

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

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

Invocation was given by Traci Owens.

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, Cabrera, Walsh and Wright, and Council President Gregory. Total, twelve. Absent, Council Member Michael Brown. Total, one.

MINUTES

After reading a portion of the minutes of June 16, 2016, upon a motion of Ms. Walsh, seconded by Mr. Williams, it was moved they be accepted as written. Motion prevailed.

REPORT OF COMMITTEES

The City Clerk read the following committee report:

<u>Joint Meeting of Public Works & Transportation and Health, Aging & Disabilities Committees</u>	<u>Present</u>	<u>Absent with Leave</u>	<u>Absent w/out Leave</u>
Hanifa G.N. Shabazz	X		
Michael A. Brown Sr.		X	
Nnamdi O. Chukwuocha	X		
Samuel Prado		X	
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: June 30, 2016

Ladies and Gentlemen:

We, your **Joint Public Works and Transportation Committee and Health, Aging & Disabilities Committee**, met on the above date, Councilwoman Hanifa G.N. Shabazz and Councilman Robert A. Williams presiding. The following item was discussed:

- Special Mosquito Bite and Breeding Prevention Presentation by the State of Delaware's Mosquito Control Section: The meeting will focus on the dangers posed by mosquito bites, the use of sprays and lotions to repel bites and details about ground and aerial insecticide spraying that will be needed this summer to stop mosquitos from breeding. Thomas Moran, Program Manager and Dr. William Meredith, Environmental Program Administrator of the State Division of Fish and Wildlife's Mosquito Control Section, will do presentations. Wilmington's Licenses and Inspections Department will also attend the meeting to remind citizens of their duty to prevent the build-up of standing water on their properties which is a common area for mosquitos to breed.

Respectfully submitted, Members of
Members of **Public Works &
Transportation Committee**
/s/Hanifa Shabazz, Chair
/s/Nnamdi O. Chukwuocha

Respectfully submitted,
**Health, Aging & Disabilities
Committee**
/s/Robert A. Williams, Chair
/s/Charles M. Freel
/s/Sherry Dorsey Walker

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

The City Clerk read the following committee report:

<u>Public Works & 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

June 30, 2016

Ladies and Gentlemen:

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

- Discuss A Resolution Supporting The Efforts Of The Federal Railroad Administration And Its Regional, State And Local Partners To Study And Propose Enhancements To The Transit Infrastructure In And Around Delaware, And Encouraging Collective Action And Innovation To Expand Public Transit And Rail Options For Wilmingtonians

Respectfully submitted, Members of
Public Works & Transportation Committee
/s/Hanifa Shabazz, Chair
/s/Nnamdi O. Chukwuocha
/s/Robert A. Williams

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

The City Clerk read the following committee report:

<u>Public Works & Transportation Committee Member</u>	<u>Present</u>	<u>Absent with Leave</u>	<u>Absent w/out Leave</u>
Hanifa 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

June 30, 2016

Ladies and Gentlemen:

We, your Public Works & Transportation Committee, to who was referred **Ordinance No. 16-027** entitled:

AN ORDINANCE TO AUTHORIZE CONTRACT 17004PW – BITUMINOUS CONCRETE – WITH DIAMOND MATERIALS, LLC

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

Respectfully submitted, Members of
Public Works & Transportation Committee
/s/Hanifa Shabazz, Chair
/s/Nnamdi O. Chukwuocha
/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 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

June 30, 2016

Ladies and Gentlemen:

We, your Public Works & Transportation Committee, to who was referred **Ordinance No. 16-032** entitled:

AN ORDINANCE TO AUTHORIZE CONTRACT 17008PW –
VENDING MACHINE SERVICE – WITH RDS VENDING, LLC

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

Respectfully submitted, Members of
Public Works & Transportation Committee
/s/Hanifa Shabazz, Chair
/s/Nnamdi O. Chukwuocha
/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 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

June 30, 2016

Ladies and Gentlemen:

We, your Public Works & Transportation Committee, to who was referred
Ordinance No. 16-033 entitled:

AN ORDINANCE TO AUTHORIZE A MUNICIPAL DISCOUNT
DISPOSAL FEE AGREEMENT WITH THE DELAWARE
WASTE AUTHORITY FOR THE DISPOSAL OF MUNICIPAL
SOLID WASTE AND RECYCLABLE MATERIALS

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

Respectfully submitted, Members of
Public Works & Transportation Committee
/s/Hanifa Shabazz, Chair
/s/Nnamdi O. Chukwuocha
/s/Robert A. Williams

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

The City Clerk read the following committee report:

<u>Public Works & Transportation Committee Member</u>	<u>Present</u>	<u>Absent with Leave</u>	<u>Absent w/out Leave</u>
Hanifa 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

June 30, 2016

Ladies and Gentlemen:

We, your Public Works & Transportation Committee, to who was referred
Ordinance No. 16-034 entitled:

AN ORDINANCE TO AMEND CHAPTER 42 OF THE CITY
CODE REGARDING THE MOBILE FOOD VENDING UNIT
PILOT PROGRAM

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

Respectfully submitted, Members of
Public Works & Transportation Committee
/s/Hanifa Shabazz, Chair
/s/Nnamdi O. Chukwuocha
/s/Robert A. Williams

Upon a motion of Ms. Shabazz, seconded by Ms. Walsh, 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 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

June 30, 2016

Ladies and Gentlemen:

We, your Public Works & Transportation Committee, to who was referred **Ordinance No. 16-039** entitled:

AN ORDINANCE TO AUTHORIZE AN AGREEMENT FOR
WATER AND SEWER SERVICE LINE PROTECTION
PROGRAMS WITH AMERICAN WATER RESOURCES, LLC

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

Respectfully submitted, Members of
Public Works & Transportation Committee
/s/Hanifa Shabazz, Chair
/s/Nnamdi O. Chukwuocha
/s/Robert A. Williams

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

President Gregory: Mark Mr. Prado present please.

Mrs. Seijo (City Clerk): So noted.

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

The City Clerk read the following committee report:

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

President and Members of Council of
The City of Wilmington

July 5, 2016

Ladies and Gentlemen:

We, your Finance Committee, to who was referred **Ordinance No. 16-040** entitled:

AN ORDINANCE AUTHORIZING THE ISSUANCE OF THE CITY'S GENERAL OBLIGATION BONDS, SERIES OF 2016, IN ORDER TO PROVIDE THE FUNDS NECESSARY TO REFUND CERTAIN OUTSTANDING PRIOR GENERAL OBLIGATION BONDS OF THE CITY; PROVIDING FOR THE SALE OF THE BONDS; AND AUTHORIZING OTHER NECESSARY ACTION

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

Respectfully submitted, Members of
Finance Committee
/s/Charles M. Freel, Chair
/s/Samuel Prado
/s/Hanifa Shabazz

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

The City Clerk read the following committee report:

<u>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

July 5, 2016

Ladies and Gentlemen:

We, your Finance Committee, met on the above date at 5:00 p.m., Councilman Charles M. Freel presiding. The following items were discussed:

- Discuss a Resolution Establishing a Council Organization Commission to Conduct a Review of City Council's Structure and Organization and Make Findings and Recommendations to this Council within 180 Days of its Appointment
- Discuss a Resolution Approving the Collective Bargaining Agreement with the City of Wilmington and the Wilmington Firefighters Local 1590, International of Firefighters, for the Period of July 1, 2012 Through June 30, 2016
- Discuss a Resolution Encouraging the Federal Government to Investigate the Feasibility of Enacting a Program Designed to Offer Young Professionals Student Loan Forgiveness and Deferral Options to Incentivize Residency in Urban, Suburban or Rural Communities with Designated Levels of Poverty and Economic Disadvantage

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

Respectfully submitted, Members of
Finance Committee
/s/Charles M. Freel, Chair
/s/Samuel Prado
/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.

TREASURER'S REPORT

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

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

102	Community Development Block Grant	M & T Bank	\$ 1.00
104	Old Non-Uniform Pension Account	M & T Bank	\$ 715.81
105	Police Pension Account	M & T Bank	\$ 3,954.68
106	Fire Pension Account	M & T Bank	\$ 5,862.87
107	Evidence/Found Currency Account	M & T Bank	\$ 476,880.88
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	\$ 14,745.91
117	Cement Workers	Wilmington Savings Fund	\$ 33,486.77
118	Worker's Comp. 3 rd Party Account	M & T Bank	\$ 13,003.23
124	Non-Uniform Pension Act of 1990	M & T Bank	\$ 1,259.90
120	Grant-In-Aid Account	M & T Bank	\$ 201,369.00
130	Payroll	M & T Bank	\$ 204,789.66
131	Pension Payroll Account	M & T Bank	\$ 51,960.52
139	Pension Healthcare Account	M & T Bank	\$ 680.32
	Total Cash on Hand		\$ 1,014,101.58

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FUND CODE	FUND	INSTITUTION	INVEST. TYPE	MATURITY DATE	INTEREST RATE	INTEREST RECEIVABLE	INVESTMENT AMOUNT
116	General	M&T Bank	RP	07/07/16	0.01%	\$ 1.54	\$ 5,624,289.00
116	General	TD	CD	07/08/16	0.41%	\$ 837.09	\$ 1,500,000.00
116	General	TD	CD	07/08/16	0.41%	\$ 1,116.12	\$ 2,000,000.00
116	General	WSFS	CD	07/08/16	0.40%	\$ 1,181.37	\$ 2,200,000.00
514	Risk Management	WSFS	CD	07/11/16	0.40%	\$ 461.12	\$ 1,375,000.00
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%	\$ 461.12	\$ 1,375,000.00
515	Worker's Comp	WSFS	CD	07/11/16	0.40%	\$ 22,805.15	\$ 5,670,097.05
116	General	WSFS	CD	07/22/16	0.40%	\$ 1,402.74	\$ 2,000,000.00
116	General	WSFS	CD	07/28/16	0.45%	\$ 1,202.05	\$ 1,500,000.00
124	Non-Uniform 1990	WSFS	CD	07/28/16	0.45%	\$ 353.95	\$ 990,000.00
106	Fire Pension	WSFS	CD	07/28/16	0.45%	\$ 759.76	\$ 2,125,000.00
105	Police Pension	WSFS	CD	07/28/16	0.45%	\$ 429.04	\$ 1,200,000.00
116	General	TD	CD	08/05/16	0.43%	\$ 1,170.56	\$ 2,000,000.00
116	General	TD	CD	08/19/16	0.40%	\$ 622.23	\$ 1,000,000.00
116	General	TD	CD	08/19/16	0.32%	\$ 693.34	\$ 1,500,000.00
110	Capital	WSFS	CD	09/23/16	0.45%	\$ 17,605.47	\$ 12,000,000.00
110	Capital	WSFS	CD	09/30/16	0.40%	\$ 12,243.29	\$ 8,400,000.00
116	General ¹	TD	CD	10/03/16	0.45%	\$ 18,292.09	\$ 15,403,864.00
110	Capital	TD	CD	10/07/16	0.50%	\$ 14,583.34	\$ 10,000,000.00
110	Capital	WSFS	CD	11/18/16	0.50%	\$ 99,726.02	\$ 20,000,000.00
104	Escrow Pension	Affinity Wealth					\$ 1,451,989.00
104	Escrow Pension	Vanguard					\$ 42,394,000.00
104	Escrow Pension	Black Rock					\$ 23,899,588.00
104	Escrow Pension	Edgar Lomax					\$ 23,455,089.00
104	Escrow Pension	Wilmington Trust					\$ 44,403,940.00
104	Escrow Pension	Manning & Napier					\$ 10,249,140.00
104	Escrow Pension	Earnest Partners					\$ 18,278,221.00
104	Escrow Pension	GMO					\$ 11,562,532.00
104	Escrow Pension	MFS Management					\$ 22,362,973.00
104	Escrow Pension	American Funds					\$ 9,851,045.00
139	Medical Escrow	Black Rock-OPEB					\$ 15,293,402.00
116	Deferred Comp.	MassMutual					\$ 39,743,748.00
	Total Investments						\$ 366,479,014.10
	Total Cash on Hand						\$ <u>1,014,101.58</u>
	Grand Total						\$ 367,493,115.68

¹ Budget Reserve

/s/Henry W. Supinski
City Treasurer

NON-LEGISLATIVE BUSINESS

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

D. Brown/Council	Recognize Walnut Street YMCA Youth in Government
D. Brown	Retirement John Casey, Delaware Contractors Association
M. Brown	Sympathy Tameia Carter
Cabrera	Sympathy Dr. Thomas Ashley Graves, Jr.
Cabrera	Sympathy Gina DelleDonne
Congo	Commend Reverend Dr. Clifford I. Johnson
Gregory	Recognize Richard Dyton
Gregory	Sympathy Rhonda Ayres-Sanders
Gregory/Cabrera	Recognize John Watson
Williams	Retirement Richard Lindell

President Gregory recognized former Mayor James Sills, County Executive Thomas Gordon, former Councilman Samuel Guy, former Councilman Charles Potter, Jr., former State Treasurer Velda Jones-Potter, and former Councilman William Freeborn who were in the audience this evening.

LEGISLATIVE BUSINESS

President Gregory: Mr. Chukwuocha.

Mr. Chukwuocha: Yes Mr. President, I have a Resolution to present on your behalf.

On behalf of President Gregory, Mr. Chukwuocha presented Resolution No. 16-058 (Agenda #4243) as follows:

WHEREAS, according to the Federal Reserve Bank of New York, student loan debt is the only form of consumer debt which has continued to rise following the 2008 consumer debt peak and the height of the Great Recession; and

WHEREAS, in March 2015, total student loan debt in America was estimated to be between \$1.19 and \$1.27 trillion; and

WHEREAS, student loans, which sometimes carry high interest rates and penalties, continue to saddle young Americans as they enter the workforce after earning their degree; and

WHEREAS, there are long-standing programs in place to forgive portions of student loan debt for those in particular fields – including law – who spend a designated period of time working in public service; and

WHEREAS, there are also various student loan deferral options for students, including those who are attending graduate school and continuing their post-secondary education; and

WHEREAS, considering the possibility of student loan forgiveness and deferral programming to incentivize the engagement of graduates in particular fields, there also exists the opportunity to incentivize residential choice through similar means; and

WHEREAS, low-income communities and those in need of revitalization and renewal can benefit from young professionals and the energy and investment they bring to such neighborhoods; and

WHEREAS, it is worth investigating how the federal government could incentivize residency in particular communities – namely urban, suburban and rural communities with certain levels of poverty and demonstrated economic disadvantage, as well as low home ownership rates and other socioeconomic factors; and

WHEREAS, the City Council urges federal leaders to investigate the potential of designing such a program.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON, that the Council respectfully encourages the federal government to investigate the feasibility of enacting a program designed to offer young professionals student loan forgiveness and deferral options provided they reside in urban, suburban or rural communities characterized by particular levels of poverty and economic disadvantage – along with other socioeconomic factors – as such an approach could provide much-needed debt relief to these graduates while also injecting energy and investment into these communities.

On the question:

Mr. Chukwuocha: Yes Mr. President, this is a Resolution that if passed this Council would be encouraging the Federal government to look and investigate the feasibility of enacting a program designed to offer young professionals student loan forgiveness and other deferred options incentivize residency in urban, suburban or rural communities those that are impacted with high levels of poverty and also other disadvantaged economic areas and areas that have low homeownership. It's a great initiative. One would definitely, truly benefit the City of Wilmington, not just the City of Wilmington, some of our communities in need but also throughout our State. And, as a social worker, the national organization social worker – Association of Social Workers, this actually mirrors a piece of legislation that they put forth a few years ago for social workers who also have the same type of loan forgiveness and deferral payment options for working in communities of needs. So, I'm definitely 100% in support. It's a great piece and hopefully my colleagues will support it as well.

President Gregory: The Federal government now does this in terms of employment. If you work for government and some non-profits, they forgive and/or defer loans. And, the thinking is that we could attack two values here. One being the value of not helping students who are in debt when they come out of colleges and the second would be those census tracts that are challenged to help people to move into them for various reasons, be they rural, suburban or urban. So, we would encourage people to move in the blighted areas and fix up properties or if a lot of vacancies, if they did that then hopefully they would get their loans deferred and/or a partial forgiving, so, this is not an initiative that the City can enact; it's not one that the State can enact. So, this

Resolution would be sent to our Federal Delegation and ask that they would in fact work on this to help, one, communities that need capacity in terms of educated capacity and getting folks to move in and then secondly, helping through forgive loans for folks. Mr. Williams is next and then Ms. Walsh.

Mr. Williams: Just a question to be added as a cosponsor if it pleases the Chair.

President Gregory: So noted. Ms. Walsh.

Ms. Walsh: I would like that too ...

President Gregory: So noted.

Ms. Walsh: ... but I'd like to make one statement also.

President Gregory: Yes ma'am.

Ms. Walsh: I think this sort of Resolution should probably be done yearly by this Council and the next Council because with the way Congress is, I can see them with closed fists and (inaudible) too, anything remotely helping urban areas especially and rural areas that were also abandoned very heavily ...

President Gregory: Right.

Ms. Walsh: ... by our Federal government in many cases. So, and maybe long after I'm gone from this earth, there might be a Congress down there that would look at these things and think outside of the box and get our country and our people moving again.

President Gregory: Thank you. Councilwoman Shabazz.

Ms. Shabazz: Thank you Mr. President. I also would like to be a sponsor.

President Gregory: So noted.

Ms. Shabazz: I think this is something also that we would like to take it to the National League of Cities and get them to also because they represent many urban cities across the city – across the country and I would like to take this on

President Gregory: Oh, absolutely.

Ms. Shabazz: and have the National League of Cities to send it also up to Congress.

President Gregory: Absolutely. Ms. Cabrera.

Ms. Cabrera: I too would like to be added as a sponsor. Thank you.

President Gregory: So noted. Ok, the Clerk will call the roll.

Upon a motion of Mr. Chukwuocha, seconded by 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, Williams, Freel, Cabrera, Walsh and Wright, and Council President Gregory. Total, eleven. Nays, none. Absent, Council Members Dorsey Walker and Michael Brown. Total, two.

President Gregory: Declare it adopted.

Mr. Congo: Yes, thank you Mr. President, on your behalf, we're going to hold this next piece so we can do more discussion around it.

President Gregory: Absolutely. Mr. Darius Brown.

Mr. Darius Brown: Nothing tonight. Thank you.

President Gregory: Ms. Shabazz.

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

Ms. Shabazz presented and called for the third and final reading Ordinance No. 16-027 (Agenda #4203) entitled:

AN ORDINANCE TO AUTHORIZE CONTRACT 17004PW –
BITUMINOUS CONCRETE WITH DIAMOND MATERIALS, LLC

On the question:

Ms. Shabazz: Mr. President this Ordinance is being presented by the Administration to Council for their approval through the Public Works Department to enter into a one-year agreement with Diamond Materials, LLC for concrete which is commonly referred to as asphalt, blacktop or pavement. The agreement totals \$92,375 and carries an option for the City to renew the agreement at the same rate and conditions for two, one-year extensions. This was bided out – Diamond Materials has been a former – has done this work for us before and we're very satisfied with it and they had the best reasonable bid presentation for the City.

President Gregory: Ms. Walsh.

Ms. Walsh: When you said they've had this contract before, do you mean like, just now recently?

Ms. Shabazz: Previously they were the contracted previously, yes before it expired.

Ms. Walsh: So, they're the ones doing patchwork around town?

Ms. Shabazz: To my understanding, I asked the same question, they provide us with the product and we do the patching.

Ms. Walsh: And we do. Alright, thank you.

Ms. Shabazz: It's the product they provide us with, not the service.

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, Williams, Freel, Cabrera, Walsh and Wright, and Council President Gregory. Total, eleven. Nays, none. Absent, Council Members Dorsey Walker and Michael Brown. Total, two.

President Gregory: Declare it adopted.

Ms. Shabazz presented and called for the third and final reading Ordinance No. 16-032 (Agenda #4226) entitled:

AN ORDINANCE TO AUTHROIZE CONTRACT 17008PW –
VENDING MACHINE SERVICE – WITH RDS VENDING, LLC

On the question:

Ms. Shabazz: This Ordinance is presented to City Council for review and approval to enter into a one-year contract beginning July 1, 2016 with RDS Vending, LLC for vending machine services in all our City government buildings. The City would receive \$1,253 per month or 25% of gross sales (whichever is greater) for allowing this vending company to sell its good in City buildings. The contract contains an option for three, one-year extension periods and RDS Vending was selected through a City competitive bidding process. I also asked a question during the Council – through the Committee meeting of whether not that we would have healthy snacks in the vending machines and we were guaranteed that we would because we are a “Let’s Move” City and we wanted maintain our standards as being – providing healthy snacks for our employees.

President Gregory: Mr. Darius Brown.

Mr. Darius Brown: Thank you Mr. Chair that was question around the type of foods that would be provided. I'm not sure how they define healthy and I guess, you know, it's not actually in the contract specifically but I think as we look at our City and we look at our workforce which would be our largest consumer of these vending machines, we should provide healthy foods for them.

President Gregory: Ms. Walsh.

Ms. Walsh: If I may, with the health police. You know, we don't have a bunch of school children running to these machines all day long with their chain. It's – what I see are runners, certain people that do exercise, who – their eyes kind of light up say, oh my god, there's a chip, I got to get a bag. So, they do a good job, let's just keep going with them.

President Gregory: The Clerk will call the roll.

Upon a motion of Ms. Shabazz, 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 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, Williams, Freel, Cabrera, Walsh and Wright, and Council President Gregory. Total, eleven. Nays, none. Absent, Council Members Dorsey Walker and Michael Brown. Total, two.

President Gregory: Declare it adopted.

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

Ms. Shabazz presented and called for the third and final reading Ordinance No. 16-033 (Agenda #4227) entitled:

AN ORDINANCE TO AUTHORIZE A MUNICIPAL
DISCOUNT DISPOSAL FEE AGREEMENT WITH
THE DELAWARE SOLID WASTE AUTHORITY
FOR THE DISPOSAL OF MUNICIPAL SOLID
WASTE AND RECYCLABLE MATERIALS

On the question:

Ms. Shabazz: Again, this Ordinance is being presented to City Council for review and approval through the Department of Public Works and Recreation to enter into a five-year agreement with the Delaware Solid Waste Authority (DSW) for disposal of the City's trash (solid waste) and recyclable materials. Under this Public Works

agreement in the first year, the Delaware Solid Waste Authority will accept the City's trash and recyclable materials at the Cherry Island Landfill for a cost of \$69 per ton instead of the regular \$85 per ton tipping or dumping fee. In each of the following four years of the agreement, the cost to the City would increase by one dollar per year. Under the terms of the Parks and Recreation agreement, the Delaware Solid Waste Authority will accept the City's trash for a cost of \$65 per ton versus the regular \$85 in the first year of the agreement. As with the Public Works agreement, the cost to the City would increase by one dollar in each of the four successive years of the Parks and Recreation contract. The City anticipates saving \$1,828,000 in trash tipping fees over the course of the five-year agreements along with an additional savings of \$150,400 in disposal costs for recyclable materials.

President Gregory: Mr. Brown.

Mr. Darius Brown: Thank you Mr. President. The \$1.8 million in savings that's projected over five-years, is that based on the differential of the \$85 per ton to the \$69 or is that based on Public Works budget that we just passed, which I think was at a different rate than \$69?

Ms. Shabazz: If I believe it's based on the differential – yes, it's based on the differential of the tipping cost.

Mr. Darius Brown: The differential of the \$85 to \$69 or the differential of Public Works' FY'17 budget and the \$69?

Ms. Shabazz: Well, it's two different costs. One is, you know, one is the \$69 per ton compared to \$85 than it's a \$65 and its minus and accumulation of the two would save the City the total of \$1.8.

Mr. Darius Brown: Okay. So, do we know what would be our savings based Public Works' budget they budgeted for more than \$69 per ton? Do we have that? No, okay.

Ms. Shabazz: The Commissioner said he would get the difference for us.

Mr. Darius Brown: Okay.

Ms. Shabazz: Okay.

President Gregory: The Clerk 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, Williams, Freel, Cabrera, Walsh and Wright, and Council President Gregory. Total, eleven. Nays, none. Absent, Council Members Dorsey Walker and Michael Brown. Total, two.

President Gregory: Declare it adopted.

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. 16-039 (Agenda #4236) entitled:

AN ORDINANCE TO AUTHORIZE AN AGREEMENT FOR
WATER AND SEWER SERVICE LINE PROTECTION
PROGRAMS WITH AMERICAN WATER RESOURCES, LLC

On the question:

Ms. Shabazz: Mr. President, it gives me great pleasure to present this Ordinance before the City Council for their review and approval. The concept of this project was one something that I brought back from the National League of Cities and presented to the City and I'm glad that we saw it fitting to present it for the great savings to our citizens. And, it is through the Department of Public Works, to enter into a five-year contract with Water – American Water Resources to administer and provide a voluntary warranty protection program for Wilmington's residential owners of water service lines and sewer laterals (water and sewer service lines). This program would enable residential owners of water and sewer lines to purchase warranty protection from American Water Resources for water and sewer line maintenance and repair costs on portions of the water and sewer system that are the responsibility of the property owner and not the City government. American Water Resources would pay the City an initial \$50,000 administrative fee and would also annually pay the City 100% of the warranty fees it collects from residents; the resident owners that take up the warranty.

In addition, American Water Resources will pay the City \$20,000 annually to be used at the City's discretion to assist residential water and sewer line owners who are not American Water Resources warranty customers. The annual cost to a resident owner to have both their water and sewer lines under the warranty is approximately \$100. When there – this is referring to is when the – a water line breaks and the property owner is responsible for the servicing from the main to the house, it's usually unexpected and this could run the property owner approximately \$3,000 to \$6,000. This \$100 a year warranty would cover that for the homeowners. It's been very popular in other cities, across the country and I think it's something great for our residents here to be able to get such a warranty for – mostly the unexpected services since our infrastructure is in such old condition. So, I think this would be just wonderful for us and the residual income that (inaudible) provide for the City and also the fact that we're putting a little piece in there for us to help people who don't have the warranty but might find themselves in that predictable that they need to get sewer line fixed.

President Gregory: Mr. Wright.

Mr. Wright: Thank you Mr. President. I'm actually grateful to the Administration seeing a value in this program. I know this was presented to the previous administration and it was not moved on because Atlanta kind of spearheaded this program at the time and they were going to use it to model when it was brought to the previous administration's attention. So, I think this is very good. I've been aware of a number of residents who had issues and had to try to find the money to repair their pipes due to the old infrastructure. So, this is a good piece. Thank you.

President Gregory: Mr. Brown.

Mr. Darius Brown: Thank you. I'd just like to be added.

President Gregory: So noted.

Ms. Cabrera: I'd like to be added as well.

President Gregory: So noted.

Mr. Chukwuocha: Yes sir, can I be added as well?

President Gregory: Mr. Chukwuocha and Ms. Walsh; Mr. Williams. 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, Williams, Freel, Cabrera, Walsh and Wright, and Council President Gregory. Total, eleven. Nays, none. Absent, Council Members Dorsey Walker and Michael Brown. Total, two.

President Gregory: Declare it adopted.

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

Ms. Shabazz presented Resolution No. 16-059 (Agenda #4245) as follows:

WHEREAS, while Wilmington is nestled in the densely populated northeast corridor and located along the region's major transportation arteries, public transit options to regional amenities remain somewhat limited; and

WHEREAS, public transit routes from Wilmington to the Philadelphia International Airport are especially cumbersome – requiring either rail to bus transfers or a transfer through center city Philadelphia; and

WHEREAS, enhancing Southeastern Pennsylvania Transportation Authority (SEPTA) rail routes and connections between the Philadelphia International Airport and the Delaware border are among proposals included in a blueprint discussed by the Federal Railroad Administration; and

WHEREAS, the federal agency has also discussed the need for improving rail service throughout the region, which could include new tracks and stations in Delaware; and

WHEREAS, federal officials have cited significant maintenance backlogs and the massive costs of such enhancements as barriers which could slow the progress of regional rail improvements.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON, that the Council supports the efforts on the part of the Federal Railroad Administration and its regional, state and local partners to study and propose some of the much-needed enhancements to the transit infrastructure in and around Delaware, and encourages collective action and innovation to pursue projects which would expand the range of public transit and rail options for Wilmingtonians and other residents of the First State.

On the question:

Ms. Shabazz: Mr. President, this Resolution is being presented for Council's review and approval, which would be support the efforts of the Federal Railroad Administration and its regional, state and local partners to expand the range of public transit and rail options for Wilmington residents as well as for all residents of Delaware. The Resolution further urges a collective effort to come up with innovative projects to improve and enhance public transportation. With the expansion of the vitalization of Wilmington we would – this is another complement to our public transportation needs to get people in and out of the City very easily and frequently. This expansion would also address what a lot of people have asked about is transportation to and from the Philadelphia Airport through the Public Transit and we just urge them to continue with the revitalization and innovative development of enhancing our public transportation so that we can continue Wilmington moving forward.

President Gregory: The Clerk will call the roll.

Upon a motion of Ms. Shabazz, 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, Williams, Freel, Cabrera, Walsh and Wright, and Council President Gregory. Total, eleven. Nays, none. Absent, Council Members Dorsey Walker and Michael Brown. Total, two.

President Gregory: Declare it adopted. Mr. Prado.

Mr. Prado: Nothing tonight Mr. President.

President Gregory: Mr. Williams.

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

Mr. Williams presented and called for the third and final reading Ordinance No. 16-034 (Agenda #4228) entitled:

AN ORDINANCE TO AMEND CHAPTER 42 OF THE
CITY CODE REGARDING THE MOBILE FOOD
VENDING UNIT PILOT PROGRAM

On the question:

Mr. Williams: This Ordinance is being presented by the Administration and City Council for Council's review and approval. If approved, Council would be authorizing an amendment to the City's Mobile Food Vending Unit Pilot Program to extend the expiration date of the pilot program to September 30, 2016 instead of June 30, 2016. This extension period will allow the City to gather more information about the food vending program and help to determine its effectiveness. As of this date, there are four (4) mobile vending units that have signed. We're a little delayed with getting signage and things of that nature; getting the packet together, so, this will just allow us a better picture of the impact of the Ordinance.

President Gregory: The Clerk will call the roll.

Upon a motion of Mr. Williams, 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, Williams, Cabrera, Walsh and Wright, and Council President Gregory. Total, ten. Nays, Council Member Freel. Total, one. Absent, Council Members Dorsey Walker and Michael Brown. Total, two.

President Gregory: Declare it adopted. Mr. Freel.

Mr. Freel: I have one Ordinance sir.

Mr. Freel presented and called for the third and final reading Ordinance No. 16-040 (Agenda #4238) entitled:

AN ORDINANCE AUTHORIZIING THE ISSUANCE OF
THE CITY'S GENERAL OBLIGATION BONDS, SERIES
OF 2016, IN ORDER TO PROVIDE THE FUNDS
NECESSARY TO REFUND CERTAIN OUTSTANDING

PRIOR GENERAL OBLIGATION BONDS OF THE CITY;
PROVIDING FOR THE SALE OF THE BONDS; AND
AUTHORIZING OTHER NECESSARY ACTION

On the question:

Mr. Freel: Yes Mr. President, first I want to commend our City Treasurer Henry Supinski, for bringing this to our attention. I guess I would compare this – this is kind of similar if you refinance the mortgage on your house to try to save some interest. We're looking at the 2008 General Obligation Bond Issuance even though the Ordinance says \$50 million – not to exceed \$50 million, I think we probably be refunding around in the low \$30 million. We're presently looking at a 4.9 interest rate and we hope to reduce that to about 1.9. If we're fortunate enough to get this done, we could save four to five million dollars over the next – the next two-years. Though we're refunding it now, the Bonds don't become callable until 2018. So, what we'll be doing is saying some interest over the next two-years and then we'll pay the bonds off at their ten-year anniversary in 2018. I do want to point out though those savings were shared probably 55% of the Water/Sewer Fund and 45% with the General Fund. So, that's basically the Ordinance.

President Gregory: The Clerk will call the roll.

Upon a motion of Mr. Freel, 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 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, Williams, Freel, Cabrera, Walsh and Wright, and Council President Gregory. Total, eleven. Nays, none. Absent, Council Members Dorsey Walker and Michael Brown. Total, two.

President Gregory: Declare it adopted. Ms. Cabrera.

Ms. Cabrera: Nothing this evening sir.

President Gregory: Ms. Walsh.

Ms. Walsh: No legislation; thanks.

President Gregory: Mr. Wright.

Mr. Wright: No legislation.

President Gregory: I entertain a motion.

PETITIONS AND COMMUNICATIONS

There were no petitions and communications this evening.

ADJOURNMENT

Upon a motion of Mr. Wright, seconded by Mr. Williams, Council adjourned at 7:45 p.m. Motion prevailed.

Attest: Maribel Seijo
Maribel Seijo, City Clerk