

*Wilmington, Delaware
Louis L. Redding
City/County Building
April 6, 2017*

Council met in regular session on the above date at 6:30 p.m., President Hanifa Shabazz presiding.

The opening prayer was done by Ms. Andrea Queen, Deputy City Clerk.

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*, Oliver, Harlee, Turner, McCoy, Williams, Freel, Adams, Dixon, Guy and Walsh, and Council President Shabazz. Total, thirteen.

MINUTES

After reading a portion of the minutes of March 16, 2017, upon a motion of Councilwoman Walsh, seconded by Councilman Freel, it was moved they be accepted as written. Motion prevailed.

REPORT OF COMMITTEES

The City Clerk read the following committee report:

<u>Finance & Economic Development Committee Member</u>	<u>Present</u>	<u>Absent with Leave</u>	<u>Absent w/out Leave</u>
Charles M. "Bud" Free, Chair	X		
Robert A. Williams	X		
Zanthia Oliver	X		
Nnamdi O. Chukwuocha, Vice-Chair	X		
Loretta Walsh		X	
Ciro Adams	X		
President Hanifa Shabazz, Ex Officio	X		

President and Members of Council of
The City of Wilmington

March 6, 2017

Ladies and Gentlemen:

We, your Finance & Economic Development Committee, to who was referred **Ordinance No. 17-005** entitled:

AN ORDINANCE TO AMEND CHAPTER 2 OF THE CITY CODE
REGARDING THE AUDIT 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/Robert A. Williams
/s/Zanthia Oliver
/s/Nnamdi O. Chukwuocha
/s/Ciro Adams
/s/Hanifa Shabazz, Ex Officio Member

Upon a motion of Councilman Freel, seconded by Councilwoman Walsh, the above Report was received, recorded and filed. Motion prevailed.

The City Clerk read the following committee report:

<u>Finance & Economic Development Committee Member</u>	<u>Present</u>	<u>Absent with Leave</u>	<u>Absent w/out Leave</u>
Charles M. "Bud" Free, Chair	X		
Robert A. Williams	X		
Zanthia Oliver	X		
Nnamdi O. Chukwuocha, Vice-Chair	X		
Loretta Walsh	X		
Ciro Adams	X		
President Hanifa Shabazz, Ex Officio	X		

President and Members of Council of
The City of Wilmington

April 5, 2017

Ladies and Gentlemen:

We, your Finance & Economic Development Committee, to who was referred
Ordinance No. Ord. 17-013 entitled:

AN ORDINANCE CONSTITUTING AMENDMENT NO. 7 TO
THE FISCAL YEAR 2017 OPERATING BUDGET (BEING AN
ORDINANCE TO AMEND SUBSTITUTE NO. 1 TO ORDINANCE
NO. 16-018, AS AMENDED) BY AMENDING THE DECLARED
SALARY RATE FOR THE CHIEF OF POLICE

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/Zanthia Oliver

/s/Loretta Walsh

/s/Hanifa Shabazz, Ex Officio Member

/s/Robert A. Williams

/s/Nnamdi O. Chukwuocha, Vice-Chair

/s/Ciro Adams

Upon a motion of Councilman Freel, seconded by Councilwoman Walsh,
the Report was received, recorded and filed. Motion prevailed.

TREASURER'S REPORT

The following Treasurer's Report dated April 6, 2017 was read into the
record by the City Clerk and upon a motion of Councilwoman Walsh, seconded by
Councilman Freel, the Report was received, recorded and filed. Motion prevailed.

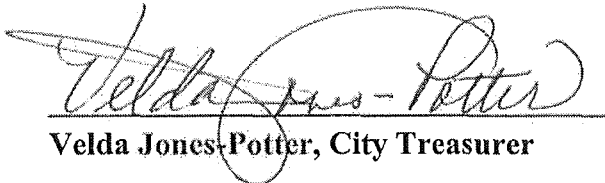
Note: The Treasurer's Report is included herein as an insert from Page 4 to Page 5.

TO: THE HONORABLE MAYOR AND CITY COUNCIL OF WILMINGTON APRIL 6, 2017

102	Community Development Block Grant	M & T Bank	\$1.00
104	Old Non-Uniform Pension Account -Plan 1	M & T Bank	\$22,273.90
105	Police Pension Account	M & T Bank	\$285,898.50
106	Fire Pension Account	M & T Bank	\$53,956.92
107	Evidence/Found Currency Account	M & T Bank	\$332,305.67
108	Rent Withholding Escrow	M & T Bank	\$4,137.97
110	Capital Projects Account	M & T Bank	\$1.00
113	Non-Uniform Pension-Plan 2	M & T Bank	\$1,072.18
114	Central Deposit	M & T Bank	\$48,346.62
117	Cement Workers	Wilmington Savings Fund	\$33,506.43
118	Worker's Comp. 3 rd Party Account	M & T Bank	\$10,036.98
124	Non-Uniform Pension Act of 1990-Plan 3	M & T Bank	\$195,711.91
120	Grant-In-Aid Account	M & T Bank	\$388,121.00
130	Payroll	M & T Bank	\$509,350.77
131	Pension Payroll Account	M & T Bank	\$3,063.71
139	Pension Healthcare Account	M & T Bank	<u>\$519,925.92</u>
	Total Cash on Hand		\$2,407,710.48

Fund Code	Fund	Institution	Invest. Type	Maturity Date	Interest Rate	Interest Receivable	Investment Amount
116	General	M&T Bank	RP	4/6/2017	0.01%	\$3.25	\$8,441,909.29
124	Non-Uniform 1990	WSFS	CD	4/27/2017	0.75%	\$2,215.07	\$3,850,000.00
116	General	TD	CD	4/13/2017	0.64%	\$2,104.11	\$2,500,000.00
116	General	WSFS	CD	4/27/2017	0.75%	\$904.11	\$2,000,000.00
116	General	TD	CD	4/27/2017	0.63%	\$1,546.52	\$1,600,000.00
116	General ¹	TD	CD	5/1/2017	0.67%	\$25,488.74	\$15,428,510.18
116	General ¹	TD	CD	5/11/2017	0.65%	\$3,526.03	\$3,000,000.00
110	Capital	WSFS	CD	4/20/2017	0.85%	\$8,150.68	\$10,000,000.00
110	General	WSFS	CD	5/11/2017	0.85%	\$2,561.64	\$2,500,000.00
110	Capital	WSFS	CD	5/17/2017	0.65%	\$7,052.05	\$5,500,000.00
110	Capital	TD	CD	5/17/2017	0.69%	\$17,013.70	\$10,000,000.00
110	Capital	WSFS	CD	5/5/2017	0.55%	\$50,630.13	\$20,000,000.00
514	Risk Management	WSFS	CD	7/10/2017	0.50%	\$35,245.13	\$7,068,391.71
515	Worker's Comp	WSFS	CD	7/10/2017	0.50%	\$35,245.13	\$7,068,391.71
104	Escrow Pension	Vanguard					\$48,925,742.00
104	Escrow Pension	Black Rock					\$23,594,576.00
104	Escrow Pension	Edgar Lomax					\$26,247,531.00
104	Escrow Pension	Wilmington Trust					\$46,181,331.00
104	Escrow Pension	Manning & Napier					\$11,928,623.00
104	Escrow Pension	Earnest Partners					\$21,231,986.00
104	Escrow Pension	MFS Management					\$24,991,868.00
104	Escrow Pension	American Funds					\$11,744,725.00
139	Medical Escrow	Vanguard-OPEB					\$16,465,017.00
116	Deferred Comp.	MassMutual					\$43,143,870.40
	Total Investments						\$373,412,472.29
	Total Cash on Hand						\$2,407,710.48
	Grand Total						\$375,820,182.77

Budget Reserve


Velda Jones-Potter, City Treasurer

NON-LEGISLATIVE BUSINESS

Upon a motion of Councilwoman Walsh, seconded by Councilman Freel, the following non-legislative resolutions were accepted into the record and motion prevailed:

All Council	Recognize March 10, 2017 Harriet Tubman Day
Congo	Congratulate Wilhelmina Benson
Harlee	Recognize Housing Opportunities of Northern Delaware, Annual Fair Housing Month
Harlee	Sympathy Craig Allen
Shabazz	Recognize 14 th Annual Alpha Kappa Alpha Sorority, Inc.'s Day at the Capital
Shabazz	Sympathy Brandee Ford
Shabazz	Celebrate 125 th Anniversary of The Resurrection Center
Shabazz	Commend Pete and Susan Booker – Community Service Tribute
Shabazz	Sympathy Nathaniel D. Davis, Sr.
Shabazz	Recognize Commissioner Gretchen Gilchrist
Shabazz	Commend Rosemary Banks
Turner	Commend Lemar Wright, Hassan Hackett, Nick Collado, Jefferson Collado and Kevin Ignudo
Williams	Commend Jaida and Gabriel Bey

President Shabazz acknowledged State Representative Stephanie T. Bolden who was seating in the audience.

*Note: During this time, Councilman Congo was marked present and reflected in the minutes herein (Roll Call).

LEGISLATIVE BUSINESS

President Shabazz: Councilman Chukwuocha.

Councilman Chukwuocha: Yes, Madam President, I have five (5) Resolutions to present.

Councilman Chukwuocha presented Resolution No. 17-020 (Agenda #4344) as follows:

WHEREAS, pursuant to Section 2-363 of the City Code, the Council deemed it necessary and property to specify the requirements for review and approval of City-sponsored grant applications and proposals, including authorization for expedited grant applications when necessary, prior to Council's approval by resolution; and

WHEREAS, the Department of Parks and Recreation submitted a grant application through City Fest, Inc., a non-profit corporation that is a component unit of the City of Wilmington, to the Bank of America Charitable Foundation in the amount of

\$65,000.00 to support the City's 2017 Summer Youth Employment Program (the "Youth Program"); and

WHEREAS, the Bank of America Charitable Foundation has previously supported and funded of the Youth Program; and

WHEREAS, the Youth Program offers job opportunities to the City's youth ages 14 to 20; and

WHEREAS, the City is not required to provide matching funds for receipt of these grant funds; and

WHEREAS, the Council deems it necessary and proper to authorize the grant application, for the aforesaid purpose.

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON, the Department of Parks and Recreation's grant application to the Bank of America Charitable Foundation in the amount of \$65,000.00 is hereby authorized.

BE IT FURTHER RESOLVED that the Director of the Department of Parks and Recreation or his designee and City Fest, Inc. are hereby authorized to take all necessary actions to apply for and accept any and all funds associated with the grant application and to fulfill the grant requirements.

FISCAL IMPACT STATEMENT

This grant would have a positive fiscal impact on the City. The Resolution approves a grant application to the Bank of America Charitable Foundation for \$65,000.00 with no matching funds requirement. The Summer Youth employed by this grant will pay the City Wage Tax, thus having a positive fiscal impact to the City.

Councilman Chukwuocha: Madam President, I move this Resolution be received, recorded and filed and adopted by Yea and Nay vote.

Councilwoman Walsh: Second.

President Shabazz: It's been properly moved and seconded the Resolution be received, recorded and filed and adopted by Yea and Nay vote.

On the question:

Councilman Chukwuocha: Yes, Madam President, this an application for a grant to accept an award from the National Parks service that will assist us with our summer programming in the parks for the amount of \$35,000.00.

President Shabazz: Clerk will call the roll.

Upon a motion of Councilman Chukwuocha, seconded by Councilwoman Walsh, the above 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, Oliver, Harlee, Turner, McCoy, Williams, Freil, Adams, Dixon, Guy and Walsh, and Council President Shabazz. Total, thirteen. Nays, none.

President Shabazz: Declare it adopted.

Councilman Chukwuocha: Madam President, my comment was on the second one instead of the first one – just make that note. My comment in regards to \$35,000.00 that was actually the next Resolution – the first Resolution.

Mrs. Seijo (City Clerk): So noted.

Councilman Chukwuocha: Thank you.

Mrs. Seijo (City Clerk): You're welcome.

Councilman Chukwuocha presented Resolution No. 17-021 (Agenda #4345) as follows:

WHEREAS, pursuant to Section 2-363 of the City Code, the Council deemed it necessary and proper to specify the requirements for review and approval of City-sponsored grant applications and proposals, including authorization for expedited grant applications when necessary, prior to Council's approval by resolution; and

WHEREAS, the Department of Parks and Recreation submitted a grant application to the National Recreation and Parks Association in the amount of \$35,000.00 to support the City's nutrition literacy programming, recreation programming and cooking infrastructure; and

WHEREAS, the Department of Parks and Recreation intends to use the grant money to purchase a commercial oven to support its food offerings to City residents and to supplement the Summer Food Program, Child and Adult Care Food Program, recreation programs, and Summer Food Employment Mentoring; and

WHEREAS, the City is required to commit to the National Recreation and Parks Association's Commit to Health Initiative, which is a campaign that supports the implementation and evaluation of healthy eating and physical activity standards; and

WHEREAS, the City is not required to provide matching funds for receipt of these grant funds; and

WHEREAS, the Council deems it necessary and proper to authorize the grant application, for the aforesaid purpose.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON, that the Department of Parks and Recreation's grant application to the National Recreation and Parks Association in the amount of \$35,000.00 is hereby authorized.

BE IT FURTHER RESOLVED that the Director of the Department of Parks and Recreation or his designee are hereby authorized to take all necessary actions to apply for and accept any and all funds associated with the grant application and to fulfill the grant requirements.

FISCAL IMPACT STATEMENT

There is no negative fiscal impact to the City by accepting this grant. The Resolution approves a grant application to the National Recreation and Parks Association for \$35,000.00 with no matching funds requirement.

Councilman Chukwuocha: Madam President, I move this Resolution be received, recorded and filed and adopted by Yea and Nay vote.

Councilwoman Walsh: Second.

President Shabazz: It's been properly moved and seconded the Resolution be received, recorded and filed and adopted by Yea and Nay vote.

On the question:

Councilman Chukwuocha: Yes Madam President, this was the Resolution for the Parks and Recreation to accept the grant award from the National Parks and Recreation Association for \$35,000.00 to support summer programming in our parks.

President Shabazz: Before we go any further, can you clarify – can you make, re-make note of the correction for the first Resolution was for?

Councilman Chukwuocha: The first Resolution was accepting \$65,000.00

...

President Shabazz: \$65,000.00.

Councilman Chukwuocha: ...\$65,000.00 from the Bank of America to support our summer youth programming.

President Shabazz: Ok. Can you so note that please?

Mrs. Seijo (City Clerk): So noted.

Councilwoman Oliver: Madam President, I'd like to add myself as a sponsor on this for Parks and Recreation.

Mrs. Seijo (City Clerk): I can't hear.

Councilwoman Oliver: Am I too late?

President Shabazz: Hold on.

Councilman Turner: Your mic.

President Shabazz: Hold on; were you – one of the question? Were you finished with your question?

Councilman Chukwuocha: Yes ma'am.

President Shabazz: Councilwoman Oliver.

Councilwoman Oliver: I said I'd like to add myself as a sponsor – cosponsor.

President Shabazz: Ok.

Mrs. Seijo (City Clerk): So noted.

President Shabazz: Councilwoman Harlee.

Councilwoman Harlee: Yes, I would like to be added as a cosponsor.

Mrs. Seijo (City Clerk): So noted.

President Shabazz: Clerk will call the roll.

Upon a motion of Councilman Chukwuocha, seconded by Councilwoman Walsh, the above 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, Oliver, Harlee, Turner, McCoy, Williams, Freel, Adams, Dixon, Guy and Walsh, and Council President Shabazz. Total, thirteen. Nays, none.

President Shabazz: Declare it adopted.

Councilman Chukwuocha presented Resolution No. 17-022 (Agenda #4346) as follows:

WHEREAS, pursuant to Section 2-363 of the City Code, the Council deemed it necessary and proper to specify the requirements for review and approval of City-sponsored grant applications and proposals; and

WHEREAS, the Department of Parks and Recreation intends to submit a grant application to the Delaware Department of Education to receive grant funds from the Federal government for the operation and cost of the U.S. Department of Agriculture Summer Food Service Program in the amount of \$575,000.00 to support the City's 2017 Summer Food Service Program (the "Program"); and

WHEREAS, the amount of the grant funds for the 2017 Program was estimated by the Department of Parks and Recreation and based on its intend to serve 2,500 breakfasts, 4,500 lunches, and 600 snacks daily between June 19 and August 25; and

WHEREAS, the grant funds will be used to supply meals to City youth up to 18 years of age; and

WHEREAS, the City is not required to provide matching funds for receipt of these grant funds; and

WHEREAS, the City has long participated in this program to assist families and youth; and

WHEREAS, the Council deems it necessary and proper to authorize the grant application, for the aforesaid purpose.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON, the Department of Parks and Recreation's grant application to the Delaware Department of Education in the amount of \$575,000.00 is hereby authorized.

BE IT FURTHER RESOLVED that the Director of the Department of Parks and Recreation or his designee are hereby authorized to take all necessary actions to apply for and accept any and all funds associated with the grant application and to fulfill the grant requirements.

Impact Statement

This grant would have no negative fiscal impact on the City. This Resolution approves a grant application to the Delaware Department of Education for funding from US Department of Summer Food Program in the approximate amount of \$575,000.00 as estimated by the Department of Parks and Recreation with no matching funds requirement.

Councilman Chukwuocha: Madam President, I move this Resolution be received, recorded and filed and adopted by Yea and Nay vote.

Councilwoman Walsh: Second.

President Shabazz: It's been properly moved and seconded the Resolution be received, recorded and filed and adopted by Yea and Nay vote.

On the question:

Councilman Chukwuocha: Yes Madam President, this is the grant award from the State Parks and Recreation Department to support our summer feeding program in our parks for in the Summer 2017, it's \$575,000.00.

President Shabazz: Clerk will call the roll.

Upon a motion of Councilman Chukwuocha, seconded by Councilwoman Walsh, the above 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, Oliver, Harlee, Turner, McCoy, Williams, Freely, Adams, Dixon, Guy and Walsh, and Council President Shabazz. Total, thirteen. Nays, none.

President Shabazz: Declare it adopted.

Councilman Chukwuocha presented Resolution No. 17-023 (Agenda #4347) as follows:

WHEREAS, pursuant to Section 2-363 of the City Code, the Council deemed it necessary and proper to specify the requirements for review and approval of City-sponsored grant applications and proposals; and

WHEREAS, the Department of Parks and Recreation intend to request \$50,000.00 in grant funds for park improvements from Be Ready Community Development Corporation; and

WHEREAS, the Department of Parks and Recreation intends to use the grant funds for improvement to the following parks: 4th and Rodney and Connell St.; and

WHEREAS, the City is not required to provide matching funds for receipt of these grant funds; and

WHEREAS, the Council deems it necessary and proper to authorize the Department of Parks and Recreation to accept the grant funds from Be Ready Community Development Corporation in the amount of \$50,000.00 for the aforesaid purposes.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that the Department of Parks and Recreation's grant request to Be Ready Community Development Corporation in the amount of \$50,000 is hereby authorized.

BE IT FURTHER RESOLVED that the Director of Parks and Recreation, or his designee, shall be authorized to take all necessary actions to accept any and all funds associated with the grant request and to fulfill the grant requirements.

Impact Statement

This grant would have no negative fiscal impact on the City. This Resolution approves a request to Be Ready Community Development Corporation for grant funds in the amount of \$50,000.00 with no matching funds requirement.

Councilman Chukwuocha: Madam President, I move this Resolution be received, recorded and filed and adopted by Yea and Nay vote.

Councilwoman Walsh/Councilman Williams: Second.

President Shabazz: It's been properly moved and seconded the Resolution be received, recorded and filed and adopted by Yea and Nay vote.

On the question:

Councilman Chukwuocha: Yes Madam President, this is a grant that allows the Parks and Recreation Department to accept a grant from the Be Ready Community Development Corporation that will support the enhancements and redevelopments of two (2) of our parks. One park at 4th & Rodney and the one at Connell Street.

President Shabazz: Councilman Turner.

Councilman Turner: Thank you Madam President. I would like to be added as a cosponsor to this.

Mrs. Seijo (City Clerk): So noted.

President Shabazz: Councilman Williams.

Councilman Williams: Thank you Madam President. I also would like to be added a cosponsor and I want to thank Pastor Lolley for her generous donation.

President Shabazz: Councilwoman Harlee.

Councilwoman Harlee: Yes, I would like to be as a cosponsor as well.

Mrs. Seijo (City Clerk): So noted.

President Shabazz: Clerk will call the roll.

Upon a motion of Councilman Chukwuocha, seconded by Councilwoman Walsh and Councilman Williams, the above 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, Oliver, Harlee, Turner, Williams, Freel, Adams, Dixon, Guy and Walsh, and Council President Shabazz. Total, twelve. Present, Council Member McCoy. Total, one. Nays, none.

President Shabazz: Declare it adopted.

Councilman Chukwuocha presented Resolution No. 17-024 (Agenda #4348) as follows:

WHEREAS, pursuant to Section 2-363 of the City Code, the Council deemed it necessary and proper to specify the requirements for review and approval of City-sponsored grant applications and proposals; and

WHEREAS, the Department of Parks and Recreation intend to request \$51,600.00 in grant funds for park improvements from The West End Neighborhood House Inc.; and

WHEREAS, the Department of Parks and Recreation intends to use the grant funds for improvements to the following parks: 4th and Rodney, Connell St., and Father Tucker; and

WHEREAS, the City is not required to provide matching funds for receipt of these grant funds; and

WHEREAS, the Council deems it necessary and proper to authorize the Department of Parks and Recreation to accept the grant funds from The West End Neighborhood House Inc. in the amount of \$51,600.00 for the aforesaid purposes.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that the Department of Parks and Recreation's grant request to The West End Neighborhood House Inc. in the amount of \$51,600.000 is hereby authorized.

BE IT FURTHER RESOLVED that the Director of Parks and Recreation, or his designee, shall be authorized to take all necessary actions to accept any and all funds associated with the grant request and to fulfill the grant requirements.

Impact Statement

This grant would have no negative fiscal impact on the City. This Resolution approves a request to The West End Neighborhood House Inc. for grant funds in the amount of \$51,600.00 with no matching funds requirement.

Councilman Chukwuocha: Madam President, I move this Resolution be received, recorded and filed and adopted by Yea and Nay vote.

Councilwoman Walsh: Second.

President Shabazz: It's been properly moved and seconded the Resolution be received, recorded and filed and adopted by Yea and Nay vote.

On the question:

Councilman Chukwuocha: Yes Madam President, this allows Parks and Recreation to accept the grant from The West End Neighborhood House which would support the redevelopment and enhancement of the parks for Rodney Street (4th & Rodney), Connell Street and the Father Tucker field and playground.

President Shabazz: Councilman Turner.

Councilman Turner: Thank you Madam President. I also would like to be added as a cosponsor this one.

Mrs. Seijo (City Clerk): So noted.

President Shabazz: Councilman Williams.

Councilman Williams: Thank you Madam President. I also ask to be added as a cosponsor and thank Mr. Calistro and his fine staff at The West End Neighborhood House for all their hard work and planning and preparation and their generous donation.

President Shabazz: Councilwoman Harlee.

Councilwoman Harlee: Yes, I would like to be added as a cosponsor as well.

Mrs. Seijo (City Clerk): So noted.

President Shabazz: Call —

Councilman Guy: On the question.

President Shabazz: Councilman Guy.

Councilman Guy: Yes all of these have substantive amount of money dealing with grants but I just want to make a note on the record is that probably fifteen-years ago, Wilmington City Council never knew that grant applications were being submitted, didn't know the money was coming in and didn't know that the money was being spent until my ordinance was put in place fifteen-years ago to put a process in place so that Wilmington City Council would be informed. So, I just want to make a note of that because we just had five (5) straight Resolutions and is almost no meeting where that takes place. So, the substance is important and the process of being an informed Council is important. That's all I have Madam.

President Shabazz: Clerk will call the roll.

Upon a motion of Councilman Chukwuocha, seconded by Councilwoman Walsh, the above 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, Oliver, Harlee, Turner, Williams, Freel, Adams, Dixon, Guy and Walsh, and Council President Shabazz. Total, twelve. Present, Council Member McCoy. Total, one. Nays, none.

President Shabazz: Declare it adopted. That's it? Council Member Harlee.

Councilwoman Harlee: Yes Council President, I have a Resolution to present.

Councilwoman Harlee presented Resolution No. 17-025 (Agenda #4349) as follows:

WHEREAS, pursuant to Section 2-363 of the City Code, the Council deemed it necessary and proper to specify the requirements for review and approval of City-sponsored grant applications and proposals, including authorization for expedited grant applications when necessary, prior to Council's approval by resolution; and

WHEREAS, the City, through the Public Works Department, has submitted a grant application to the U.S. Department of Commerce's National Oceanic

and Atmospheric Administration Coastal Reliance Grants Program, for funds in the amount of \$1,527,645.67; and

WHEREAS, the proposed grant funds will be used to support the fisheries restoration component of the South Wilmington Wetland Restoration and Conservation Project (“SWWRCP”) including expenses for excavation, soil disposal, plantings, and monitoring associated with the tidal channels and deep water ponds that are part of the project: and

WHEREAS, the SWWRCP represents a unique opportunity to establish a fishery habitat, reduce flooding and promote resiliency in the Southbridge community, accomplish ecological restoration and land conservation, improve water quality in the Christina River, create additional recreational opportunities for City residents and visitors, and stimulate economic revitalization of South Wilmington; and

WHEREAS, the grant requires a 50% match from the City and matching funds were previously appropriated by Council; and

WHEREAS, for timing purposes, the City notified City Council in advance of submitting the grant application and the application for said grant was submitted in advance of City Council approval by resolution; and

WHEREAS, the Council deems it necessary and proper to authorize the grant application, for the aforesaid purpose.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that the Public Works Department’s grant application to the U.S. Department of Commerce, National Oceanic and Atmospheric Administration in the amount of \$1,527,645.67 is hereby approved.

BE IT FURTHER RESOLVED that the Commissioner of Public Works Department, or his designee, shall be authorized to take all necessary actions to accept any and all funds associated with the grant application and to fulfill the grant requirements.

Fiscal Impact Statement

The grant would not have a negative impact on the current or future budgets. Although the grant requires that the City provide 50% in matching funds, which amounts to \$763,822.83, sufficient funds for the project were already allocated in FY 2014 to meet the match requirement.

Councilwoman Harlee: I move this Resolution to be received, recorded, filed and adopted by Yea and Nay vote.

Councilwoman Walsh/Councilman Williams: Second.

President Shabazz: It’s been properly moved and seconded the Resolution be received, recorded and filed and adopted by Yea and Nay vote.

On the question:

Councilwoman Harlee: Yes Council President, this Resolution authorizes a grant application of the Public Works Department to the U.S. Department of Commerce, Oceanic and Atmospheric Administration in the amount of 1,527,645.67. This fund will be used to construct the fisheries habitat that is a part of the South Wilmington Wetland Reservation and Conservation Project.

President Shabazz: Clerk will call the roll.

Upon a motion of Councilwoman Harlee, seconded by Councilwoman Walsh and Councilman Williams, the above 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, Oliver, Harlee, Turner, McCoy, Williams, Freel, Adams, Dixon, Guy and Walsh, and Council President Shabazz. Total, thirteen. Nays, none.

President Shabazz: Declare it adopted.

Councilwoman Oliver: Madam, I'd like to be a cosponsor on this.

President Shabazz: It's already gone through.

Councilwoman Oliver: I know. I meant to say that before. I'm sorry.

President Shabazz: I'm sorry Councilman Congo, I passed you to ask you if you had no Resolution.

Councilman Congo: Nothing tonight Madam President, thank you.

Mrs. Seijo (City Clerk): That was my fault.

President Shabazz: And, also Councilwoman Oliver, I didn't ask you as well...

Councilwoman Oliver: Nothing.

President Shabazz: ...I went to Councilwoman Harlee. I would like to those – my apologies.

Mrs. Seijo (City Clerk): I apologize.

President Shabazz: Councilman Turner.

Councilman Turner: Nothing tonight Madam President.

President Shabazz: And, then Councilman...McCoy.

Councilwoman McCoy: Nothing tonight Madam President.

President Shabazz: Councilman Williams.

Councilman Williams: No legislation this evening. Thank you.

President Shabazz: Councilman Adams I'm going backwards.

Councilman Adams: Mr. Freel first.

Mrs. Seijo (City Clerk): Councilman Freel.

President Shabazz: Councilman Freel.

Councilman Freel: Thank you. I have one Ordinance to present for third and final.

Councilman Freel presented and called for the third and final reading Ordinance No. 17-013 (Agenda #4343) entitled:

AN ORDINANCE CONSTITUTING AMENDMENT NO. 7
TO THE FISCAL YEAR 2017 OPERATING BUDGET
(BEING AN ORDINANCE TO AMEND SUBSTITUTE NO.
1 TO ORDINANCE NO. 16-018, AS AMENDED) BY
AMENDING THE DECLARED SALARY RATE FOR THE
CHIEF OF POLICE

Councilman Freel: Madam President, I move that be known as the Enacting Clause of the Ordinance and call for Yea and Nay vote.

Councilwoman Walsh: Second.

President Shabazz: It's been properly moved and seconded that be known as the Enacting Clause of the Ordinance and call for Yea and Nay vote.

On the question:

Councilman Freel: Yes Madam President, as stated, this would change the declared rate salary rate for the position of Chief of Police from \$117,073.00 to \$160,000.00 and the hope is that this make the City of Wilmington more competitive in attracting candidates.

President Shabazz: Councilman Williams.

Councilman Williams: Thank you very much Madam President. In the words of PT boredom, there's a sucker born every day. It's another magic blue pill that they're trying to pass through here. I'm just going to say one name, Ramsey – spent a lot of money regurgitating information we already knew. We're fishing in the wrong pond if we need to raise a salary in-order to attract somebody here. The bigger issue is residency and I just call it like we see it, I think most dedicated individuals that are committed to that field would come here willingly for less money. Let's admit it, they're not new hires. Most of them are retiring from the department with a pension in their pocket. They're not going to starve coming here getting \$117,000.00. I know we have to try and level this thing up so it's more attractive but I think this is a huge step with zero results thus far. We're taking somebody on their resume and we're going to give them a \$45,000.00 raise based on a resume hoping, wishing, praying that they're going to fix Wilmington – with no results yet. I have no problem with raising somebody's salary after they've proven themselves. I never applied for a job knowing what the salary was and said I only take it if you raise it. I think, like I said, we're fishing in the wrong pond. I think that there are some dedicated individuals that would take this job for the money that we have right now. We don't have the money in our disposal just to start try and flashing around – we got a million-dollar appetite with a five-dollar pocketbook. I can't support this.

President Shabazz: Councilman Turner.

Councilman Turner: I have to agree with my colleague Mr. Williams, we're giving the new Chief of Police thirty-eight, thirty-seven thousand dollars raised over top of the Mayor without being proven, without being proven that he can, he can do this. Right now, we're in the year where crime, crime is up. We might as well give the Mayor a raise while we at – while crime is up. So, that, that doesn't, that doesn't sit well with me to give somebody a raise and not knowing what they can do. So, I'm definitely not in support of this as well. That's all I have to say.

President Shabazz: Councilman Congo.

Councilman Congo: Yes thank you. I'm just like my former colleagues mentioned, it's kind of hard to support this just not knowing anything about who's coming. I'm not sure if I missed some information that was passed along but I don't who they are; I don't know their background; I don't know what they're bringing to the table. So, how do we justify giving this kind of salary to someone who we know nothing about. So, I can't support this tonight either. Thank you.

President Shabazz: Councilman Guy.

Councilman Guy: Yes, I have some concerns. In the modern-day system of hiring Chiefs of Police, normally as I talk to people around the country, the legislative branch members usually have some bit of information about what's going on. Now, it may be that the Administration tried to give us some information and it didn't funnel through or maybe they didn't give us any information at all. We don't know because it

happens both ways half the time. So, being in the dark, we don't even have any idea of the nature of the applicant pool. Who are some of the people that they're even looking at? What are the qualifications that they're really looking for? And, the new thing that's going on around the country is that there's a group of citizens, there's a Citizens Committee that is involved and also interviewing some of the people who end up reaching the final the round to make sure that that person is oriented properly towards the people. And, so, there's a lot of things that either haven't been shared with us or that aren't taken place that should take place. And, then, the next thing is that I'm looking at the Chief who was born and raised in Wilmington, Delaware. So, he's a Wilmingtonian from his toe to the top of head and he's been there as the Chief in his hometown trying to make a difference and we basically looking at him and spitting him – him in his face almost as if well, now, all-of-a-sudden the job is worth more. Well, this guy I know he breaks his neck; he shows up a night – eight, nine o'clock at the night – at night, for things that jump off, so, that's kind of disrespectful if this thing doesn't in some way treat him fairly, and you know, if all of that, then we have our regular police officers, now, I thought they keep saying there's no money to pay the police officers. This is like corporate America, the guys at the top get a seven-million-dollar bonus and the people doing the work don't get anything. So, this is forty-three thousand. People might try and tell a story and say well they're not going to get \$160,000.00 right away. They'll get a \$160,000.00 whenever the Mayor wants to give them the \$160,000.00. So, there's a lot of things that need – I think be flushed out with this, those are my thoughts unless I hear something new that causes me to change my point of view.

Councilman Turner: I think this needs to be tabled for more discussion.

President Shabazz: Well, only the – this is not the process. You would not use a table. It would have to be held and that would be done by the sponsor.
Councilman Williams.

Councilman Williams: I just ask the sponsor one quick question. Is there any date that would enact this Ordinance? We currently have a seating Chiefs I understand he tendered his retirement papers but would this immediately affect his salary as he's still the sworn seating Chief of Police?

President Shabazz: Councilman Freel.

Councilman Freel: I do not believe so.

President Shabazz: Councilman Guy.

Councilman Guy: Yes, I'd like somebody to pull out Robert's Rules of Order because I thought I heard my colleague make a motion to table. Now, I was sitting right here in the Council one day and I had a piece of legislation on the table and Councilman Ciro Adams made a motion to table and the group all agreed with him to table it.

Councilwoman Walsh: Madam I have a point of order on this.

Councilwoman Oliver: Madam President.

Councilman Turner: Hold on. Y'all playing a lot of...

President Shabazz: It was not a formal motion that was made and it was not immediate reason to be tabled.

Councilman Turner: I didn't make a formal motion? I didn't make a formal motion?

Councilwoman Walsh: No, you didn't.

President Shabazz: Can you please wait...

Councilman Turner: Okay.

President Shabazz: ...to talk to recognize you before you speak?

Councilman Turner: I make a motion - I make a motion to table and refer it to committee – formally. Did I just do it correctly? I make a motion to table it formally to the committee it came from.

President Shabazz: You cannot talk to him. You need to talk to me sir.

Councilman Turner: Okay pardon. Madam President...

President Shabazz: I'm getting – I'm getting consultation from the parliamentarian and my – and my understanding it was improperly done before.

Councilman Turner: It was improperly done before?

(?): Say what?

Councilman Guy: So you did it again.

President Shabazz: Can I have order in the room please?

Councilwoman Walsh: Yes, it was – it was.

President Shabazz: It was improperly done before and now we're trying to do the proper procedure...

Note: During this time, President Shabazz is getting consultation from the parliamentarian.

Councilman Turner: So.

President Shabazz: ... we can do a motion to refer back to this – Finance...

Councilman Turner: Can I make a motion – can I make a motion...

President Shabazz: ...let me wait to call you...

Councilman Turner: ...I'm sorry...

President Shabazz: ...call you please...

Councilman Turner: I apologize.

Councilwoman Oliver: Madam...

President Shabazz: ... ok, you can make a formal – we can make a formal – refer back to the Finance Committee, it need to be second and then we have to have a majority vote.

Councilman Turner: Can I make a formal motion to send it back to the Finance Committee?

President Shabazz: You want to make - you're not asking a question, put in a request.

Councilman Turner: I make a motion formally to send it back to the Finance Committee.

Councilman Guy: Second.

Councilman Congo: Second.

President Shabazz: It was moved and seconded – on – and now we need to have a – on the question. Hearing none, I'll take a vote. Mr. Chukwuocha.

Councilman Chukwuocha: No.

President Shabazz: Mr. Congo.

Councilman Congo: Yes.

President Shabazz: Ms. Oliver.

Councilwoman Oliver: No

President Shabazz: Ms. Harlee.

Councilwoman Harlee: No.

President Shabazz: Ms. McCoy – Mr. Turner.

Councilman Turner: Yes.

President Shabazz: Ms. McCoy.

Councilwoman McCoy: Yes.

President Shabazz: Mr. Williams.

Councilman Williams: Yes.

President Shabazz: Mr. Freel.

Councilman Freel: No.

President Shabazz: Mr. Adams.

Councilman Adams: No.

President Shabazz: Ms. Dixon.

Councilwoman Dixon: Yes.

President Shabazz: Mr. Guy.

Councilman Guy: Yes.

President Shabazz: Ms. Walsh.

Councilwoman Walsh: No.

President Shabazz: And my vote is no also six what?

Mrs. Seijo (City Clerk): Six Yeas and seven – six Yeas and seven Nays.

President Shabazz: So it's defeated and we move back to the – it would be referred to Finance Committee.

Councilman Freel: No, no, no...

Councilwoman Walsh: No...

President Shabazz: Wait it minute.

Mr. Sanjay Bhatnagar: No, no, it's defeated...

Councilwoman Oliver: It was voted on now...

Mr. Bhatnagar: ...the motion was defeated so we're back to the main question.

Councilman Freel: Just move forward with the roll call.

Councilwoman Walsh: It's defeated.

Councilwoman Oliver: It was defeated.

Note: Roll Call to “refer” Ord. 17-013 back to Finance & Economic Development Committee DEFEATED by the following Yea and Nay Roll Call Vote: Yeas, Council Members Congo, Turner, McCoy, Williams, Dixon and Guy. Total, six. Nays, Council Members Chukwuocha, Oliver, Harlee, Freel, Adams and Walsh, and Council President Shabazz. Total, seven.

President Shabazz: Ok, the motion – the motion to refer is defeated. So, we're back to the original question.

Councilwoman Walsh: Madam Chair.

President Shabazz: Ms. Walsh.

Councilwoman Walsh: You have another request on the floor. I'm sorry, I don't think you heard it. Mr. Freel.

Councilman Freel: Yeah, I'd like to move for a roll call.

Councilwoman Walsh: Second.

President Shabazz: Clerk, please call the roll.

Upon a motion of Councilman Freel, seconded by Councilwoman Walsh, the above 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, Oliver, Harlee, McCoy, Freel, Adams and Walsh, and Council President Shabazz. Total, eight. Nays, Council Members Congo, Turner, Williams, Dixon and Guy. Total, five.

President Shabazz: Declare it adopted. Mr. Adams.

Councilman Adams: Thank you Madam President. I have an Ordinance to present and call for the third and final reading.

Councilman Adams presented and called for third and final reading Ordinance No. 17-005 (Agenda #4330) entitled:

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

Councilman Adams: Madam President, I move that this be known as the Enacting Clause of the Ordinance and called for Yea and Nay vote.

President Shabazz/Councilwoman Walsh: Second.

President Shabazz: Oh excuse me. It's been properly moved and seconded that be known as the Enacting Clause of the Ordinance and call for Yea and Nay vote.

On the question:

Councilman Adams: Thank you Madam President. This Ordinance does not change the composition of the Audit Review Committee. It simply allows the Finance Chairman who is a member of that Committee to designate a – another member of Council to attend the quarterly meetings. In addition, since there are five (5) voting members on that we are also going to add the City Council Chief Financial Officer serve as a non-voting member of the Audit Review Committee. I think that this is a significant addition because that would help the designee if there was need of one at a quarterly meeting to assist with some information that is reviewed at the Audit Review Committee.

President Shabazz: Councilman Guy.

Councilman Guy: Yes, does the legislation identify the perimeters for the designee? Is there any – is it limited in any way as to who the designee can be?

President Shabazz: It's so noted the legislation that – who shall be member of City Council.

Councilman Guy: Ok and then the next thing is this – on the internet there's something called MuniCode.com. So, any Wilmington citizen or Council Member can go to that website and it will pull up the Wilmington City Code. And, I went to that website and I searched to see if allowing you as the Chair to appoint somebody to a committee and then that person gets the authority to decide for somebody else to go to the meeting for them under whatever circumstances arrive. And, that wasn't something that I ran into as a – as something as normal. If – I might of seen a situation where on the executive side a department head could send their designee but it's not normal for the Chair that appoints somebody to a committee or for somebody to be on a committee by virtue of being a chair, to then get to further decide they don't want to show up or be sick or whatever it may be and they get to pick the designee. That is not the norm of how this stuff works around here. So, if we're going to start playing a new game where certain people that are chairing certain committees get certain special privileges to not go and pick their replacement, we should just make the whole code. The change should apply to every person that's – that's part of a committee. Every Councilperson should be able to do that same thing. So, I just want to point that out as somewhat unfair. It's giving special privileges to just one person. So, it's there some way maybe that we need to look into doing that for everybody and I'd like to make a motion that every Councilperson who's appointed to a committee if they can't make it, they get to pick somebody to go to the meeting for them.

Councilwoman Walsh: Can I do a point of order on this please?

President Shabazz: Yes.

Councilwoman Walsh: I don't know what this has to do with the subject of the legislation and the question is on the legislation – not on – maybe a piece that you want to do for the future.

Councilman Guy: No, it's a piece I'm making a motion for an amendment to this piece of legislation...

Councilwoman Walsh: Well you didn't make an amendment. No, you made a suggestion ...

Councilman Guy: Right.

Councilwoman Walsh: ...you didn't use the term amendment at all.

Councilman Guy: So, I making an amendment now.

Councilwoman Walsh: You don't know where in the legislation; you don't know any – I just see a point of order in this whole thing.

President Shabazz: Point taken. Point taken.

Councilman Guy: Yes.

President Shabazz: Councilman Guy.

Councilman Guy: Yeah, to make it crystal clear, this does two things. It allows somebody to pick somebody to replace them when they don't want to go or when they're sick. That's one thing it does. The other thing it does is it does it for all committees – I mean for one committee. And, so, my motion is to just add a phrase in there for this committee....

President Shabazz: And it's not a motion until you – it's needs to be an amend – are you asking an amendment?

Councilman Guy: Yeah, I'm making a motion for an amendment that this ability to do this is also granted to all Council Members....

President Shabazz: This legislation is regarding the Audit Review Committee. It will not – it would not – it does not speak to all committees. It only speaks to the Audit Review Committee. So, this, this – this legislation is only speaking to this. That would have to be a whole another form of legislation per committee and address each ordinance and the code of where it falls. So, we're talking about this Ordinance 07-005 and Sec. 261 of the Audit Review Committee. We're talking about this particular committee and what – and its designation.

Councilman Adams: Thank you.

Councilwoman Walsh: Madam President, can I also please point out on the off topic that the person who would be sent there and the person that we currently have on it is also a non-voting member of this committee. So, they are there for observation and to relay information that they see – from what my understanding is of this – and I could be dead wrong.

Councilman Adams: Excuse me Madam President, may...

President Shabazz: Councilman Adams.

Councilman Adams: There may be some confusion here but this is a City level committee. This is not a City Council committee.

Councilwoman Walsh: Exactly.

Councilman Adams: So, Mr. Guy may be confused and certainly I would like to add the clarity that this is a City committee, not a City Council committee. Thank you.

President Shabazz: And the representation and the – it's, it's just a representation from City Council to be sitting on this committee.

Councilman Adams: Yes, exactly.

President Shabazz: Very good.

Councilman Adams: Thank you.

President Shabazz: Clerk call the roll please.

Councilman Guy: My hand is

Mrs. Seijo (City Clerk): Mr. Chukwuocha.

President Shabazz: You've already had your two – two opportunities to speak Mr. Guy.

Councilman Guy: I got cut-off in the middle of the first one.

Mrs. Seijo (City Clerk): Mr. Chukwuocha.

President Shabazz: Clerk call the roll please.

Upon a motion of Councilman Adams, seconded by Councilwoman Walsh, the above 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, Oliver, Harlee, McCoy, Williams, Freel, Adams, Dixon and Walsh, and Council President Shabazz. Total, eleven. Nays, Council Members Turner and Guy. Total, two.

President Shabazz: Declare it adopted. Where am I at?

Mrs. Seijo (City Clerk): Councilman Guy.

President Shabazz: We didn't go through all the other at-large. Council Member Dixon, any legislation tonight?

Councilwoman Dixon: Nothing tonight Madam President.

President Shabazz: Councilman Guy, any legislation tonight?

Councilman Guy: Nothing tonight Madam President.

President Shabazz: Councilwoman Walsh.

Councilwoman Walsh: Madam President, I have a Resolution on your behalf.

On behalf of President Shabazz, Councilwoman Walsh presented Resolution No. 17-026 (Agenda #4350) as follows:

WHEREAS, Henry Clay, in an 1829 speech, is credited with the claim that “government is a trust, and the officers of the government are trustees are created for the benefit of the people”; and

WHEREAS, as legislative representatives elected by the citizens of Wilmington, members of City Council are held to a higher standard in the way they conduct themselves in the public light, as well as the manner in which they conduct public business; and

WHEREAS, it is in this spirit that the City Council feels compelled to recognize behavior manifest in the words and actions of one of its members, and to censure that behavior while extending a request for the correction and remediation of such conduct for the good of this legislative body; and

WHEREAS, it is the position of this 107th Session of the Wilmington City Council, that Councilman At-Large Samuel L. Guy, Esq., has engaged in behavior which serves to cast a negative light on this body and to limit its effectiveness; and

WHEREAS, in several City Council and City Council Committee meetings, Councilman At-Large Samuel L. Guy, Esq., has engaged in conduct not in keeping with the provisions of decorum and propriety, particularly through asserting allegations of racism against his colleagues, and through questioning the personal motives of members of this Council (see Appendix 1); and

WHEREAS, the provisions of Robert’s Rule of Order, which provide guidance for this Council’s conduct of public meetings, offer clear restrictions against attacking the motives of members of an assembly, stating that a member “...must avoid personalities, and under no circumstances can he attack or question the motives of another member” (RONR [11th ed.], p. 392, Sec. 43); and

WHEREAS, in electronic communications sent from his official City of Wilmington email account, Councilman At-Large Samuel L. Guy, Esq., has employed language that has been received as abusive, berating, degrading and threatening towards both Members of Council and Council staff (see Appendix 2); and

WHEREAS, the Wilmington Department of Human Resources Policy Manual includes express prohibitions against such conduct among City officers and employees, defining such harassment “as verbal or physical conduct that disrupts or interferes another’s work performance or creating an intimidating, offensive, or hostile environment” (Policy 101.2, Sec. 3) and further defining that such harassment can include “oral or written statements” (Policy 101.2, Sec. 4); and

WHEREAS, Sec. 2-339(c) of the City Code recognizes the importance of holding City officers and employees to a higher standard, asserting that “to ensure propriety and to preserve public confidence, officers and employees of the city must have the benefit of specific standards to guide their conduct and of some disciplinary mechanisms to guarantee uniform maintenance of those standards. Some standards of

this type are so vital to government that violation thereof should subject the violator to criminal penalties”; and

WHEREAS, it is the prerogative of this legislative body, in cases in which a member has engaged in such unacceptable and uncivil conduct, to offer a censure, defined as “an official reprimand or condemnation: harsh criticism” (Black’s Law Dictionary, 9th Ed., p. 253), a measure that makes it clear to the public that such behavior constitutes a departure from the standards of public conduct which Council wishes to set forth for itself and its members; and

WHEREAS, Councilman At-Large Samuel L. Guy, Esq., has on several occasions engaged in the proffering of baseless allegations – including unsubstantiated, acrimonious and racially charged language – against members of City Council and City Council staff related to his unsubstantiated allegation of a concerted effort to hamper his effectiveness as a member of Council, insinuations which have been manifest both in the form of electronic communications and in a lawsuit he filed against the Council President and two members of City Council senior staff, among others; and

WHEREAS, certain conduct of Councilman At-Large Samuel L. Guy, Esq., has served not only to hinder the effectiveness of this Session of City Council, but has also jeopardized and potentially tarnished its reputation in the eyes of the populace, to say nothing of the wasted time and resources dedicated to responding to the misconduct detailed in this resolution; and

WHEREAS, in light of this observed misconduct, this Council resolves that Councilman At-Large Samuel L. Guy, Esq., has engaged in conduct unbecoming of his office, and which constitutes a detriment to the office of a Member of Council, as well as this legislative body as a whole.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON, that the Council seeks to formally censure and admonish Councilman At-Large Samuel L. Guy, Esq., following the conduct observed and reported both by members of this legislative body as well as staff, and further, to respectfully remind this member of Council of his duties and responsibilities and encourage him to correct his behavior.

BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON, that the Council seeks to renew its resolved to the principles outlined in the City Code upheld by its members, and the Oath of Office taken by its members, and to reemphasize these critical guidelines as the Council and its individual members seek to serve the citizens of the City of Wilmington and to further the public interest. This Council stands at the ready to move forward, and to collaborate around matters of community importance in our City.

Councilwoman Walsh: Madam President, I move this Resolution be received, recorded and filed and adopted by Yea and Nay vote.

Councilwoman McCoy: Second.

President Shabazz: It’s been properly moved and seconded the Resolution be received, recorded and filed and adopted Yea and Nay vote.

On the question:

President Shabazz: Clerk will call the roll.

Councilwoman Harlee: I had my hand up.

President Shabazz: I'm sorry, Loretta first.

Councilwoman Walsh: Okay, you called the roll. You actually called the roll; you're not supposed to interrupt and you had a second on that. You're not supposed to interrupt a roll call. Am I not correct Mr. Parliamentarian?

Mrs. Seijo (City Clerk): It's correct. Mr. – hmm.

Councilman Williams: Wow...

Councilwoman Walsh: I'm just following the rule.

Councilman Williams: ... ain't that something.

Mrs. Seijo (City Clerk): Yes.

Note: During this time, President Shabazz is getting consultation from the parliamentarian.

Mr. Bhatnagar: No one voted; you can have the debate, it's fine.

President Shabazz: Do you have – do you have a question?

Councilwoman Oliver: No.

Councilman Turner: There's a couple of hands up.

Note: During this time, President Shabazz is getting consultation from the parliamentarian.

Mr. Bhatnagar: No one voted; no one started the vote.

President Shabazz: So, then we can have the debate?

Mr. Bhatnagar: ...you have the debate and Councilwoman Walsh is entitled to recognition first as the sponsor.

President Shabazz: Council Member Walsh, do you have – do you have comments?

Councilwoman Walsh: I, I, I didn't. I'm not trying to prevent anybody from talking.

President Shabazz: Right.

Councilwoman Walsh: I'm trying to follow the rules...

President Shabazz: Right.

Councilwoman Walsh: ... and the rules, if the vote has been called and it's been seconded, you have to take the vote and it's not to be interrupted.

President Shabazz: And I didn't hear – I didn't hear a question, I turned and I called for the vote.

Councilwoman Oliver: That's it. Go.

Councilwoman Walsh: Exactly.

Mrs. Seijo (City Clerk): Mr. Chukwuocha.

Councilman Chukwuocha: Yes.

Mrs. Seijo (City Clerk): Mr. Congo.

Councilman Congo: This is unbelievable.

Councilman Turner: Yes, yes, yes.

Councilman Congo: Unbelievable.

Councilman Williams: Mockery.

Councilman Turner: Yes.

Councilman Congo: We had – we had our hands up Madam President.

Councilwoman Oliver: Keep going.

Councilman Turner: Nah, y'all ain't keep going. Y'all on –

President Shabazz: Okay.

Councilman Turner: ... y'all on that crazy stuff.

Councilman Williams: You already started.

Councilman Turner: You on that stuff, that ain't right.

President Shabazz: Will someone – oh, okay, I'm just trying to follow the rules okay...

Councilman Turner: You (inaudible) talking...

President Shabazz: ...but you shouldn't be talking on the floor anyway. Let me get it straight, okay?

Mr. Bhatnagar: Let's have a motion to resume the debate and have it seconded.

President Shabazz: I'd will have – make a motion to resume the motion.

Councilwoman Walsh: I make a motion to resume to it...

Councilman Turner: Second.

Councilman Walsh: ...have the debate then.

President Shabazz: It's been second; ok. Council Member Walsh, do you have – cause you were the presenter.

Councilwoman Walsh: I'll open the floor to the other comments before I make any comments.

President Shabazz: Okay. Council Member Harlee.

Councilwoman Harlee: Thank you Council President. First of all, I just want to say to all of my Council colleagues, to you, to all of those that were impacted by Resolution 4350, I want to say that I respect your position and I understand how you feel. I want to work in solidarity with each and every one of my Council colleagues and I wanted to say that I understand how you feel and I extend to you my heartfelt regards as it relates to this particular Resolution. I don't support anyone being disrespected; I don't support anyone being called names; however, I do want to say that I feel as a legislative body that we – moving forward, my hopes and wishes are that when it comes to questions that need clarity, when it comes to questions or situations and topics that we need to discuss, my hopes and wishes are that we can come together as a legislative body to sort things out and work things out before they come – become explosive. Now, we all have been elected to legislators to vote on proposals, to move the City of Wilmington forward, to assist in managing the City moving forward, this legislation tonight does neither. And, my hopes and wishes, again, is that we work on solutions moving forward and I want everyone in here to know, all of my Council colleagues, I support each and every one of

you. I am not in anyone's side tonight. I'm on the side of moving the City forward; I'm on the side of assisting each and every one of you and moving forward your legislation as well. Now, Councilman Guy, so far, has been the only legislator to sponsor legislation outside of the Administration. So, hopefully you all will see that I support each and every one of you as well as you prepare your legislation to sponsor it. I just wanted to be known that I feel as though we could work on a better solution because I don't feel this is the answer. And, again, I want you all to know that I want to work with each one of you in solidarity going forward. So, I won't be able to support this Resolution tonight.

President Shabazz: Councilman Congo.

Councilman Congo: Yes, thank you Madam President. I start by saying that I am on Councilman Guy's side. He hasn't done everything perfect and neither has anyone on this floor but to try to censor a Councilperson an, an, an adult for, for, for speaking out of – for speaking out about injustices that he has noticed, is absurd. I could never support this. None of us are perfect. Has he – has he accused Councilwoman Dixon of things that she wasn't responsible for? Yes. I don't think that was right. But, has he spoken up about things that – that had done – that have been done wrong to him? Yes. That scholarship distribution was wrong. It wasn't fair. It should have been done a different and he spoke up about it. And, he – he has been attacked. So, what this – what is he supposed to do? He's going to attack back. I mean, he's the only one that talks about racism on, on a state, county and, and the city level. Let's – let's not pretend that it's not real. We can't sit here and act like racism isn't real in government because it is. It happens on a state level; it happens on a county level and it happens on a city level. The state, how they – how they turned the back on the prisoners at Vaughn Correctional, how they're not addressing those issues; how the County hasn't moved forward with opening the Port that would affect thousands of African Americans and how the City - - he's the one who talked about how the land – the Board of the Land Bank – how that – to make the racial – make it for the Land Bank that's going to control thousands of properties, how it's not even representative of our City. I could go on and on but I don't want to (inaudible). We can talk about the Police Department, how it's not racially equal to the population of Wilmington. The same thing with the Fire Department. So, let's not – let's not act like racism isn't real in the City of Wilmington because it is. Councilman Guy from day one has attempted to inform and empower all of us on Council. Whether you agree with his methods or not that's something else to be discussed but he has done nothing but try to inform the community and empower everyone on Council to be able to make – to be able to be involved in a system that we were never involved in. That we were never giving privileged to be a part of. I've been on Council – this is my third term and he has brought to light things that no other Councilperson period has brought to light. And, we're talking about rules, he brought up rules. How we're all supposed to be involved in a process and we were all never, never allowed to be in that process. He has done nothing to be censored in my opinion. I will, I will, I will always look up to him. He's not perfect but I will always look up to him because in my mind all he does is if it's right for everyday people and maybe he might have a hiccup but we all have hiccups, that's not a reason to censor a Councilman. Thank you.

President Shabazz: Councilman Williams.

Councilman Williams: Thank you Madam Chair. As I said on our, our – the night we were sworn in, we (inaudible) eleven kids and, and, I think we should learn to, to acknowledge each other's shortcomings and each other's benefits but to try and admonish someone, you know, this equates to a, a timeout, which, which there's no due process, there's no hearing. There was no reviewing of the facts – we don't even know if some of the statements he's made are not based in fact. We're going – we're rushing to the end trying to get to a result without pulling it apart and taking a look at it. We cited City policies – any city employee is entitled to a hearing. Any city employee is entitled to defend themselves. There's no defense that's happening here. This is just a rush to judgment to try to stifle somebody because we don't like what they're saying and I cannot support that.

President Shabazz: Councilman Guy.

Councilman Guy: Yes, I want to be clear, according if I'm understanding the rules correctly, I'm supposed to have five minutes.

President Shabazz: For?

Councilwoman McCoy: Then should I?

President Shabazz: It's five.

Councilman Guy: It's five and it says we get a second five. So, I just want to let you know in advance that I'm (inaudible) my second five.

President Shabazz: I understand the rules sir; can you go ahead.

Councilman Guy: Also, I'm offended that at the beginning of this meeting that's, that's a City Council trick, where the sponsor stays silent and the person says, call for the roll call vote. That's a game that's been played for fifty some years when you don't want people to get to talk about it. And, we have a lawyer sitting there who's supposed to assist us doing right and when a government makes an accusation against somebody and people orchestrate violating my due process rights to get to respond, now, you see the nature of the problem at this City Council. Now, I have hopefully four minutes left and the rest of my comments I'll repeat it from what I said before because people are in sense misrepresenting what I said by taking portions. Is that picking up?

Note: During this time, Councilman Guy replayed from his laptop a recording of his comments from another meeting.

Councilman Guy: So, what I did is I played a short clip from my March 8th meeting where a young group of African Americans, out of all the things that they

could write a hip-hop song on, it was called “Don’t Judge Me” and it was about as young people all the racism that they faced and injustice that they face. So, I am honored, first of all because they did this back in the 60’s to, to black elected officials that spoke up on behalf of the people who was hurting, this is what they did, they tried to do a public lynching, they used censorship and what it’s about is, I stand behind the truth of everything I put on Facebook and everything that I send in an email, I stand on it as true because even with respect to what Councilman Congo is stating, my point with Councilwoman Dixon is that once she learned that she got a pot of money that should have been split between the three of us – new At-Large Council people, she then had a responsibility to say to the President, you’re giving me some money that I shouldn’t get. Give it back to those people and then her hands would have been cleaned. So, I just want to be clear on it, I didn’t say she took it, she received it and once she learned because they arrest neighbors in the street – once you know that it was received, their job is to give, give it back or at least to say I would give it back...

President Shabazz: Thirty seconds.

Councilman Guy: ...so everything I said I want every person to read all those attachments because I stand behind what I believe in and I’ve spent my life fighting for all people to get treated fairly and in particular Sam Guy has never been accused of being no sell out that was bought and sold. So, you can censor me and thank you for drafting your Resolution. I appreciated because...

President Shabazz: Your time is up sir.

Councilman Guy: ...it’s a (inaudible) of honor with your name on it.

President Shabazz: Councilman Chukwuocha.

Councilman Chukwuocha: Thank you Madam President. I just want to make a few comments that were stated that were – I would like to kind of address it in my own way. One is saying that you talk about solidarity and, and, and sadly there hasn’t been solidarity amongst this Council. It’s been very divided, a very broken home and it’s, it’s unfortunate. I don’t believe this process is going to fix it. I don’t think it’s meant to fix it but I do know this is meant to address a very real issue. Everyone on this floor, everyone on this country knows that racism is a reality. Institutional racism is in our schools, our prisons, our justice systems, our housing – every aspect of our society, we know that to be true but tell me one person on this floor that would tell that one person, any one of these members have promoted and has contributed to racism in this City of Wilmington from this body? I think that’s very unfair, it’s very unfortunate for us to say and then to label it and point and say that certain members are doing racist things or have racist motives, that’s very unfortunate. It belittles our organization; it belittles our body not only here in our City but throughout the State. And, then, my personal grievance with this issue and why I am in support of it, when there are issues where in particular my own name is being put in something and said that the blood of our children

are on my hands because I didn't support someone piece of legislation. Now, we all don't have to support each other's ordinance and resolutions. We don't have to and you may feel however you feel but you shouldn't put that in writing and then it to the Mayor and everybody else. That's, that's, that's, that's not professional. That's, that's not what legislation is about. I, I, I do have blood on my hands and you know, it's real blood because not only have I – many of my own personal students die in these streets, one got shot last night and we're here sitting here wasting time on this...

President Shabazz: Thank you.

Councilman Chukwuocha: ... and there's really some real issues that we need to deal with and this right here is unhelpful, it's creating a very toxic environment, it's sickening, it's an unneeded aggravation – unneeded aggravation. And, we talk about being statemen, being scholarly, man, we're proving ourselves to be anything other than that. Thank you, Madam President.

President Shabazz: Thank you. Councilwoman McCoy.

Councilwoman McCoy: I just want to let you know that I've actually spoken with Mr. Guy a few times and I just want to state that I am not trying to hide or cover up anything like that and it's more so about I enjoy what I get when it's coming to information the informative piece but the issue at hand is not so much censuring transparency, it's censuring the attacks. It's not about learning about – I am new, so, I definitely want to pick up and enjoy everything that I can to get my hands on to make certain of that I do well for this City. So, it's not about making certain that you are pushed down and you don't let us know what the truth is. It's more about making certain that we are addressing the issues and each other like in a manner that's befitting our positions. So, I'm like so – and I don't think that's it's a coincidence that the thirteen of us are here elected here together. Like we're going to change the City and it took something like this to shake it up – we're not going to be business as usual but we gotta go back – we gotta find our way back to doing this together and I'm like – but I have to say, we cannot go further with the rock throwing. We have to just find the facts and we got to put the facts out there and let the people have – like have what they have but there can't be no rock throwing. I'm like – I, I, I don't want to see that any longer.

President Shabazz: Councilman Turner.

Councilman Turner: Thank you Madam President. And, I think everybody has addressed the rock throwing so I don't need to address that. I'm definitely not agreeing with the rock throwing but we spoke of a word that keeps coming up that I think a few – three of us was at a school and we were fighting for due process. Three of the Council Members that was here was at a school fighting for kid's due process and we're sitting here – you stood up and clap Madam President for due process and they turned us out of there but here we go for one of our colleagues not to get due process.

Madam President you was behind this Resolution, you called me today at 11:26 to tell me about this Resolution. You didn't get my input. If you want transparency that starts with the leader. The leader didn't call me about this Resolution and I don't know if you called everybody, I might be – it might be eleven other people that you called but I know one person that I got a phone call at 11:26 and I look at these emails, I don't agree when there's a click. I don't agree with that, right? I might not agree with that but when I look at this Resolution, there's eight names on it. So, we're here sitting saying it's not a click, there's eight names on it which one Council Member that's not on it wasn't even talked to about it. So, what are we doing? What's the message we're sending? We fought our kids at A.I. DuPont for due process. You stood up and clapped for them to get due process and now we're sitting here sponsoring a bill to not give one of our colleagues' due process. That's all I want to say and that is the point.

President Shabazz: Thank you Mr. Turner. Councilwoman Harlee.

Councilwoman Harlee: I also want to say that I do believe that there is a decorum that we should have about ourselves as elected officials. I failed to mentioned that early on – one the first round that I do feel as though we should have a decorum. We're elected, I consider us professionals and so I want to go on record as saying that and I also want to say that I know two weeks ago that I mentioned about a process. I mentioned that I would like our legislative body – two weeks ago mentioned that I would love for us to come together to try to come up with a solution. I respect your decision as the President because you are the President and you made the decisions that you made but I wanted to go on record that I tried. I made a suggestion how we could move forward and hopefully come to a solution. Thank you, Council President.

President Shabazz: Councilman Guy.

Councilman Guy: Yes, I want to be real clear on something here because see I've been on Council before and when you've been on Council before you actually have a record, a substantive record and implore anybody that wants to go to SamGuy.net and you'll see that in a four-year term, I created all kinds of programs, activities, legislation to move Wilmington forward including the grant legislation that was used six times tonight. What I'm saying to this Council is that there is a core group of people and some of their names are on this item whose job it is to interfere with anything I want to do to help the people the people of Wilmington. Now, what was attempted here is what they call – this is the new form of lynching and the reason why I call it that is because I want you to think about this – this piece of legislation was not made available to anybody for anybody to have an opportunity to fact check it. Okay. Nobody had an opportunity to fact check it and particularly the person who it was written about. Now, somebody here took excerpts, now the lawyer always when I have legislation, they pick it apart to see if there's something that's not right, not accurate, need to be changed but there's stuff in this that are partial statements not complete statements. So, the question is, did the lawyer fact check? Where's the whole transcript so people can see the entirety of what I said?

But see lynching don't require due process in America. Due process isn't involved with lynching. I put in legislation for a Judiciary Committee, I called for it in November, I did before to help the people, you saw four people come in here today talking about criminal justice and correctional issues. Those are the kind of things that used to go to the Judiciary Committee fifteen years ago but the Council President, her interest and of some of the people that follow her is to squash anything I'm trying to do to help the people. There's nobody that can justify a Judiciary Committee not coming back to help people where it's for free. The Law Department in coordination with her refuses to sign my legislation but they'll sign hers. They signed this legislation today. I got at least six pieces of legislation in the hopper that they either won't sign or she won't put on the agenda. That's the kind of mess we got going on. Okay. The first meeting we had, everybody on this floor knows that I send in an email I had three legislative requests for our first meeting. She only let Freel's legislation go on the agenda because he gets to be privileged and put his stuff on whenever he wants and she holds mine back. So, I'm giving you objective things that I've tried to do positively. I have a piece of legislation for us all to get police manuals so that we can learn the policies that govern police community interactions. So, they stick it in a drawer and hold it. It should have been on here today. I put in a piece of legislation...

President Shabazz: Thirty seconds.

Councilman Guy: ... to give some more money to the new Council people because all those – all of our money got used up except the special money that should have been with me, Ciro and Councilwoman Dixon, they gave her all \$6500.

President Shabazz: That's incorrect.

Councilman Guy: So, if somebody don't like my reaction to wrong, I'm a civil rights guy and I done spent all my life fighting for everybody else's civil rights and right now, everything I ask for – it ain't for me, I'm good.

President Shabazz: Your time is up Mr. Guy.

Councilman Guy: I know it's up but ain't really up ...

President Shabazz: Councilman Freel.

Councilman Guy: ... cause I have to close it.

Councilman Freel: I wasn't going to speak but I do want to make a couple of quick comments. I've been on this Council for twenty-one years now and have disagreed with a lot of my colleagues on different issues but understood that – that was part of the process and you respected each other as Council Members because we are all elected by the people. And, I gotta mention that eight years ago I was silence by the Council when I wanted to speak on an issue and they quickly went to roll call and

everything. So, I'm glad Mr. Guy that you got your chance to speak tonight. Now, I'm one of Mr. Guy's favorite individuals he likes to attack whether on TV or on social media and that's fine as one speaker said tonight as a public figure, I need to have thick skin and I do. And, as, as – I was very – I was not crazy about this Resolution. I was very hesitant about it to be honest with you right up until yesterday. I didn't think it was the greatest idea. But when I read a Facebook post where Mr. Guy attack one of staff members, a staff member who I've worked next to for over eight years now. She's probably the hardest working person on our staff and the fact that he would attack her when she's very professional and just doing her job the best way that she can, I just had never seen anything like that to go on a social media outlet and do that to her is just unfair where everybody can see this – these comments. If you had a real issue with it, I'm sure if he sat down with yourself and the Chief of Staff, it could have been worked out but to go after her in a manner that he did, I just couldn't sit by and accept that and that's when I agreed to sign on to this Resolution tonight and Mr. Guy, I'm sorry that you're in this situation but you can continue to attack me all you want, I'll live with it but I really think you should be careful about attacking the staff people who are just trying to help us and like you help the people in Wilmington do their job. Thank you.

President Shabazz: Councilman Turner.

Councilman Turner: Thank you Madam President. Did I misread something in this Resolution? It states nothing about social media, Facebook – it states about emails.

President Shabazz: Right.

Councilman Turner: So, my question to Mr. Freel, you know, I agree with him about the attacks on Facebook and social media but it – so your decision about this Resolution was because of a Facebook post but that's not in the Resolution today. So, ...

Councilman Freel: That's absolutely correct. When I saw that Res – when I saw that post yesterday it made me feel that I had to – had to support this Resolution this evening.

Councilman Turner: Did you call on him to talk?

Councilman Freel: I apologize. I thought you were asking me a question.

Councilman Turner: Yeah, I was saying it to the Chair; to Madam President first.

President Shabazz: Right.

Councilman Freel: I apologize.

President Shabazz: Your apology accepted Mr. Freel. Now, your question was – no, this Resolution does not talk about any social media content. It talks about all of his actions while he was in the official capacity, which you're not always in the official capacity as a Council Member, but all these are referenced to actions when he was either on the Council floor, at a Committee meeting or using – corresponding through Council email. We did not go into the comments that were on social media.

Councilman Turner: Thank you. Can I respond?

President Shabazz: Yes sir.

Councilman Turner: I don't agree with the Facebook (inaudible); I don't agree with it but I do think that you made clear that this 107 Session was going to be transparent and we were going to work together. I think tonight our point had been made that we would, would, would stand up against someone that wouldn't say what they need to say but I think tonight we also need to give our colleague due process. I think – I want to make a motion to table this for more discussion. There's no committee for this – so, it didn't come through a committee, so, I'll table it and send it to the Public Works Committee.

President Shabazz: Only those that are sponsors can table.

Mrs. Seijo (City Clerk): Not table.

Councilman Turner: Is that true?

Councilman Congo: No, I second.

Councilman Turner: Is that true?

Councilwoman Walsh: No, it's not. Anybody can table it. Anybody can table it.

President Shabazz: It's procedurally proper under Rule 16 that the motion to lay something on the table is properly brought when used to interrupt pending business so that the Council may consider another matter of immediate emergency and we don't have any other matter to – to stop this. So, this is an improper motion.

Councilman Congo: I make a motion to hold...Resolution.

President Shabazz: Only the main sponsors can hold.

Councilman Turner: Hold up. I wasn't – I wasn't a sponsor on the other one and tabled it.

Councilwoman Oliver: It wasn't...

Councilman Turner: What was it?

President Shabazz: The motion to – to motion to hold – I mean, the motion to table is not in a proper motion.

Councilwoman Walsh: Council President.

President Shabazz: Councilwoman Walsh.

Councilwoman Walsh: Yes, I'd like to just say a couple of things. You can state whatever your intentions are on this when it gets to you making comments but for members on this floor tonight, number one, it was not deliberate to try and do a roll call immediately on this. It was unfortunate. Almost like the false alarm being pulled off right before the Council meeting. People thought this building was under siege. It was not deliberate; it was an accident. And, for the new members, I would think you would know me long enough by now that you know even though I can be a total pain in the rear end on things, I follow the rules and I try to look at things very black and white; very little gray area when it comes to rule following. I don't want to offend you Madam President but I don't follow anybody. I never have and I never will. With I feel like fighting with you, I'm going to fight with you. If I feel like fighting with a member on this floor, I'll fight with you also. But the other thing that I'd do is, when I walk out this door, I shake it off and let it go. Now, do we have a responsibility to do something like? I heard some of the comments this evening, one was we were elected to manage this City. We were not elected to manage this City. The Mayor was elected to manage this City and I think that's been a misconception from day one with this Council that you can't have and we can't have chief hats that we wear all the time. That we are not in charge. We are not in charge of this City and we are not in charge of this body when it comes to staff and this is where I drew my line. We do have a responsibility to not create a hostile work environment for our staff. We're self-insured that if our staff, which we do have two people right now if not four people who could walk down to HR tomorrow and file – and file hostile work environment objections about what is been going on up here on our floor. So, what will happen when the lawsuits start and when we have to start putting out money? This is not preventing our colleagues from voting on this. This is not removing anything from his right to vote – to voice on this floor or anything else. This is a check point as to what is happening with his behavior. We are all adults sitting on this floor and we need to put our big pants on and to allow stuff like this to roll off our back, which is very, very difficult when you've been working with throughout the City for as long as some of us have and throughout the entire City and then all of a sudden because one member decides to look at us differently with different eyes and get accused of racism - that's not why I moved here. You know, I've said this on this floor many, many times. I think this is a needed timeout as another Council Member referred to it and I don't get any glee for how I'm about to vote but I'm going to vote nonetheless on – yes on this procedure.

President Shabazz: You've already spoken two times.

Councilman Turner: I just want to get the City Solicitor for interpretation.

President Shabazz: But you've already spoken two times.

Councilwoman Walsh: Three times.

Councilwoman Oliver: Madam President.

Councilman Turner: I can't ask for the City Solicitor?

Councilwoman Walsh: Three times.

President Shabazz: Councilwoman Oliver.

Councilwoman Oliver: Is it possible I can ask for a roll call please?

Councilman Turner: Say what?

President Shabazz: Okay.

Councilwoman Oliver: Thank you.

Councilwoman Walsh: Second.

Councilman Guy: Does the accused get to speak last in your rules?

Councilman Freel: You spoke twice.

Councilwoman Walsh: Sam you had two times.

Councilman Guy: Madam President under this process, does the accused get the – get a closing remarks?

President Shabazz: No. Everyone has two, two times to speak and there's been a full - thorough and complete debate and I would like to call for the roll.

Upon a motion of Councilwoman Walsh, seconded by Councilwoman McCoy, the above 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, Oliver, McCoy, Freel, Adams, Dixon and Walsh, and Council President Shabazz. Total, eight. Nays, Council Members Congo, Harlee, Turner, Williams and Guy. Total, five.

President Shabazz: Declare it adopted.

Councilwoman Walsh: That's it Council President.

President Shabazz: I'd accept a motion but I would like to make some closing comments though, okay.

Councilman Turner: Closing comments?

Councilman Guy: Petitions and communications.

President Shabazz: Petitions and communications.

Councilman Turner: You won't stand for nothing; you'll fall for anything. You'll stand on some ground.

PETITIONS AND COMMUNICATIONS

President Shabazz: I think we've had a very intense communication this evening. I just would like to make some closing remarks. I think it's necessary for me to say this regarding the fact that - never mind. I'll accept a motion to adjourn.

ADJOURNMENT

Upon a motion of Councilman Freel, seconded by Councilwoman Walsh, Council adjourned at 8:19 p.m. Motion prevailed.

Attest: Maribel Seijo
Maribel Seijo, City Clerk