

*Wilmington, Delaware
Louis L. Redding
City/County Building
February 4, 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, Cabrera, Walsh and Wright, and Council President Gregory. Total, thirteen.

MINUTES

After reading a portion of the minutes of January 21, 2016, upon a motion of Ms. Walsh, seconded by Mr. Freel, it was moved they be accepted as written and corrected. Motion prevailed.

***Note Correction:** For the record, correction to the minutes of January 21st Council meeting. For the Committee Report of the Community and Economic Development Committee meeting dated January 13, 2016, correction of time to noon as opposed to 5:00 p.m. Also, let the record reflect those in attendance were Council Members Darius Brown and Dorsey Walker and absent with leave, Council Members Walsh, Cabrera, Congo and Wright.*

President Gregory recognized State Representative Stephanie T. Bolden who was in the audience this evening.

REPORT OF COMMITTEES

The City Clerk read the following committee report:

<u>Health, Aging & 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

Date: January 27, 2016

Ladies and Gentlemen:

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

1. Presentation on AIDS Awareness by the Wilmington Youth Leadership Commission
2. Presentation on the Delaware Health and Social Services Health Equity Report
3. Presentation on Blood Donor Awareness Month
4. Presentation on the New HIV Prevention Tool – PREP
5. Greer Firestone “Heart in the Game”

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

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

The City Clerk read the following committee report:

<u>Public Works & 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

January 20, 2016

Ladies and Gentlemen:

We, your Public Works & Transportation Committee, to who was referred **Ordinance No. 15-059** entitled:

AN ORDINANCE TO AUTHORIZE CITY CONTRACT 16011WD –
 WATER DISTRIBUTION SYSTEM MAINTENANCE – WITH
 BRANDYWINE CONSTRUCTION CO., INC.

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

Respectfully submitted, Members of
 Public Works & Transportation Committee
 /s/Nnamdi O. Chukwuocha
 /s/Samuel Prado
 /s/Robert A. Williams

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

The City Clerk read the following committee report:

<u>Public Works & 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

January 20, 2016

Ladies and Gentlemen:

We, your Public Works & Transportation Committee, met on the above date at 5:00 p.m., Councilman Nnamdi O. Chukwuocha presiding. The following item were discussed:

- Presentation on Snow Removal

Respectfully submitted, Members of
 Public Works & Transportation Committee
 /s/Nnamdi O. Chukwuocha
 /s/Samuel Prado
 /s/Robert A. Williams

Upon a motion of Ms. Walsh, seconded by Mr. Freel/Mr. Williams, 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

February 1, 2016

Ladies and Gentlemen:

We, your Finance Committee, to who was referred Sub. #1 **Ordinance No. 15-057** entitled:

AN ORDINANCE TO AMEND CHAPTER 37 OF THE CITY CODE REGARDING OUTSTANDING AND OVERDUE CITATIONS

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/Michael A. Brown, Sr.
/s/Hanifa Shabazz

Upon a motion of Mr. Freel, seconded by Ms. Walsh, 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

February 1, 2016

Ladies and Gentlemen:

We, your Finance Committee, to who was referred **Ordinance No. 15-058**
entitled:

AN ORDINANCE TO AMEND CHAPTER 2 OF THE CITY CODE
REGARDING THE ESTABLISHMENT OF THE CAPITAL
REVIEW COMMITTEE

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/Michael A. Brown, Sr.
/s/Hanifa Shabazz

Upon a motion of Mr. Freel, 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>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

February 1, 2016

Ladies and Gentlemen:

We, your Finance Committee, to who was referred:

- Discuss a Resolution calling upon the United States Congress and the President to develop a comprehensive plan to address the humanitarian and fiscal crisis facing Puerto Rico

- FY2016 2nd Quarter Expenditure Report Overview per City Code by Office of Management & Budget
- Discuss FY2015 A133 Audit & Management Letter by Outside Auditor, Belfint, Lyons, & Shuman
- Discuss FY2015 CAFR (Comprehensive Annual Financial Report) for period ending June 30, 2015

Council has given this careful consideration accordingly.

Respectfully submitted, Members of
Finance Committee
/s/Charles M. Freel, Chair
/s/Michael A. Brown, Sr.
/s/Hanifa Shabazz

Upon a motion of Mr. Freel, seconded by Ms. Walsh, 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

February 1, 2016

Ladies and Gentlemen:

We, your Finance Committee, to who was referred **Ordinance No. 16-006** entitled:

AN ORDINANCE TO AUTHORIZE THE ANNUAL RECONCILIATION OF ACCOUNTS BY TRANSFERRING FUNDS TO VARIOUS OFFICES AND DEPARTMENTS IN THE CITY OF WILMINGTON TO FULFILL OBLIGATIONS FOR THE REMAINDER OF FISCAL YEAR 2015

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/Michael A. Brown, Sr.
/s/Hanifa Shabazz

Upon a motion of Mr. Freel, 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>Housing, Licenses & 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

February 3, 2016

Ladies and Gentlemen:

We, your Housing, Licenses & Inspection Committee, to who was referred **Ordinance No. 16-007** entitled:

AN ORDINANCE TO AMEND CHAPTER 4 OF THE CITY CODE REGARDING AMENDMENTS TO THE INTERNATIONAL MECHANICAL CODE OF 2012

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/Darius J. Brown
/s/Samuel Prado
/s/Nnamdi O. Chukwuocha
/s/Theopalis K. Gregory, Sr., Ex Officio

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

The City Clerk read the following committee report:

<u>Housing, Licenses & 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: February 3, 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:

1. Discuss a Resolution Scheduling a Public Hearing on the proposed amendments to the Baynard Boulevard/Concord Avenue Neighborhood Comprehensive Development Plan on March 3, 2016
2. Discuss a Resolution scheduling a Public Hearing on the proposed rezoning of the property being the former Cathedral Church of St. John (Ordinance No. 16-003) on March 3, 2016
3. Discuss a Resolution to approve the amendment of the Baynard Boulevard/Concord Avenue Neighborhood Comprehensive Development Plan
4. Discuss a Resolution for the acquisition of 201 Vandever Avenue from Roxbury, LLC
5. Discuss a Resolution on the Promise Zone Designation Grant
6. A presentation on Nuisance Properties & Enforcement and an update on Business Revocation by the Department of Licenses & Inspections

Respectfully submitted, Members of
Housing, Licenses & Inspections Committee
/s/Maria D. Cabrera, Chair
/s/Darius J. Brown
/s/Samuel Prado
/s/Nnamdi O. Chukwuocha
/s/Theopalis K. Gregory, Sr., Ex Officio

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

TREASURER'S REPORT

The following Treasurer's Report dated February 4, 2016 was read into
the record by the City Clerk, and upon a motion of Ms. Walsh, seconded by Mr. Freel,
the Report was received, recorded and filed. Motion prevailed.

TO: THE HONORABLE MAYOR AND CITY COUNCIL OF WILMINGTON February 4, 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	\$ 2,208.41
106	Fire Pension Account	M & T Bank	\$ 1,771.31
107	Evidence/Found Currency Account	M & T Bank	\$ 205,927.66
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	\$ 30,438.94
117	Cement Workers	Wilmington Savings Fund	\$ 33,463.28
118	Worker's Comp. 3 rd Party Account	M & T Bank	\$ 13,003.23
124	Non-Uniform Pension Act of 1990	M & T Bank	\$ 4,315.86
130	Payroll	M & T Bank	\$ 250,453.46
131	Pension Payroll Account	M & T Bank	\$ 49,025.66
139	Pension Healthcare Account	M & T Bank	\$ <u>50,972.80</u>
	Total Cash on Hand		\$ 650,369.45

FUND CODE	FUND	INSTITUTION	INVEST. TYPE	MATURITY DATE	INTEREST RATE	INTEREST RECEIVABLE	INVESTMENT AMOUNT
116	General	M&T Bank	RP	02/04/16	0.01%	\$ 1.66	\$ 6,032,611.00
116	General	TD	CD	02/05/16	0.30%	\$ 621.37	\$ 1,200,000.00
116	General	TD	CD	02/05/16	0.35%	\$ 498.63	\$ 1,000,000.00
116	General	TD	CD	02/05/16	0.25%	\$ 215.76	\$ 1,500,000.00
110	Capital	TD	CD	02/19/16	0.38%	\$ 3,868.31	\$ 4,083,085.92
116	General	WSFS	CD	02/19/16	0.35%	\$ 1,476.71	\$ 2,200,000.00
116	General	TD	CD	02/22/16	0.41%	\$ 943.57	\$ 2,000,000.00
116	General	WSFS	CD	02/25/16	0.40%	\$ 1,139.72	\$ 1,600,000.00
124	Non-Uniform 1990	WSFS	CD	02/25/16	0.40%	\$ 869.92	\$ 2,835,000.00
105	Police Pension	WSFS	CD	02/25/16	0.40%	\$ 122.74	\$ 400,000.00
116	General	TD	CD	03/01/16	0.35%	\$ 383.57	\$ 1,000,000.00
116	General	TD	CD	03/04/16	0.35%	\$ 824.66	\$ 2,000,000.00
116	General ¹	TD	CD	03/15/16	0.39%	\$ 17,019.15	\$ 15,169,686.00
110	Capital	WSFS	CD	03/15/16	0.35%	\$ 12,492.98	\$ 14,476,000.00
116	General	WSFS	CD	03/18/16	0.40%	\$ 1,227.40	\$ 2,000,000.00
110	Capital	TD	CD	03/18/16	0.38%	\$ 12,389.05	\$ 10,000,000.00
110	Capital ²	TD	CD	03/18/16	0.30%	\$ 1,329.21	\$ 1,540,195.00
116	General	TD	CD	03/25/16	0.50%	\$ 1,191.78	\$ 1,500,000.00
116	General	TD	CD	04/01/16	0.30%	\$ 772.61	\$ 1,000,000.00
110	Capital	WSFS	CD	05/20/16	0.40%	\$ 19,945.20	\$ 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					\$ 1,428,006.00
104	Escrow Pension	Vanguard					\$ 38,697,527.00
104	Escrow Pension	Black Rock					\$ 24,813,958.00
104	Escrow Pension	Edgar Lomax					\$ 20,611,383.00
104	Escrow Pension	Wilmington Trust					\$ 44,708,159.00
104	Escrow Pension	Manning & Napier					\$ 9,554,367.00
104	Escrow Pension	Earnest Partners					\$ 16,017,439.00
104	Escrow Pension	GMO					\$ 10,968,973.00
104	Escrow Pension	MFS Management					\$ 21,197,520.00
104	Escrow Pension	American Funds					\$ 9,436,231.00
139	Medical Escrow	Black Rock-OPEB					\$ 13,433,619.00
116	Deferred Comp.	MassMutual					\$ 37,548,853.00
	Total Investments						\$ 361,292,807.02
	Total Cash on Hand						\$ <u>650,369.45</u>
	Grand Total						\$ 361,943,176.47

¹ Budget Reserve

² SEU

/s/Henry W. Supinski
City Treasurer

NON-LEGISLATIVE BUSINESS

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

All Council	Recognize February as Black History Month
All Council	Retirement Carolyn Martin-Pettyway
All Council	Recognize 1996 Howard High School Basketball Champ - 20 th Anniversary
Freel	Retirement Lorraine D. Ignudo
Wright	Recognize Alpha Kappa Alpha Sorority, Inc. Founders' Day

LEGISLATIVE BUSINESS

President Gregory: Mr. Chukwuocha.

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

President Gregory: Mr. Congo.

Mr. Congo: Yes Mr. President, I have a Resolution to present.

Mr. Congo presented Resolution No. 16-004 (Agenda #4155) as follows:

WHEREAS, the current Baynard Boulevard/Concord Avenue Neighborhood Comprehensive Development Plan was adopted by Council on January 12, 1984 and later amended on April 15, 1993; and

WHEREAS, the City Planning Commission approved further amendments to the “Baynard Boulevard/Concord Avenue Neighborhood Comprehensive Development Plan” at its meeting on December 15, 2015 via City Planning Commission Resolution 10-15; and

WHEREAS, the provisions of Wilm. C. '5-600(a) require that a duly advertised public hearing be held by the Council prior to the adoption of modifications to the Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON, that a public hearing on the amendments to the “Baynard Boulevard/Concord Avenue Neighborhood Comprehensive Development Plan” be held by the Council on March 3rd, 2016 at 6:30 p.m. in the City Council Chambers.

FURTHER RESOLVED, that the President of City Council and the City Clerk are hereby directed to give public notice of said hearing in the manner and form required by the provisions of the Wilmington City Charter and City Code.

On the question:

Mr. Congo: Yes Mr. President, this is just to schedule a public hearing just to make amendments to the Comprehensive Development Plan. It’s going to be on March 3rd.

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

Upon a motion of Mr. Congo, 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, Cabrera, Walsh and Wright, and Council President Gregory. Total, thirteen. Nays, none.

President Gregory: Declare it adopted.

Mr. Congo: Mr. President, I have another Resolution to present.

Mr. Congo presented Resolution No. 16-005 (Agenda #4156) as follows:

WHEREAS, Ordinance No. 16-003, which proposes amendments to Chapter 48 of the City Code relating to the zoning classifications of the site of the former Cathedral Church of St. John, the property being Tax Parcel Nos. 26-022.30-302, 26-022.30-301, 26-022.30-278, and 26-022.30-300 and located on the 2000 block of Market Street, from C-1 and R-3 to R-5A1 zoning classification, was introduced by City Council at its regular meeting of January 21, 2016; and

WHEREAS, the City Planning Commission reviewed the said Ordinance at its December 15, 2015 regular meeting and made a recommendation to approve the proposed rezoning by City Planning Commission Resolution 10-15; and

WHEREAS, the City Council proposes to schedule a public hearing for review of Ordinance No. 16-003, or a Substitute thereto, to be duly advertised in conformity with Wilm. C. '48-51, by publication in any newspaper of general circulation, at least once, not less than fifteen (15) days prior to the date of the public hearing.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON, that the Wilmington City Council hereby schedules a public hearing on Ordinance No. 16-003, or a Substitute thereto, and the respective amendments to the Neighborhood Comprehensive Development Plan for the Baynard Boulevard/Concord Avenue Neighborhood Comprehensive Development Plan to be held on March 3rd, 2016, at 6:30 p.m., in the City Council Chambers, to consider the proposed rezoning of the site of the former Cathedral Church of St. John, located on the 2000 block of Market Street from C-1 and R-3 to R-5A1 zoning classification.

FURTHER RESOLVED, that the President of City Council and the City Clerk are hereby directed to give public notice of said hearing in the manner and form required by the provisions of the Wilmington City Charter and City Code.

On the question:

Mr. Congo: Yes Mr. President, this is just to set-up a public hearing to talk about the rezoning for the Cathedral Church of St. John on March 3rd.

President Gregory: The Clerk will call the roll.

Upon a motion of Mr. Congo, 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, Cabrera, Walsh and Wright, and Council President Gregory. Total, thirteen. Nays, none.

President Gregory: Declare it adopted. Mr. Darius Brown.

Mr. Darius Brown: Yes Mr. President, I have two Resolutions and an Ordinance.

Mr. Darius Brown presented Resolution No. 16-006 (Agenda #4157) as follows:

WHEREAS, by its Ordinance No. 97-051, amending Section 2-363 of the City Code, the City Council deemed it necessary and proper to specify the requirements for review and approval of City-sponsored grant applications and proposals, including a requirement for City Council approval by resolution; and

WHEREAS, the City of Wilmington Department of Real Estate and Housing, seeks to apply for the City, or an area within the City, to be determined to be a "Promise Zone" by the United State Department of Housing and Urban Development; and

WHEREAS, in his 2013 State of the Union Address, President Barack Obama announced an initiative to designate a number of high-poverty urban, rural and tribal communities as "Promise Zones", where the federal government will partner with and invest in communities to create jobs, leverage private investment, increase economic activity, expand educational opportunities, and reduce violent crime; and

WHEREAS, communities compete for the Promise Zone designation in an application process, demonstrating the strength and effectiveness of their local partners' commitment. Each designated Promise Zone will be asked to identify outcomes they will pursue to revitalize their communities, develop a strategy supporting those outcomes, and realign resources accordingly; and

WHEREAS, the Promise Zone designation partners the federal government with local leaders who are addressing multiple community revitalization challenges in a collaborative way and have demonstrated a commitment to results; and

WHEREAS, Promise Zones will be assigned Federal staff to help navigate the array of Federal assistance and programs already available to them. In addition, Promise Zones will receive preference for certain competitive Federal grant programs and technical assistance; and

WHEREAS, subject to enactment by the United States Congress, businesses investing in Promise Zones or hiring residents of Promise Zones will be eligible to receive tax incentives. This package of assistance is intended to help local leaders accelerate efforts to revitalize their communities; and

WHEREAS, the Promise Zone designation will last for a term of 10 years.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that the Department of Real Estate and Housing is hereby authorized to apply, or to retain the assistance of professionals familiar with the application process to aid the City, or a part thereof, to be designated a “Promise Zone” by the U.S. Department of Housing and Urban Development so that if such a Promise Zone is designated, the Department of Real Estate and Housing may then apply for further economic assistance consistent with the Promise Zone program.

On the question:

Mr. Darius Brown: Yes Mr. President, this Resolution authorizes the City’s Department of Real Estate and Housing to move forward with their application to the U.S. Department of Housing and Urban Development for Promise Zone designation.

Ms. Shabazz: Mr. President.

President Gregory: I’m sorry, Ms. Shabazz.

Ms. Shabazz: Thank you Mr. President. I’d to be put on as a co-sponsor if I may.

President Gregory: So noted. The Clerk will call the roll.

Upon a motion of Mr. Darius Brown, 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, Cabrera, Walsh and Wright, and Council President Gregory. Total, thirteen. Nays, none.

President Gregory: Declare it adopted. #4158...

Mr. Darius Brown presented Resolution No. 16-007 (Agenda #4158) as follows:

WHEREAS, pursuant to Wilm. C. (Charter) §1-101, the City may acquire, hold, manage, and dispose of property on such terms as it deems proper for any municipal purpose; and

WHEREAS, Roxbury, LLC (the “Seller”), a Delaware limited liability company, has agreed to sell, and the City has agreed to purchase, contingent upon Wilmington City Council (“Council”) approval, the real property located at 201 Vandever Avenue, Wilmington, Delaware, being Tax Parcel No. 26-029.20-095 (the “Property”) for Six Hundred and Fifty Thousand Dollars (\$650,000.00). That certain Agreement of Sale is attached hereto as Exhibit “A”; and

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that the Council authorizes and approves the acquisition of the Property by the City from Seller for Six Hundred and Fifty Thousand Dollars (\$650,000.00).

BE IT FURTHER RESOLVED that Council authorizes the Mayor or his designee to execute any and all documents and to take all actions necessary to effectuate the purchase and transfer of the Property to the City.

On the question:

Mr. Darius Brown: Yes Mr. President, this Resolution authorizes the City's Department of Real Estate and Housing to acquire a property located at 201 Vandever Avenue.

President Gregory: The Clerk will call the roll.

Upon a motion of Mr. Darius Brown, 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, Cabrera, Walsh and Wright, and Council President Gregory. Total, thirteen. Nays, none.

President Gregory: Declare it adopted. Mr. Brown.

Mr. Darius Brown: I have an Ordinance to present and call on your behalf and call for a third and final reading.

On behalf of President Gregory, Mr. Darius Brown presented and called for the third and final reading Ordinance No. 15-058 (Agenda #4141) entitled:

AN ORDINANCE TO AMEND CHAPTER 2 OF THE CITY
CODE REGARDING THE ESTABLISHMENT OF THE
CAPITAL REVIEW COMMITTEE

On the question:

President Gregory: Very briefly, what this does, we have an informal Capital Review Committee – the folks who are named in this in the Section 2-150.76 are the persons or by designee who sit on that Committee. This is to cause that Capital Review Committee to be at least quarterly and to issue a written report, which is a practice but it's not mandated and we have not had that many over the last three years. We want to get some discipline in the process so we'll know how much money we have – we have in the Capital Bond ordinances. Any other comments? Mr. Brown.

Mr. Darius Brown: Thank you Mr. President, speaking as a co-sponsor and in support of the Ordinance that also I want to stress the importance of our capital projects and the importance of investing in our neighborhoods. And, so through these

projects we're able to do many improvements within neighborhoods whether it's infrastructure, investments and our roads; whether it's our water and sewer or even in our parks system that provides many amenities and activities for our young people. So, I know coming on Council there's several projects that were funded that have not been enacted upon and I believe this is a great tool for us to establish some accountability and project management in regards to our capital program.

President Gregory: The Clerk will call the roll.

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, Congo, Darius Brown, Shabazz, Prado, Dorsey Walker, Williams, Freel, Michael Brown, Cabrera, Walsh and Wright, and Council President Gregory. Total, thirteen. Nays, none.

President Gregory: Thank you; declare it adopted. Ms. Shabazz.

Ms. Shabazz: 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. 15-059 (Agenda #4142) entitled:

AN ORDINANCE TO AUTHORIZE CITY CONTRACT
16011WD – WATER DISTRIBUTION SYSTEM
MAINTENANCE – WITH BRANDYWINE CONSTRUCTION
CO., INC.

On the question:

Ms. Shabazz: Mr. President, this Ordinance is being presented before City Council, through the Department of Public Works to enter into a one-year contract with Brandywine Construction Company for maintenance to the City's water distribution system. And, the contract total is \$3 million and it has two, one-year extensions, which is of course at the sole discretion of the City subject to an escalating cause not to exceed to 2 % of the original contract. It was awarded through a bidding – public bidding process. The Brandywine Construction did meet all of the qualifications with the necessary apprenticeship program and also the use of the DBE's.

President Gregory: The Clerk will call the roll.

Upon a motion of Ms. Shabazz, 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, Cabrera, Walsh and Wright, and Council President Gregory. Total, thirteen. Nays, none.

President Gregory: Declare it adopted.

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

On behalf of President Gregory, Ms. Shabazz presented and called for third and final reading Ordinance No. 15-057 (Agenda #4135) entitled:

AN ORDINANCE TO AMEND CHAPTER 37 OF THE CITY
CODE REGARDING OUTSTANDING AND OVERDUE
CITATIONS

Ms. Shabazz: Mr. President, I have a **Substitute** to present in lieu of that Ordinance:

AN ORDINANCE TO AMEND CHAPTER 37 OF THE CITY
CODE REGARDING OUTSTANDING AND OVERDUE
CITATIONS

On the question:

President Gregory: What this does is folks get fine and if you're at a threshold \$200 or five (5) or more tickets than you move into where you're eligible for a boot. However, with the ticket that meets the threshold, there's an appeal process and what this says is that until the appeal process runs than that can't – that time does not count towards the boot. So, you let the person see if they're going to appeal or not. If they're not going to appeal than of course they become boot eligible. If they appeal than you have to wait until that process runs before you stack this ticket on it.

Ms. Walsh: I have a question.

President Gregory: Ms. Walsh.

Ms. Walsh: Is this a big problem now?

President Gregory: Yes.

Ms. Shabazz: What she say?

Ms. Walsh: Why wouldn't they be logical that until their time is out, it doesn't even exist really?

President Gregory: But they get booted. People get booted during the appeal period.

Ms. Walsh: Well, that's just stupidity on whoever put a program like that together.

President Gregory: Well, it's inconsistent. Sometimes they don't, sometimes they do. So, this brings consistency. The Clerk will call the roll.

Upon a motion of Ms. Shabazz, seconded by Ms. Walsh/Mr. Williams, 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, Cabrera, Walsh and Wright, and Council President Gregory. Total, thirteen. Nays, none.

President Gregory: Declare it adopted. Mr. Prado.

Mr. Prado: Nothing tonight Mr. President.

President Gregory: Ms. Dorsey Walker.

Ms. Dorsey Walker: No legislation tonight Mr. President. Thank you.

President Gregory: Mr. Williams.

Mr. Williams: No legislation this evening. Thank you.

President Gregory: Mr. Freel.

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

Mr. Freel presented and called for the third and final reading Ordinance No. 16-006 (Agenda #4151) entitled:

AN ORDINANCE TO AUTHORIZE THE ANNUAL RECONCILIATION OF ACCOUNTS BY TRANSFERRING FUNDS TO VARIOUS OFFICES AND DEPARTMENTS IN THE CITY OF WILMINGTON TO FULFILL OBLIGATIONS FOR THE REMAINDER OF FISCAL YEAR 2015

On the question:

Mr. Freel: Yes Mr. President, this is the annual reconciliation of accounts. This will finalize the Comprehensive Annual Financial Report for Fiscal Year 2015.

President Gregory: The Clerk will call the roll.

Upon a motion of Mr. Freel, 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 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, Cabrera and Wright, and Council President Gregory. Total, twelve. Nays, Council Member Walsh. Total, one.

President Gregory: Declare it adopted. Mr. Freel.

Mr. Freel: I have two (2) additional first and second.

Mr. Freel presented and called for the first and second 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

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.

President Gregory: Finance Committee?

Mr. Freel: Yes sir.

President Gregory: Mr. Freel.

Mr. Freel: One additional.

Mr. Freel presented and called for the first and second reading Ordinance No. 16-009 (Agenda #4160) entitled:

AN ORDINANCE TO AMEND CHAPTER 3 OF THE WILMINGTON CITY CODE RELATING TO THE FEEDING OF WILD ANIMALS AND WATERFOWL

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

Mr. Freel: Mr. President, I'd also like the Clerk to add Council Members Walsh and Prado to that Ordinance.

President Gregory: So noted. Mr. Brown...Michael Brown.

Mr. Michael Brown: Yes Mr. President, nothing tonight; thank you sir.

President Gregory: Ms. Cabrera.

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

Ms. Cabrera presented and called for the third and final reading Ordinance No. 16-007 (Agenda #4153) entitled:

AN ORDINANCE TO AMEND CHAPTER 4 OF THE
CITY CODE REGARDING AMENDMENTS TO THE
INTERNATIONAL MECHANICAL CODE OF 2012

On the question:

Ms. Cabrera: This Ordinance is being presented by the Administration for City Council's review and approval. Council would be authorizing an amendment to the City Code, Chapter 4 Section 4-81, to correct errors that were intended to be part of the original amendments to the International Mechanical Code of 2012. Specifically, the Ordinance would remove a duplicate provision related to return air in commercial or residential buildings and make minor modifications to the remaining provision. This was an oversight and as discussed in Committee it was overlooked as that document is about an inch in a half thick when the changes were made with the Mechanical Code of 2012.

President Gregory: Mr. Brown.

Mr. Darius Brown: Thank you Mr. President. I'm going to support this Ordinance but I would ask the Chair and also the Commissioner of L&I to have a more thorough review of the International Code. There's many other pieces that were adopted two (2) years ago that as – I have conversations with developers in the City that become challenging.

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

Upon a motion of Ms. Cabrera, seconded by Mr. Williams/Ms. Walsh, the aforementioned Ordinance was read for the third and final time and was adopted by title and section recurring 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, Cabrera, Walsh and Wright, and Council President Gregory. Total, thirteen. Nays, none.

President Gregory: Declare it adopted.

Ms. Cabrera: Mr. President, I have a Resolution to present.

Ms. Cabrera presented Resolution No. 16-008 (Agenda #4161) as follows:

WHEREAS, in June 2015, Puerto Rico's Governor Alejandro Garcia Padilla declared the Commonwealth's \$72 billion dollar debt "not payable" and the government effectively ran out of cash to continue operating; and

WHEREAS, this economic crisis has forced a second "Great Migration" much like after World War II, with more than 250,000 Puerto Ricans leaving the island since 2010; and

WHEREAS, Puerto Rico has taken extraordinary measures to address the situation, including shuttering more than 100 public schools, delaying tax refunds, increasing the retirement age, borrowing from the worker's compensation fund, withholding holiday bonuses, and increasing the local sales tax to a national high of 11.5%; and

WHEREAS, the Federal Government must take strong action to stabilize Puerto Rico and help it restructure the debt by incorporating bankruptcy and debt restructuring protections; and

WHEREAS, the Federal Government must grant Puerto Rico the right to declare for Chapter 9 bankruptcy; eliminate the annual Medicaid/ *Mi Salud* funding cap, and institute tax policies that foster economically diverse and living wage job creation, which will create sustainable growth; and

WHEREAS, the Earned Income Tax Credit is the United States' largest anti-poverty cash assistance program as it increases the ability of workers in low-paying jobs to support themselves and their families. However, the credit does not apply to Puerto Rico; and

WHEREAS, the Child Tax Credit provides substantial tax relief for families with children but applies in limited fashion in Puerto Rico where only families with three or more children are eligible for the tax credit refund; and

WHEREAS, prior to 1985, Puerto Rico had the ability to file for Chapter 9 bankruptcy relief, which was later taken from the territory, thereby limiting its ability to restructure its debts on its own; and

WHEREAS, in October of 2015, over 400 Puerto Rican elected officials and community leaders, representing many different organizations nationwide, convened in Orlando, Florida to discuss the fiscal crisis and a national call was done to establish "Unidos Para Puerto Rico", which unites the Puerto Rican Diaspora and the coalition of

Puerto Rican elected officials in creating a comprehensive National Puerto Rican Agenda that encompasses the problems affecting Puerto Ricans both on the island and in the United States; and

WHEREAS, on December 2, 2015, hundreds of Puerto Rican Community Leaders from across the country traveled to Washington, D.C. in a national call to action, hosting a press conference and a full lobbying day with members of Congress to promote the National Puerto Rican Agenda and call for Congressional action to pass reforms regarding bankruptcy and debt restructuring protections, health care equity, and tax policy before the holiday recess; and

WHEREAS, on January 7, 2016, a Pennsylvania Statewide PA 4 PR Meeting was held in the City of Lancaster to unify national Latino and civil rights organizations, labor, women, LGBT, African American and faith-based entities to respectfully ask President Obama and the United States Congress to address the American Fiscal and Humanitarian Crisis in Puerto Rico and the inequalities against 3.5 million U.S. citizens; and

WHEREAS, the crisis in Puerto Rico is emotional, moral, economic, political and social to many of us and understanding of the history and our present moral obligation to declare an absolute repudiation of the congressional neglect to the crisis is a reflection of humanity and solidarity.

WHEREAS, we need to act now to extend equal treatment to Puerto Rico and its American citizens, 3.5 million who reside on the island and 5 million in the diaspora in the United States and abroad.

NOW, THEREFORE, BE IT RESOLVED BY COUNCIL OF THE CITY OF WILMINGTON that Council joins the legislative action by city councils in Philadelphia, Chicago, New York City, Cleveland, Orlando, and New Jersey standing in unity on the national call to have the United States Congress and President Obama provide Puerto Rico with the tools to create a pathway to economic recovery.

On the question:

Ms. Cabrera: Yes Mr. President, basically here across the mainland there has been some states that have come together to support Puerto Rico and here in Delaware under the leadership of Edwin Segarra who's here in the audience today, "Delaware for Puerto Rico" has been formed. I have been asked to be part of that movement. We also would be asking members of the General Assembly to adopt a similar resolution. I thankful that State Representative Stephanie Bolden is here as I would be asking her personally as well as others; we want to ask our Governor Markell to join and our Federal Delegation to join the "Delaware for Puerto Rico". And, we'll also be including some community leadership such as the Delaware Hispanic Commission. This is a humanitarian – humanitarian cause. It needs to be done. The Island used to be able to do this and there was changes made in 1985 where they cannot declare bankruptcy anymore. As many might or may not know, Puerto Rico is a commonwealth of the United States and there 3.5 million people who reside on the Island who are U.S. citizens and 5 million in the diaspora of the United States and abroad. So, this crisis in Puerto Rico is emotional, moral, economic, political and social to many us and understanding the history and our present moral obligation to declare an absolute

repudiation of the congressional neglect to the crisis is a reflection of humanity and solidarity.

President Gregory: Ms. Dorsey Walker.

Ms. Dorsey Walker: Mr. President, I'd like to be added as co-sponsor...

President Gregory: So noted.

Ms. Dorsey Walker: ...if it's okay with the sponsor.

Ms. Cabrera: Yes.

President Gregory: So noted. The Clerk will call...Mr. Williams.

Mr. Williams: Co-sponsor also.

President Gregory: So noted.

Ms. Shabazz: Co-sponsor.

President Gregory: So noted.

Mrs. Seijo (City Clerk): Who else? Wait a minute.

President Gregory: Mr. Brown.

Mr. Michael Brown: Sponsor.

Mrs. Seijo (City Clerk): Dorsey Walker, Williams and Michael Brown.

Ms. Shabazz: Shabazz.

President Gregory: And Hanifa Shabazz.

Mrs. Seijo (City Clerk): And Shabazz; thank you.

President Gregory: Okay. The Clerk will call the roll.

Upon a motion of Ms. Cabrera, seconded by Ms. Walsh/Mr. Freel, 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, Cabrera, Walsh and Wright, and Council President Gregory. Total, thirteen. Nays, none.

President Gregory: Declare it adopted. Ms. Walsh.

Ms. Walsh: No legislation this evening; thanks.

President Gregory: Mr. Wright.

Mr. Wright: Nothing tonight. Thank you.

President Gregory: Mr. Chukwuocha...no, before we do that, let's do this before we forget. Why don't we have a moment of silence for our city employee who passed recently, longtime city employee, Tunde Durosomo. If we could please...thank you.

PETITIONS AND COMMUNICATIONS

Council Members announced committee meetings/civic association meetings and community events/activities throughout their districts. Council Members expressed sympathies of the passing of Tunde Durosomo. Council Members spoke of the following matters: issues regarding the Repair Shop at 40th & Washington and County Councilman Penrose Hollins as well as Commissioner Rhodes were thanked for their assistance in meeting with the business owner; Brandywine School District's referendum, which will go up for a vote on March 27th; complaints received about the conditions of some of the senior high-rises within the City and the need to address those complaints and to be discussed at the next Health, Aging & Disabilities Committee meeting; residents were reminded of several different workshops going on in the upcoming weeks (i.e. Money Matters, Career Development, Job Fair, etc.); limited complimentary tickets of the screening at Penn Cinema (Riverfront) of the movie RACE; residents were encouraged to attend civic associations meetings and the importance of their participation; State Representative Stephanie T. Bolden was thanked and congratulated for her great and courageous work in bringing forth the apology legislation (the States involvement in slavery) that's going to be signed by the Governor on February 10th; HIV Aids "Do the Right Thing" upcoming event in which Executive Director, Darion Gray will be receiving an award for his great work with the Wilmington Youth Leadership Commission was congratulated; the AKA was also congratulate for their recognition of their Founder's Day; Stubbs School Resource Fair; announcement of Commissioner Ramsey's attendance at the February 8th Joint Public Safety Committee and Committee of the Whole meeting; Facebook comments regarding the snow storm and the lack of communication by the Administration; it was noted that the three former mayors (Frawley, Sills and Baker), had a culture of regular leadership meetings and a culture of briefing which alleviated the problem of communication and despite the fact that the Council and the Mayor may have been at odds with one another, there was enough civility and understanding that folk talked to one another in those two forms or one on one; it was duly noted that Public Works Commissioner did attend the Public Works & Transportation Committee to give an update in preparation of the snow storm; residents were commended for working together during the snow storm; the need to start ticketing

people for throwing snow into the street and the need to have a point person to address concerns and/or questions; the men and women of the Department of Public Works were commended for doing an outstanding job as it was a very large and difficult storm; it was also noted that it wasn't just residents throwing snow into the street after being plowed by the City but that companies and business owners were doing it as well; Councilman Michael Brown thanked everyone for their calls, prayers and assistance during the time he was out sick; Council Members were thanked for their support for the "Delaware for Puerto Rico" and Edwin Segarra who travelled here from Pennsylvania was also thanked for bringing this to Council's attention and residents were asked to get involved and to write our Congressional Delegation to make sure that this goes through; new scheme of folks who are undocumented in our nation; Black History month listing of events on WITN 22; for the senior housing complaint, it was suggested that Jane Vincent (Regional Head of HUD) be invited to the committee meeting and also contact the three (3) Congressional Delegation Office so that their staff members can be invited as well; city workers were thanked for the excellent job they do and did during the snow storm (i.e. police officers, sanitation workers); Commissioner Starkey was thanked for attending a civic association to discuss some of the concerns relating to the snow; Gary Fullman was thanked as well for being responsive on a number of different issues concerning the city; and including but not limited to police deployment/policing and the fact that good experienced police officers who are being passed over for jobs and are therefore leaving the city.

ADJOURNMENT

Upon a motion of Mr. Williams, seconded by Ms. Shabazz/Ms. Cabrera, Council adjourned at 7:53 p.m. Motion prevailed.

Attest: 
Maribel Seijo
Maribel Seijo, City Clerk