NOTICE**  
**NOTICE IS HEREBY GIVEN** that a public hearing to consider amendments to the "Prices's Run/Riverside/11th Street Bridge Neighborhood Comprehensive Development Plan" to be held by the Wilmington City Council in the Council Chambers 1st floor, City/County Building, 800 French Street, Wilmington, Delaware on April 7, 2016 at 6:30 p.m. pursuant to Resolution No. 16-022.

Maribel Seijo  
City Clerk

3/10-NJ

0001102911-01



**The News Journal**  
**Media Group**  
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 New Castle, DE 19720

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SD CITY OF WILMINGTON  
 800 N FRENCH ST

WILMINGTON, DE 19801

**AFFIDAVIT OF PUBLICATION**

**State of Delaware**  
**New Castle County**

Personally appeared **The News Journal**

Of the **The News Journal Media Group**, a newspaper printed, published and circulated in the State of Delaware, who being duly sworn, depose and saith that the advertisement of which the annexed is a true copy, has been published in the said newspaper 1 times, once in each issue as follows:

03/10/16 A.D 2016

Linda Barber

Sherry Ann Salvia

Sworn and subscribed before me, this 10 day of March, 2016

Ad Number: 0001102902



Legal notification printed at larger size for affidavit.

**PUBLIC NOTICE**

Notice of time and place of a public hearing before City Council of the City of Wilmington on Ordinance No. **16-012**, which proposes to amend Chapter 48 of the Wilmington City Code of the City of Wilmington.

Please take notice that a public hearing Will be held in the Council Chambers, 1st floor, City/County Building, 800 French Street, Wilmington, Delaware on **April 7, 2016 at 6:30 p.m.** before City Council of the City of Wilmington, sitting as a Committee of the Whole, for the purpose of considering Ordinance **No. 16-012** entitled:

**AN ORDINANCE TO ANNEX A PARCEL OF LAND LOCATED AT 3604 DOWNING DRIVE, BEING NEW CASTLE COUNTY TAX PARCEL NO. O6-152.00-003, CONTAINING APPROXIMATELY 2.04 ACRES, LOCATED WITHIN THE DOWNING INDUSTRIAL PARK, CONTIGUOUS WITH THE CITY BOUNDARY IN THE VICINITY OF THE RIVERSIDE NEIGHBORHOOD ANALYSIS AREA, NEW CASTLE COUNTY, DELAWARE, AND IN CONNECTION THEREWITH, TO AMEND THE BOUNDARIES OF COUNCILMANIC DISTRICT NO. 3, THE BUILDING ZONE MAP, AND THE SUPPLEMENTAL BUILDING ZONE MAP — FLOOD DISTRICTS — AND TO ADD THE ANNEXED TERRITORY TO THE CITY'S CORPORATE BOUNDARIES**

Ordinance No. **16-012** was introduced in City Council at a regular meeting held on March 3 M and received 1" & 2" readings at that time. Resolution No. 16-023 was adopted by City Council at the meeting of City Council held on March 3 2016 directing that a public hearing on same be held by City Council on **April 7, 2016 at 6:30 p.m** in the Council Chambers and directed that the President of City Council and the City Clerk of the City of Wilmington give public notice of the said hearing in the manner and form required by the Zoning Enabling Act and that ordinance.

Ordinance No. **16-012** proposed to amend the existing zoning code of the City.

This notice is given pursuant to the provisions of Sec. 48-51 of the Wilmington City Code providing that the zoning ordinance may be amended after a public hearing is held, at which time interested property owners and citizens may have an opportunity to be heard in favor of or in opposition to the proposed amendment.

The text and report of the City Planning Commission related to this proposed amendment may be examined in the City Clerk's Office, 9th floor, City/County Building from 9:00 a.m. to 5:00 p.m. Except Saturday, Sunday, and Holidays.

By direction of City Council  
THEOPALIS K. GREGORY, SR., President  
3/10-NJ

City Clerk  
MARIBEL SEJO

0001102902-01

The City Clerk read the Planning Commission Report. Upon a motion of Mr. Darius Brown, seconded by Ms. Walsh, the Planning Commission Report was made a part of the record and is on file at the City Clerk's Office and/or the Planning Department. Motion prevailed.

President Gregory: Can we have someone from the Planning Department to come up and present please?

Department of Planning Representative: Good evening. I'm Gwineth Kaminsky with the Planning Department.

I will be addressing the request by Moat Street LLC for the annexation of a two acre parcel of land located at 3604 Downing Drive, adjacent to the city corporate limits in the County.

There are two action items on Council's agenda this evening which are necessary to implement the proposed annexation.

First, changes to the comprehensive plan for the Price's Run /Riverside /11<sup>th</sup> Street Bridge neighborhoods must be made to show that the annexed territory is being included within city limits, and also to provide the appropriate land use and zoning for that land. These amendments are made by Council resolution.

Second, the actual annexation and rezoning actions must be approved, which includes amending the official building zone and supplemental maps. This is addressed in Ordinance 16-012.

Although these actions are scheduled for separate hearings, in the interest of time I will discuss them both together.

The parcel in question is located in the Downing Industrial park and is zoned for heavy industrial use, which is a county designation. The majority of this park is located within City limits, however, and is zoned M-1 light manufacturing. Downing Drive provides access to this area, and the applicant owns four additional parcels along this right of way, within the city. By annexing the County parcel and rezoning it to M-1, the owner will be able to develop all five parcels under the same set of regulations, for consistency.

The purpose of the annexation is to facilitate redevelopment within the industrial park, which will in turn support business growth and development. To that end, the Office of Economic Development is making targeted investments in this area which are expected to promote the creation of blue collar jobs. They have also engaged a consultant to study the feasibility of improving the Downing Drive right of way, which is currently only partially constructed and is not a thru street.

Next, I'd like to turn your attention to the State's annexation procedures. Wilmington is empowered by the State of Delaware to annex territory into its boundaries, although municipalities with populations greater than 50,000 are subject to more stringent requirements for approval.

This rule only applies to Wilmington at the moment. These annexation requirements are found in Title 22 of the State Code.

These requirements are also embodied in the City's own Annexation Policy and Procedures Checklist, which was adopted into our City Wide Plan of Land Use.

For the Downing Drive annexation, State procedures are being followed, including filing a petition for annexation with both the City and County Clerk offices; conducting public hearings and notifying the Office of State Planning Coordination of the proposed annexation; compliance with the city and state's comprehensive planning processes; rezoning the property as a part of the approval process; and preparing a Municipal Plan of Services report to determine whether the necessary services can be provided to the annexed territory.

In our case, the City is well equipped to serve the new territory because it is a self-sufficient municipality which provides its own police, fire, and emergency medical services; utilities, including water and sewer; and road infrastructure.

Title 22 also requires that annexations meet certain criteria for approval, including being fiscally responsible; being in the best interest of the city; that the target area be a potential growth center; and that the annexation provide long term benefits to the city. The parcel must also be contiguous to the city limits and all of these conditions for approval have been met.

The Planning Commission considered the annexation request at their public hearing held on March 15<sup>th</sup>. At that meeting, the Commission recommended the amendments to the Price's Run/ Riverside/11th Street Bridge Comprehensive Development Plan, for the purpose of adding the affected territory to the City corporate limits, and to designate M-1 Light Manufacturing land use and zoning for the site and the 17 maps being amended are attached to your Council resolution.

The Commission also recommended approving the annexation of the territory and rezoning to M-1, and making the necessary revisions to the Official Building Zone Map and supplemental maps and these actions are addressed in Ordinance 16-012, which includes the maps in question.

The next step, if approved by City Council, will be to proceed to New Castle County where similar legislation will be considered by their planning board and Council. And, of course, the mayor and county executive must both be in agreement with the annexation.

In the meantime, the applicant and city staff has been meeting with city and county elected officials, community groups and neighborhood planning councils to discuss the proposal, and we have received a letter of support from the Eastlawn Civic Association.

In summary, the proposal to annex 3604 Downing Drive into the City of Wilmington has met the state and city requirements for annexation, and has been recommended by the City Planning Commission.

I'd be happy to address any questions. Thank you.

President Gregory: Are there any questions from City Council? Anyone in the public want to speak "for" or "against"?

Ms. Walsh: Can I ask one question? I'm sorry. Mr. President?

Mr. President: Ah hum.

Ms. Walsh: Since we do need County Council approval of this, this is very, very rare that we've done something like this because they've always objected to land that we've wanted to get earlier. Were they part of our process at all?

Ms. Kaminsky: Yes. The applicant has met with Council Member Penrose Hollins...

Ms. Walsh: Ok.

Ms. Kaminsky: ...so, there has been discussion also with Tom Gordon at the County.

Ms. Walsh: Ok. That's all I wanted to know. Thank you.

President Gregory: Thank you.

Ms. Kaminsky: Sure.

Upon a motion of Mr. Darius Brown, seconded by Ms. Walsh/Ms. Shabazz, Council returned to Regular Order of Business. Motion prevailed.

### **REGULAR ORDER OF BUSINESS**

President Gregory: Mr. Freel; mark Mr. Freel present please.

Mr. Freel: Thank you.

Mrs. Seijo (City Clerk): So noted.

\*\*Note: At this time, Mr. Freel was marked present and reflected in the minutes herein (Roll Call).

President Gregory: Mr. Brown.

Mr. Darius Brown: Yes, Resolution.

Mr. Darius Brown presented Resolution No. 16-026 (Agenda #4188) as follows:

**WHEREAS**, the Wilmington City Charter provides that modifications to the City's comprehensive development plan, or parts thereof, may be recommended by the Planning Department with the advice of the City Planning Commission and adopted by City Council resolution, Wilm. C. (Charter) § 5-600; and

**WHEREAS**, the City Planning Commission has considered the Planning Department's analysis and testimony along with other evidence and testimony at its meeting held on March 15, 2016; and

**WHEREAS**, at its meeting on March 15, 2016, the City Planning Commission passed Resolution 3-16, which recommended to City Council that the Price's Run/Riverside/11<sup>th</sup> Street Bridge Comprehensive Development Plan be amended to revise Plan Maps A through Q to include that certain property located at 3604 Downing Drive, Wilmington, Delaware, being New Castle County Tax Parcel No. 06-152.00-003 (the "Property") within the City of Wilmington corporate limits, and to specify light manufacturing land use and zoning for the site as depicted on the maps attached hereto and made a part hereof as Exhibit A through Exhibit Q; and

**WHEREAS**, Ordinance No. 16-012 has been introduced which if approved would provide for the annexation of the Property, and would provide for the rezoning of the Property from New Castle County zoning designation of HI (Heavy Industrial) to M-1 (Light Industrial) in accordance with the recommendations of the Price's Run/Riverside/11<sup>th</sup> Street Bridge Comprehensive Development Plan; and

**WHEREAS**, the Property is located within New Castle County and is contiguous with the City corporate limits in an area immediately adjacent to the Riverside Analysis Area.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON**, that the City Council hereby approves the amendments to the Price's Run/Riverside/11<sup>th</sup> Street Bridge Comprehensive Development Plan, which would revise Plan Maps A through Q to include the Property within the City of Wilmington corporate limits, and to specify light manufacturing land use and zoning for the site as depicted in the maps attached hereto and made a part hereof as Exhibit A through Exhibit Q.

On the question:

Mr. Darius Brown: Yes Mr. President, as presented by the Planning Department, we've had ongoing conversations with – in City government and City Administration, New Castle County Executive, the County Councilman representing the area regarding this annexation and also, the two Planning Councils of the 1<sup>st</sup> and 3<sup>rd</sup> District and the adjoining civic association that would be impacted, Eastlawn Civic Association, which has provided a letter of support for this annexation. This is unique as my colleague mentioned earlier. This is actually a landowner that is not looking to leave the City but to actually grow in the City. And, we welcome that development in northeast Wilmington as we continue to look at how we can booster our manufacturing and industrial parks particular the Todds Lane business park.

President Gregory: Thank you. The Clerk will call the roll.

Upon a motion of Mr. Darius Brown, seconded by Ms. Walsh/Mr. Williams, the aforementioned Resolution was received, adopted as read and directed to be recorded and filed by the following Yea and Nay Roll Call Vote: Yeas, Council Members Chukwuocha, Congo, Darius Brown, Shabazz, Prado, Dorsey Walker, Williams, Freel, Michael Brown, Walsh and Wright, and Council President Gregory. Total, twelve. Nays, none. Absent, Council Member Cabrera. Total, one.

President Gregory: Declare it adopted. Let me take this opportunity to welcome Troop 19 Boys Scout Zion Lutheran Church. They're working towards their citizen community badge; so welcome. Could we have the committee report read please?

The City Clerk read the following committee report:

<u>Housing, Licenses &amp; Inspections Committee Member</u>	<u>Present</u>	<u>Absent with Leave</u>	<u>Absent w/out Leave</u>
Maria D. Cabrera	X		
Darius J. Brown		X	
Samuel Prado		X	
Nnamdi O. Chukwuocha	X		
Hanifa G.N. Shabazz		X	
Sherry Dorsey Walker	X		

President and Members of Council of  
The City of Wilmington

Date: April 5, 2016

Ladies and Gentlemen:

We, your Housing, Licenses & Inspection Committee, to who was referred **Ordinance No. 16-012** entitled:



AN ORDINANCE TO ANNEX A PARCEL OF LAND LOCATED AT 3604 DOWNING DRIVE, BEING NEW CASTLE COUNTY TAX PARCEL NO. 06-152.00-003, CONTAINING APPROXIMATELY 2.04 ACRES, LOCATED WITHIN THE DOWNING INDUSTRIAL PARK, CONTIGUOUS WITH THE CITY BOUNDARY IN THE VICINITY OF THE RIVERSIDE NEIGHBORHOOD ANALYSIS AREA, NEW CASTLE COUNTY, DELAWARE, AND IN CONNECTION THEREWITH, TO AMEND THE BOUNDARIES OF COUNCILMANIC DISTRICT NO. 3, THE BUILDING ZONE MAP AND THE SUPPLEMENTAL BUILDING ZONE MAP – FLOOD DISTRICTS – AND TO ADD THE ANNEXED TERRITORY TO THE CITY’S CORPORATE BOUNDARIES

Have given this Ordinance careful study and recommend Council vote on it accordingly.

Respectfully submitted, Members of  
Housing, Licenses & Inspections Committee  
/s/Maria D. Cabrera, Chair  
/s/Nnamdi O. Chukwuocha  
/s/Sherry Dorsey Walker

Upon a motion of Mr. Darius Brown, seconded by Ms. Walsh/Mr. Williams, the aforementioned Report was received, recorded and filed. Motion prevailed.

The City Clerk read the Findings. Upon a motion of Mr. Darius Brown, seconded by Mr. Williams/Ms. Walsh, the Findings were made a part of the record.

***Note: The Findings was added into the record and is attached herein as an insert from Page 26 through Page 32.***

*[the remainder of this space intentionally left blank]*

**MEMORANDUM**

**TO: The Honorable Darius Brown  
Council Member 3<sup>rd</sup> District  
The Honorable Theopolis Gregory, City Council President  
The Honorable Members of City Council**

**FROM: Michael P. Migliore  
City Solicitor**

**DATE: April 7, 2016**

**RE: City Council Findings Supporting Enactment Of Ordinance No. 16-012, to Annex a Parcel of Land, Located at 3604 Downing Drive, Being New Castle County Tax Parcel No. 06-125.00-003, Containing Approximately 2.04 Acres, Located Within the Downing Industrial Park, Contiguous with the City Boundary in the Vicinity of the Riverside Neighborhood Analysis Area, New Castle County, Delaware, and in Connection Therewith, to Amend the Boundaries Of Councilmanic District No. 3, the Official Building Zone Map, and the Supplemental Building Zone Map – Flood Districts – and to Add the Annexed Territory to the City’s Corporate Boundaries.**

Enclosed please find a copy of the Findings prepared in connection with Council’s scheduled Public Hearing on April 7, 2016, regarding the above-referenced ordinance. The Findings supplement the record of the Planning Commission and its report, as well as the record of the Council’s Public Hearing, and the Law Department advises their inclusion in the record as a means of complying with Delaware Court decisions that involve zoning ordinances of County governments, but the principles of which apply to Wilmington, as well.

In this instance, the Findings support the provisions of the Ordinance. The Findings and the Ordinance reflect the recommendations approved by the City Planning Commission at its regular meeting following its public hearing on March 15, 2016. At that meeting, the Planning Commission approved its Resolution No. 04-16, which approves the annexation and the necessary rezoning of the territory. The enclosed Findings support those recommendations.

Should you have any questions regarding this matter, please do not hesitate to contact me.

**The Honorable Darius Brown**  
**Members of City Council**  
**April 7, 2016**

MPM/ajh  
Enclosure

cc: Gary Fullman, Acting Chief of Staff (w/ enc.)  
Romain Alexander, City Council Chief of Staff (w/ enc.)  
Maribel Seijo, City Clerk (w/ enc.)  
Leonard Sophrin, Director Planning (w/ enc.)  
Gwinneth Kaminsky, Planning Manager (w/enc.)  
James G. DiPinto, Zoning Manager (w/ enc.)  
Anthony J. Hill, Assistant City Solicitor (w/ enc.)  
Brenda James-Roberts, Senior First Assistant City Solicitor (w/ enc.)  
Kalila Hines, Legal Legislative Assistant (w/ enc.)

**FINDINGS SUPPORTING ENACTMENT OF ORDINANCE NO. 16-012**

✓ CITY COUNCIL'S FINDINGS SUPPORTING ENACTMENT OF ORDINANCE NO. 16-012, which is an annexation ordinance to add a parcel of land, containing approximately 2.04 acres as illustrated on the maps attached to Ordinance 16-012 and as depicted on the map attached hereto, and to assign a zoning designation of M-1 (light manufacturing) to the annexed parcel of land.

The Council Findings support the assignment of the zoning classification of M-1 (light manufacturing) to the area of the annexation.

**FINDINGS SUPPORTING ENACTMENT OF ORDINANCE NO. 16-012**

Zoning Action:

Assign the zoning classification of M-1 (light manufacturing) to the Area of Annexation, the boundaries of which are described in the maps attached to Ordinance 16-012 and as illustrated on the attached map.

1. The proposed zoning action is consistent with the Price's Run/Riverside/11<sup>th</sup> Street Bridge Comprehensive Development Plan, as proposed to be amended, which is being adopted by City Council Resolution contemporaneously herewith.
2. The existing land use patterns appear to have been adverse to certain uses and future improvements and the area is more likely to be developed in an appropriate manner if the proposed zoning actions are enacted for uses and purposes within the M-1 zoning classification as set forth in Chapter 48 of the City Code.
3. Assigning the zoning designation to the said property will not create any isolated districts, but rather will better relate the property to the nearby areas and future best uses of the property.
4. The proposed zoning action will have no negative effect on population density patterns and will not overburden public utilities and facilities.
5. The proposed zoning action will have positive, and not adverse, influence on uses in the area, particularly with regard to light manufacturing uses which will promote the growth of blue collar jobs within the City.
6. The proposed zoning action will not create or excessively increase traffic congestion or otherwise adversely affect public safety.
7. The proposed zoning action will not seriously reduce light and air to adjacent areas, but will be consistent with and complementary to the zoning classifications of nearby zoning districts and the property uses therein.

8. The proposed zoning action will not adversely affect property values in the adjacent areas, nor will it be a deterrent to the improvement or redevelopment of adjacent properties, but rather should have a positive effect.
9. The proposed zoning action will best serve the public welfare and will not constitute a grant of any special privilege to any individual owner of property.
10. The proposed zoning action will not be out of scale but rather will be consistent with the needs and current and future uses of the subject area and the City of Wilmington.
11. The proposed zoning action is consistent with the adjacent M-1 zoning.
12. The proposed zoning action reduces the higher density and potentially adverse nature of current heavy industrial designation on the adjacent neighborhoods.
13. The proposed zoning action adhere to the standards set forth in the applicable provisions of Chapter 48 of the City Code, Title 22 of the Delaware Code, and applicable Delaware case law.

## CONCLUSION

This concludes the set of Council's Findings for the property that is subject to the zoning action set forth in Ordinance 16-012 and as illustrated on the maps attached to that ordinance and on the map attached to these findings. The Ordinance incorporates the recommendations of the Planning Commission in its Resolution 03-16 and 04-16 regarding the amended Comprehensive Development Plan for the Price's Run/Riverside/11<sup>th</sup> Street Bridge area and the zoning action as approved by the City Planning Commission. The zoning action is part of the ordinance that approves the annexation of the area as part of the 3<sup>rd</sup> Council District in the City of Wilmington.

**MAP 1**

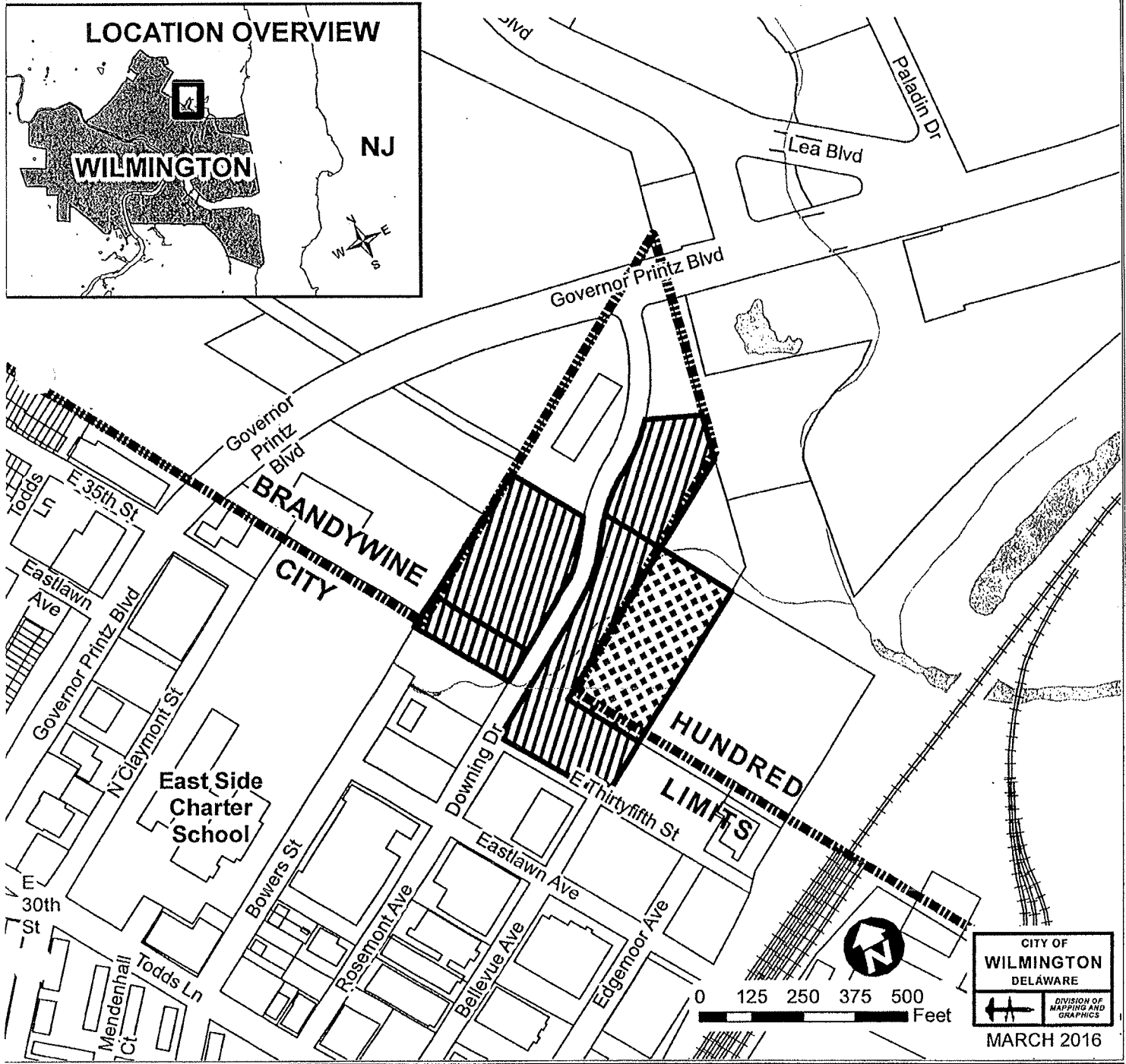
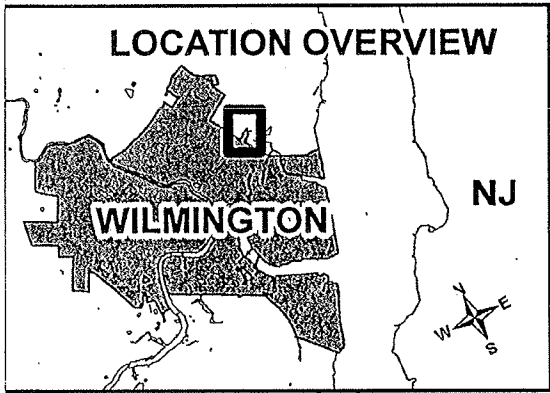
**PROPOSED AREA OF ANNEXATION  
3604 Downing Drive**



Annexation Site

Other Property Owned by Applicant

**Tax Parcel 06-152.00-003  
1 parcel totaling approximately 2.04 acres**



CITY OF  
WILMINGTON  
DELAWARE  
DIVISION OF  
MAPPING AND  
GRAPHICS  
MARCH 2016



Mr. Darius Brown: Mr. President, I have an Ordinance to present.

Mr. Darius Brown presented and called for the third and final reading Ordinance No. 16-012 (Agenda #4177) entitled:

AN ORDINANCE TO ANNEX A PARCEL OF LAND LOCATED AT 3604 DOWNING DRIVE, BEING NEW CASTLE COUNTY TAX PARCEL NO. 06-152.00-003, CONTAINING APPROXIMATELY 2.04 ACRES, LOCATED WITHIN THE DOWNING INDUSTRIAL PARK, CONTIGUOUS WITH THE CITY BOUNDARY IN THE VICINITY OF THE RIVERSIDE NEIGHBORHOOD ANALYSIS AREA, NEW CASTLE COUNTY, DELAWARE, AND IN CONNECTION THEREWITH, TO AMEND THE BOUNDARIES OF COUNCILMANIC DISTRICT NO. 3, THE BUILDING ZONE MAP AND THE SUPPLEMENTAL BUILDING ZONE MAP – FLOOD DISTRICTS – AND TO ADD THE ANNEXED TERRITORY TO THE CITY’S CORPORATE BOUNDARIES

Upon a motion of Mr. Darius Brown, seconded by Ms. Walsh, the aforementioned Ordinance was read for the third and final time and was adopted by title and section recurring to the Enacting Clause and was passed by the following Yea and Nay Roll Call Vote: Yeas, Council Members Chukwuocha: Yes, I’m in support because of the findings and community support; Congo: Yes, based on the community support; Darius Brown: Yes, based on the community support and the Planning Commission Report; Shabazz: Yes, based on the findings and the community support; Prado: Yes, based on the findings; Dorsey Walker: Yes, based on the community support and the findings; Williams: Yes, based on the findings; Freel: Yes, based on the findings; Michael Brown: Yes, based on the Planning’s Finding Report, the Planning Department; Walsh: Yes, based on the Planning Commission Report; Wright: Yes, as a member of the Eastlawn Civic Association and their stated support as well; and Council President Gregory: Yes, consistent with the growth and development of that neighborhood. Total, twelve. Nays, none. Absent, Council Member Cabrera. Total, one.

President Gregory: Declare it adopted. Mr. Brown.

Mr. Darius Brown: Mr. President, I have an Ordinance to present on your behalf.

On behalf of President Gregory, Mr. Darius Brown presented and called for the third and final reading Ordinance No. 16-013 (Agenda #4180) entitled:

AN ORDINANCE AUTHORIZING THE CITY TO ENTER INTO A LEASE AGREEMENT WITH THE URBAN BIKE PROJECT OF WILMINGTON, INC., FOR THE LEASE OF THE PREMISES LOCATED AT 301 EAST 15<sup>TH</sup> STREET

On the question:

Mr. Darius Brown: Yes Mr. President, this Ordinance is being presented by the Administration to Council, which would for a two-year lease agreement between Urban Bike Project of Wilmington for the use of the City-owned property at 301 East 15<sup>th</sup> Street. The monthly lease fee for this agreement is \$500 per month. The Urban Bike Project currently is leasing this property from the City and has been a strong partner throughout the City but particularly in the northeast and eastside throughout its existence.

President Gregory: This is one of the earlier projects that we had the chance to collaborate on with the Administration and City Council and also within City Council myself, Councilman Brown and staff person John Rago, we found out the Urban Bike Project was looking for a new location and consulted with staff and went immediately to Harry Gray and ask him if he knew of a location and actually we took the location to him. The old horse stable and they've been there ever since. It was a temporary arrangement until some permanent find – some permanent decisions made for the stable. So, it's a good relationship and they're keeping it up so it's not an eyesore in the community. So, it was – it was a good discussion – a good way to resolve a situation and keep a healthy project in the City of Wilmington. The Clerk will call the roll.

Upon a motion of Mr. Darius Brown, seconded by Ms. Walsh/Mr. Williams, the aforementioned Ordinance was read for the third and final time and was adopted by title and section recurring to the Enacting Clause and was passed by the following Yea and Nay Roll Call Vote: Yeas, Council Members Chukwuocha, Congo, Darius Brown, Shabazz, Prado, Dorsey Walker, Williams, Freel, Michael Brown, Walsh and Wright, and Council President Gregory. Total, twelve. Nays, none. Absent, Council Member Cabrera. Total, one.

President Gregory: Declare it adopted. Ms. Shabazz.

Ms. Shabazz: Yes Mr. President, I have an Ordinance to present and call for the third and final reading.

Ms. Shabazz presented and called for the third and final reading Ordinance No. 16-010 (Agenda #4166) entitled:

AN ORDINANCE TO AUTHORIZE AN EXTENSION TO CITY CONTRACT 14045WDPS, FIRE HYDRANT TESTING AND REHABILITATION SERVICES, WITH UTILITY SERVICE CO., INC.

On the question:

Ms. Shabazz: This Ordinance is being presented by the Administration for Council review and approval and authorize through Administration through the Department of Public Works to extend for one additional year, the contract with Utility Services, Inc., for the inspection, water flow testing and rehabilitation of the City's approximately 2,500 fire hydrants. The original contract with USC became effective last March and contained two, one-year contract extension periods.

President Gregory: Did we get how much this cost us to do this in the County? That question was asked of all two or three of the ordinances that are coming up now.

Ms. Shabazz: Did they give that to staff?

President Gregory: We were supposed to get some figures. Did we get them? Did we get them?

Mr. Michael Brown: No.

President Gregory: Can we hold these if you don't mind? There's no urgency for them. We wanted those numbers.

Ms. Shabazz: Yeah, we did – we did want those numbers and it was discussed in committee.

President Gregory: Can we hold these? Can we hold #4166, #4167?

Ms. Shabazz: I have no problem with holding them.

President Gregory: Yeah; we're going to hold #4166 and #4167. So you have #4189?

Ms. Shabazz: That's correct.

President Gregory: This is the issue. We lost a lot of money through the property casualty tax adjustment....

Ms. Walsh: Mr. President, do you want to go out of the question right now?

President Gregory: We're going to go out of the question.

Ms. Walsh: Ok; thank you.

President Gregory: But we're going to hold. We're going to hold these. But yet, we're now servicing their fire hydrants and water lines in the County and presumably the reason why we are getting the money we were getting is because we are providing services out there.

Ms. Shabazz: Correct.

President Gregory: We need to know how much its costing us to go out there and we were promised these numbers. We need the numbers.

Ms. Shabazz: I agree.

President Gregory: Ok; thank you. Thank you for letting me...

Ms. Shabazz: So, on the question.

President Gregory: ...kind of vent and go out of order.

Mr. Michael Brown: They couldn't really hear you. You weren't talking in the mic.

President Gregory: We need the numbers, okay?

Ms. Shabazz: Mr. President, I'd like to hold #4166 and #4167.

Ms. Walsh: Mr. President, I think you actually at this point have to table it because it's already been introduced and the question is called.

President Gregory: Hold on. I can hold it? Alright, we're going to hold #4166...

Ms. Shabazz: ...66 and #4167.

President Gregory: ...#4167. Since I agree with you, I'm going to listen to you this time. You didn't get that? You got that? Thank you; I appreciate that. Okay, we're going to go to #4189.

Note: Ordinance No. 16-010 (Agenda #4166) and Ordinance No. 16-011 (Agenda #4167) were both **HELD** due to not receiving the information requested by President Gregory.

Ms. Shabazz: No. That's a first and second.

Mr. Wright: You still got a - -

President Gregory: The next ordinance is #4189.

Ms. Shabazz: That's correct. Yes sir. Mr. President, I have an Ordinance to present and call for the first and second reading.

Ms. Shabazz presented and called for the first and second reading Ordinance No. 16-019 (Agenda #4189) entitled:

AN ORDINANCE TO ENACT CERTAIN TRAFFIC/  
PARKING REGULATIONS

The aforementioned Ordinance was given two separate readings by title only and upon a motion of Ms. Shabazz, seconded by Ms. Walsh, the Ordinance was received, recorded and referred to the Public Works & Transportation Committee. Motion prevailed.

Ms. Shabazz presented and called for the first and second reading Ordinance No. 16-020 (Agenda #4190) entitled:

AN ORDINANCE TO APPROVE THE REMOVAL OF A  
PORTION OF E-STREET, CLAYMONT STREET, AND  
GREEN STREET FROM THE OFFICIAL CITY MAP

The aforementioned Ordinance was given two separate readings by title only and upon a motion of Ms. Shabazz, seconded by Mr. Williams, the Ordinance was received, recorded and referred to the Public Works & Transportation Committee. Motion prevailed.

Ms. Shabazz: Last Mr. President, I have a Resolution to present on your behalf.

On behalf of President Gregory, Ms. Shabazz presented Resolution No. 16-027 (Agenda #4191) as follows:

**WHEREAS**, supporting and facilitating job creation is considered by many to be a vital function of government, particularly at the local level; and

**WHEREAS**, this is especially true in Wilmington, where City officials and leaders work diligently to foster an environment ripe for job creation; and

**WHEREAS**, House Bill No. 283, also known as the Veterans, Skilled Workers, and Community Workforce Act, has been introduced in the Delaware General Assembly and is presently being considered by State lawmakers; and

**WHEREAS**, the bill would require that, on all State-funded construction, public works or improvement projects, contractors and subcontractors draw 30-percent of their workforce from the Representative District within which the project is located, and 5-percent of their workforce from among eligible Delaware veterans; and

**WHEREAS**, this legislation is poised to have a significant impact in securing employment for Delawareans throughout the State, and in mobilizing the local community through applicable State-funded projects; and

**WHEREAS**, the City Council seeks to express its support of this legislation and the promise it shows to help support employment for Wilmingtonians.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON**, that the Council supports House Bill No. 283, and respectfully encourages State representatives throughout Delaware to support the measure – and by extension, the hiring of local residents in Wilmington and beyond to put their skills to work on State-funded construction, public works and improvement projects throughout Delaware.

On the question:

President Gregory: You can speak to it.

Ms. Shabazz: Ok. This Resolution is being presented by City Council for Council's review and approval. Council would urge the Delaware General Assembly to pass House Bill 283, also known as the Veterans, Skilled Workers and Community Workforce Act. This legislation would require that on all State-funded construction, public works or improvement projects, contractors and sub-contractors draw 30% of the workforce for a particular project from the Representative District within which the project is located and 5% of the workforce from among eligible Delaware veterans.

President Gregory: Mr. Wright.

Mr. Wright: Can I be added as a cosponsor please?

President Gregory: Absolutely. Ms. Dorsey Walker.

Ms. Dorsey Walker: I'd like to be a cosponsor as well please? Thank you.

President Gregory: Absolutely. Mr. Williams.

Mr. Williams: Likewise. Thank you.

President Gregory: Mr. Brown.

Mr. Brown: Likewise.

Mrs. Seijo (City Clerk): M. Brown or?

Mr. Michael Brown: Michael Brown, Sr.

President Gregory: Mr. Chukwuocha.

Mr. Chukwuocha: As well Mr. President; thank you sir.

President Gregory: The Clerk will call the roll.

Upon a motion of Ms. Shabazz, seconded by Mr. Williams, the Aforementioned Resolution was received, adopted as read and directed to be recorded and filed by the following Yea and Nay Roll Call Vote: Yeas, Council Members Chukwuocha, Congo, Darius Brown, Shabazz, Prado, Dorsey Walker, Williams, Freel, Michael Brown, Walsh and Wright, and Council President Gregory. Total, twelve. Nays, none. Absent, Council Member Cabrera. Total, one.

President Gregory: Declare it adopted. Mr. Prado

Mr. Prado: Nothing tonight Mr. President.

President Gregory: Ms. Dorsey Walker.

Ms. Dorsey Walker: Mr. President, I have an Ordinance to present on behalf of you and I and call for the first and second reading.

President Gregory: Thank you.

On behalf of President Gregory, Ms. Dorsey Walker presented and called for the first and second reading Ordinance No. 16-021 (Agenda #4192) entitled:

AN ORDINANCE TO CLOSE A PORTION OF LIBERTY STREET

The aforementioned Ordinance was given two separate readings by title only and upon a motion of Ms. Dorsey Walker, seconded by Ms. Walsh, the Ordinance was received, recorded and referred to the Finance Committee. Motion prevailed.

President Gregory: Mr. Williams

Mr. Williams: Mr. President, I have an Ordinance to call for the third and final reading.

Mr. Williams presented and called for the third and final reading Ordinance No. 15-039 (Agenda #4096) entitled:

AN ORDINANCE TO AMEND CHAPTER 40 OF THE CITY CODE REGARDING EMPLOYEES' DISCLOSURE OF DELINQUENT PROPERTY TAXES, WATER/SEWER FEES, LICENSES AND INSPECTIONS FEES, FEES RELATED TO PARKING OR RED LIGHT VIOLATIONS, OR OTHER OBLIGATIONS OWED TO THE CITY

Mr. Williams: Mr. President, I have a **Substitute** to present in lieu of that ordinance:

AN ORDINANCE TO AMEND CHAPTER 40 OF THE CITY CODE REGARDING ELECTED AND APPOINTED CITY OFFICIALS' DISCLOSURE OF DELINQUENT PROPERTY TAXES, WATER/SEWER FEES, LICENSES AND INSPECTIONS FEES, FEES RELATED TO PARKING OR RED LIGHT VIOLATIONS, OR OTHER OBLIGATIONS OWED TO THE CITY

On the question:

Mr. Williams: Mr. President, this Ordinance is being presented tonight to Council for its review and approval. If approved, Council would be authorizing amendments to Chapter 40 of the City Code that would require elected and appointed City employees to report annually any outstanding delinquencies to the City in taxes or fees. Specifically, this Ordinance would require all elected and appointed City officials to file an annual declaration of delinquent obligations with the City's Human Resources Department by the last day of January. Elected and appointed employees would have to declare if they are delinquent on property taxes, water/sewer fees, license and inspections fees, parking or red light fines or fees, or any other obligation owed to the City. Failure to comply with the law would be a Class A misdemeanor offense under a State law that prohibits individuals from making a false written statement. Maximum violations of the law are punishable by up to one year of incarceration and a fine of up to \$2,300, restitution or other conditions as a court may deem appropriate.

President Gregory: Mr. Brown.

Mr. Michael Brown: Thank you Mr. President. Originally, I said I wasn't going to support this thing but – but something fell out of the sky and hit me in the head and I woke up and said, well you're not going to be here next year. So, it really doesn't affect you but – than again, I look at it this way. With all the violations and the penalties that was read off, we have folks violating stuff now that should be aggressively going after and we don't. And, we have possibly – or, we know we got a new administration coming in on Council side and the President would have the obligation or the responsibilities would lay on he or she to appoint its staff members and that President or



that individual in all essence should be the one that do the vetting and as well as – as long as the policies that are on the books right now, residency and all these other things that are – that are adhered to. But I, you know, like I said, you know, it takes away in my opinion, even with the next Mayor that's going to come over on the other side, he or the next Mayor have an opportunity to add appointees in different directorships and that Mayor, should – when he vets' them before he hires them, along with the personnel policy that says, you know, you – you have to live in the City six (6) months after hire and in order to get an extension you have to go to the Board of Residency to get a six (6) months extension approved by the Mayor and that Board and then all the other policies that follow within. But again, I hesitated; I said I wasn't going to vote for it but it's all right with me tonight. I'm good. I'm going to ahead and let my vote be a Yea vote because guess what, December 31<sup>st</sup> I won't be here after that. So, thank you.

President Gregory: Real quick. I was not in favor in the Ordinance when it included employees, which would be other than appointed and elected officials. I'm ok with appointed and elected officials and I told Mr. Williams that I would cosponsor it with him if he made – took out regular employees and I think that's appropriate. So, that's why I'm on it as a cosponsor. Also, I was concern about the misdemeanor aspect of it but in order to commit a misdemeanor, false statement has to be an intentional act. Not a reckless act or a negligent act or inadvertence. It's got to be intentional. My concern was having six (6) children and they all can drive now and they drive my car and they don't always tell me when they get a ticket and I find out when I get the letter in the mail and there was some concern there. But again, that wouldn't be an intentional act. That would be an inadvertent act. So, it has to be intentional. But - and also, I want to make sure that the misdemeanor standard was the same for residency and for the conflict statements that we submit and I'm told that it is. And, as Mr. Brown noted, we don't enforce those too, so, I assume there be – we'll do something with this. So, with that I think it's a good piece of legislation. The Clerk will call the roll.

Upon a motion of Mr. Williams, seconded by Ms. Walsh, the aforementioned **Substitute** Ordinance was read for the third and final time and was adopted by title and section recurring to the Enacting Clause and was passed by the following Yea and Nay Roll Call Vote: Yeas, Council Members Chukwuocha, Congo, Darius Brown, Shabazz, Prado, Dorsey Walker, Williams, Freel, Michael Brown, Walsh and Wright, and Council President Gregory. Total, twelve. Nays, none. Absent, Council Member Cabrera. Total, one.

President Gregory: Declare it adopted. Mr. Williams.

Mr. Williams: Mr. President, I have a Resolution to present.

Mr. Williams presented Resolution No. 16-028 (Agenda #4193) as follows:

**WHEREAS**, Delaware, like many other states, has witnessed a dramatic increase in the abuse of heroin and opioids in recent years, and as a result has experienced an increase in the number of patients overdosing on these substances; and

**WHEREAS**, medical professionals promote the use of the life-saving drug Naloxone – frequently referred to as Narcan – as an emergency medication administered to an individual suffering an overdose, and one that has repeatedly been shown to counteract the effects of an opioid-related overdose; and

**WHEREAS**, while Narcan has long been carried by paramedics and stocked in hospitals, an increasing number of law enforcement agencies across the country are beginning to train officers to carry the emergency medication; and

**WHEREAS**, police departments have reported tremendous success, with many officers deploying Narcan and saving patients in the initial days of carrying the medication; and

**WHEREAS**, a policy requiring police officers to carry Narcan while on duty offers tremendous promise to further enhance the life-saving capacity of law enforcement officials in Wilmington.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON**, that the Council respectfully encourages leaders of the Wilmington Police Department to provide training and certify officers to carry Narcan while on duty. It is the hope of the Council that continued efforts to identify and implement such tools and programming will help to combat the increase in heroin and opioid overdoses experienced by those in Wilmington.

On the question:

Mr. Williams: Mr. President, if approved, Council would be requesting that the Administration require that the Wilmington Police Department to provide training and certification for police officers to carry and administer Narcan, an emergency medication that has been shown to counteract the effects of opioid-related drug overdoses.

President Gregory: Mr. Brown.

Mr. Michael Brown: Yes Mr. President, if all Council Members would bear with me. If you know I had inserted the – an old ordinance – I mean a Resolution from September – that was dated September 18, 2014 sponsored by myself and cosponsored by Mr. Williams in referenced to Narcan. I also attached a response from the Chief of Police that I want to make sure that back in – back then we had had a public safety hearing and officially the question was asked at the meeting, do your department need Narcan? And, he said “no” then and he says “no” now. Well, after hearing – listen, I know - something – something – here recently – here recently something’s been falling hitting me on my head. After speaking to two of the constituents and hearing them speak and then when one of the constituent came over to me and I reflected – I reflected on a conversation and I promise that I had made to my mother, God bless her soul, I grew up in New York City watching heroin addicts shoot heroin when I was ten, eleven, twelve years old – look out the window and they were in the alley I used threw things down at

them, try to chase them away, I watched them OD in the alley, I've rush down them and put them under the water hydrant and walked around the block with friends and try to revive them. They didn't this kind of stuff. And then after speaking with them, I sat here and I kept reflecting on my promise that I made to my mother that I would never shoot drugs. And, I frown when they put a needle in my arm, I chinch. And so, and so – I came to fight this tonight but I changed my mind. Anything that we can do to encourage the Wilmington Police Department to change or the Chief of Police to change his mind and his decision – in the meantime also be more educated and telling folks that the pharmacy – that the State has passed a law and the pharmacy would be selling Narcan real, real soon at a possibly \$40 a pop. So, I'm going to vote for this tonight and it's only in good heart that I do not want to tie up this piece legislation through a debate and – and or an argument. But this is the final thing I want to say, when they – the two sponsors of this bills was doing this, I thought it would be just as courteous – we get on the Mayor's Office for not talking to us and not sharing with us – some of us in here anyway, let me take that back. Some of us do. And, I just thought it would be nice if someone would have shared this with Public Safety Chair due to the fact that we had already put this piece legislation out there. Other than that Mr. President, I'm going to support this tonight.

President Gregory: Mr. Congo.

Mr. Congo: Yes thank you. Do we know why the Police Department is hesitant to do this?

President Gregory: I can't speak to it.

Mr. Congo: Does anyone know? Has anyone heard...?

President Gregory: I don't know.

Mr. Williams: It's never been offered.

President Gregory: I don't know why - other than offered. I do not know why – what the policy reason is for the police department to not want to do this. But the letter that I saw that Mr. Cummings sent said that – read that letter...

Mr. Michael Brown: Yes Mr. President...

President Gregory: ...that would give you the reason why.

Mr. Williams: It's says the paramedics have it.

President Gregory: Because the paramedics have it. That's the why. That's the reason.

Mr. Congo: It doesn't make sense.

President Gregory: That's the stated, the most officially stated reason on record that we have.

Mr. Michael Brown: I can also...I'm sorry.

President Gregory: Just a minute.

Mr. Congo: I guess I say that because we have way more overdose deaths than we do homicides and it seems like anything that we can do to, you know, to bring that number down, it's just a no brainer. But, I guess I would have to have that kind of dialogue with Chief and some other people from the Police Department.

President Gregory: Mr. Brown.

Mr. Michael Brown: I had a couple of conversations with him Councilman and Councilpersons. Especially back when we had the committee meeting and afterwards I said, you're sure you do not – you don't want this? And, he told me – he shared with me that one of the reasons is that his folks don't always get there on first call – first roll. It's usually paramedics and/or the Fire Department. So, that was one of his reasons. It's not that there wasn't any funds out there to get this but he – that was the reason he gave me than and it was the reason he gave about two (2) months ago.

President Gregory: Mr. Williams.

Mr. Williams: Thank you Mr. President. Clearly there's about two thousand doses of this that's available for law enforcement usage. We had some dialogue over the fact that the Wilmington Police did not want a homicide unit. We had a long dialogue about that. Now, we have a homicide unit and look how successful they are. I'm going to read a real quick letter here: Wilmington Police Department, Wilmington Police officers responded and saved two lives. Wilmington responded to two heroin overdoses last night and the early morning hours, one of the overdose victims was saved, the other one was not. The first responder happened about 9:32, the officers were called to a residence in reference to a male subject to a possible overdose – got there - it was too late. The subject was DOA. The second incident occurred at approximately 12:58. They were called to a 25 year old female who was unresponsive, the officers located the victim on the floor, she was not breathing, had no pulse, they administered a dose of Naloxone in the victim's leg and her pulse returned but it was weak. Another dose administered in the opposite leg, her pulse was than strong, she began breathing on her own. That happened in Wilmington – Wilmington, North Carolina. There's no reason why that can't happen here in Wilmington, Delaware. The reasoning that the paramedics are the first ones on scene, I'll tell you it's completely a myth. Wilmington Police officers by very nature, check out suspicious vehicles parked down alleyways, parked in a dark park, parked behind buildings, this is where heroin addicts like to go and use their wares. So

the officers are usually the first ones upon that vehicle when somebody is not responsive. The immediate administration of Naloxone has immediate impact. It won't affect any other organ of the body. It would only affect the opioid. The fact that the paramedics are coming, we've heard in the past, you know, as one of the person that came here earlier and said they came upon a subject they had to standby and wait for the paramedics to get there. It just – it doesn't make sense. With that I just ask you to call for the vote.

President Gregory: I'm not going to do that right now. Ms. Dorsey Walker.

Ms. Dorsey Walker: Thank you Mr. President. Just very quickly; I'd like to address Councilman Michael Brown's concern –

Mr. Michael Brown: Sr.

Ms. Dorsey Walker: Excuse me; Michael A. Brown, Sr.'s concern. We – this piece of legislation – well, this Resolution actually went through the Health, Aging & Disabilities Committee and we made sure we – the members of the Committee – made sure that all members of Council were notified of what was going to be on the agenda, so, just wanted to ensure that he was aware of that.

President Gregory: Mr. Humes, can you stay till the end of the meeting, I want to talk to you and the two young ladies who are with you? I happened to kind of casually walk that way after they spoke, not for the purpose of talking to them necessarily but I told them that Mike Brown was approachable; I told them that the legislation had some challenges and I said, you could go talk to him he's approachable. They said a lot of nice things about him also and that you should talk to him. I think that this is democracy at work; constituents were heard and were listened to, you went and lobbied him one on one – I saw you over there and you got him to change his mind about challenging this and that's a good thing. So, folks should come in and talk to us; they should lobby us; they should voice their opinion because it does work. Even if we don't agree with you, it does work. So, thank you very much but I want chat with you if you don't mind. If that - we'll call – I'm sorry Ms. Walsh.

Ms. Walsh: All I wanted to comment Mr. President was the Wilmington Police should have this. Our Police Chiefs for some reason have always been twenty-five years behind what is necessary some times. It's just not one of those little toys that someone can play with all the time. And, you know, this doesn't become a problem in our country until the middle class and the upper middle class are hit and they got hit with a sledge hammer. So, I'm glad to see it's getting the attention that it needs.

President Gregory: Thank you. The Clerk will call the roll.

Upon a motion of Mr. Williams, seconded by Ms. Walsh, the aforementioned Resolution was received, adopted as read and directed to be recorded and filed by the following Yea and Nay Roll Call Vote: Yeas, Council Members Chukwuocha, Congo, Darius Brown, Shabazz, Prado, Dorsey Walker, Williams, Freel, Michael Brown, Walsh and Wright, and Council President Gregory. Total, twelve. Nays, none. Absent, Council Member Cabrera. Total, one.

President Gregory: Declare it adopted.

Mr. Williams: Thank you.

President Gregory: Mr. Freel.

Mr. Freel: Yes sir. I have one for third and final, two for first and second and one Resolution.

Mr. Freel presented and called for the third and final reading Ordinance No. 16-008 (Agenda #4159) entitled:

AN ORDINANCE TO RATIFY AND AUTHORIZE AN  
AGREEMENT WITH BELFINT, LYONS & SHUMAN, P.A.,  
FOR THE CONDUCT OF THE CAFR AND FEDERAL FUNDS  
AUDITS FOR FISCAL YEARS 2015, 2016 AND 2017

On the question:

Mr. Freel: Yes Mr. President, this allows the Administration to enter a three-year contract with Belfint, Lyons & Shuman Public Accounts to both audit our Comprehensive Annual Financial Reports and the Federal Funds that we receive every year. The good thing about the contract is it sets its fee at 185 and that's where it stays for all three-years.

President Gregory: Thank you. The Clerk will call the roll.

Upon a motion of Mr. Freel, seconded by Ms. Walsh, the aforementioned Ordinance was read for the third and final time and was adopted by title and section recurring to the Enacting Clause and was passed by the following Yea and Nay Roll Call Vote: Yeas, Council Members Chukwuocha, Congo, Darius Brown, Shabazz, Prado, Dorsey Walker, Williams, Freel, Michael Brown, Walsh and Wright, and Council President Gregory. Total, twelve. Nays, none. Absent, Council Member Cabrera. Total, one.

President Gregory: Declare it adopted. I think I was talking earlier to Troop 19. To let you know that it does work. You know, when you participate that it does work. I forgot to add that on the end of my little speech there. Declare it adopted.  
Mr. Freel.

Mr. Freel presented and called for the first and second reading Ordinance No. 16-022 (Agenda #4194) entitled:

AN ORDINANCE ESTABLISHING SALARIES OF CITY COUNCIL MEMBERS TO BE EFFECTIVE AS OF THE FIRST TUESDAY IN JANUARY, 2017

The aforementioned Ordinance was given two separate readings by title only and upon a motion of Mr. Freel, seconded by Ms. Walsh, the Ordinance was received, recorded and referred to the Finance Committee. Motion prevailed.

Mr. Freel presented Resolution No. 16-029 (Agenda #4195) as follows:

**WHEREAS**, pursuant to Section 2-363 of the Code of the City of Wilmington ("City"), the City may apply for and receive grant funds to be used for a wide variety of City activities, subject to the approval of City Council; and

**WHEREAS**, pursuant to Senate Bill 160 (the Fiscal Year 2016 Bond and Capital Improvements Act), the Delaware General Assembly has appropriated \$750,000.00 to the City of Wilmington for the Real Time Crime Center and \$500,000.00 to the City of Wilmington for park improvements; and

**WHEREAS**, the Chief of Police has recommended that City Council approve the City's acceptance of the State appropriated funds for the Real Time Crime Center; and

**WHEREAS**, the Department of Planning and Development has recommended that City Council approve the City's acceptance of the State appropriated funds for the park improvements; and

**WHEREAS**, Council deems it necessary and appropriate to authorize the Wilmington Police Department to accept the appropriated State funds and proceed with the implementation of the Real Time Crime Center; and

**WHEREAS**, Council deems it necessary and appropriate to authorize the Department of Planning and Development to accept the appropriated State funds and proceed with the park improvements.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that the Wilmington Police Department is hereby authorized to accept the \$750,000.00 appropriated by the Delaware General Assembly pursuant to Senate Bill 160 (the Fiscal Year 2016 Bond and Capital Improvements Act) and take all necessary actions to accept the appropriated funds and implement the Real Time Crime Center.

**BE IT FURTHER RESOLVED** that the Department of Planning and Development is hereby authorized to accept the \$500,000.00 appropriated by the Delaware General Assembly pursuant to Senate Bill 160 (the Fiscal Year 2016 Bond and Capital Improvements Act) and to take all necessary actions to accept the appropriated funds and proceed with the park improvements.

On the question:

Mr. Freel: Yes Mr. President, the Bond Bill that was passed last – I guess, June 30<sup>th</sup>, had two appropriations in there for the City of Wilmington and one was for \$750,000 for a Real Time Crime Center and the other one was \$500,000 for the City of Wilmington park improvements and this just okay's the acceptance of those grants.

President Gregory: The Clerk will call the roll.

Upon a motion of Mr. Freel, seconded by Ms. Walsh, the aforementioned Resolution was received, adopted as read and directed to be recorded and filed by the following Yea and Nay Roll Call Vote: Yeas, Council Members Chukwuocha, Congo, Darius Brown, Shabazz, Prado, Dorsey Walker, Williams, Freel, Michael Brown, Walsh and Wright, and Council President Gregory. Total, twelve. Nays, none. Absent, Council Member Cabrera. Total, one.

President Gregory: Declare it adopted.

Mr. Freel presented and called for the first and second reading Ordinance No. 16-023 (Agenda #4196) entitled:

AN ORDINANCE TO AUTHORIZE AN INSTALLMENT  
PAYMENT AGREEMENT AND A SECURITY AGREEMENT  
WITH VAR RESOURCES, LLC, D/B/A VAR TECHNOLOGY  
FINANCE, TO FINANCE THE PROCUREMENT OF  
CERTAIN COMPUTER HARDWARE AND SOFTWARE

The aforementioned Ordinance was given two separate readings by title only and upon a motion of Mr. Freel, seconded by Ms. Walsh, the Ordinance was received, recorded and referred to the Finance Committee. Motion prevailed.

Mr. Freel: I have one final Resolution on your behalf.

On behalf of President Gregory, Mr. Freel presented Resolution No. 16-030 (Agenda #4197) as follows:

**WHEREAS**, pursuant to Title 22, Section 811 of the Delaware Code, a municipal corporation's home rule charter may be amended by act of the Delaware General Assembly passed with the concurrence of two-thirds of all members elected to each House thereof; and

**WHEREAS**, the City of Wilmington, upon the recommendation of the Department of Finance, desires to amend Section 8-200 of the City Charter relating to contracts and procurement requirements, in order to improve the City's procurement procedures, increase public access to City contracting opportunities through internet



advertising, and to authorize the City's participation in cooperative purchasing agreements, as more particularly set forth in the proposed "House Bill," a copy of which is attached as Exhibit "A" hereto and incorporated by reference herein.

**NOW, THEREFORE**, the Mayor and the Council of the City of Wilmington respectfully request the members of the Delaware General Assembly to amend Section 8-200 of the City Charter as provided in Exhibit "A," a copy of which is attached hereto.

On the question:

Mr. Freel: Would you like to speak on this sir?

President Gregory: You can if you want to.

Mr. Freel: It basically does two things, it increases the opportunities for public access to the procurement process here in the City of Wilmington and it also gives us the ability to enter into cooperative purchasing agreement with other public entities I think within or with outside the State.

President Gregory: The Clerk will call the roll.

Upon a motion of Mr. Freel, seconded by Mr. Williams/Ms. Walsh, the aforementioned Resolution was received, adopted as read and directed to be recorded and filed by the following Yea and Nay Roll Call Vote: Yeas, Council Members Chukwuocha, Congo, Darius Brown, Shabazz, Prado, Dorsey Walker, Williams, Freel, Michael Brown, Walsh and Wright, and Council President Gregory. Total, twelve. Nays, none. Absent, Council Member Cabrera. Total, one.

President Gregory: Declare it adopted.

### **PETITIONS AND COMMUNICATIONS**

There were no petitions and communications presented this evening.

### **ADJOURNMENT**

Upon a motion of Ms. Walsh, seconded by Ms. Shabazz/Mr. Michael Brown, Council adjourned at 7:55 p.m. Motion prevailed.

Attest:   
*Maribel Seijo, City Clerk*