

*Wilmington, Delaware
Louis L. Redding
City/County Building
June 2, 2016*

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

Invocation was given by Joe Garcia.

The Pledge of Allegiance was recited by City Council.

ROLL CALL

The following members responded to the Call of the Roll: Council Members Chukwuocha, Congo, Darius Brown**, Shabazz, Prado***, Dorsey Walker, Williams, Freel, 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 May 25, 2016, upon a motion of Ms. Walsh, seconded by Mr. Williams/Mr. Freel, it was moved they be accepted as written. Motion prevailed.

REPORT OF COMMITTEES

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

May 18, 2016

Ladies and Gentlemen:

We, your Public Works & Transportation Committee, to who was referred
Ordinance No. 16-019 entitled:

AN ORDINANCE TO ENACT CERTAIN TRAFFIC/PARKING
REGULATIONS

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/Michael A. Brown, Sr.
/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.

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

May 18, 2016

Ladies and Gentlemen:

We, your Public Works & Transportation Committee, to who was referred
Ordinance No. 16-020 entitled:

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

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

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

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

The City Clerk read the following committee report:

<u>Public Works & 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

May 18, 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 item were
discussed:

- Review a Resolution regarding the sub-naming of Elbert Park “Joseph Perkins
Playground” and Norman Oliver Courts” at Elbert Park”

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

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

President Gregory: Mark Ms. Cabrera present please.

Mrs. Seijo (City Clerk): So noted.

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

The City Clerk read the following committee report:

<u>Wilmington Cable Video and Telecommunications Commission</u>	<u>Present</u>	<u>Absent with Leave</u>	<u>Absent w/out Leave</u>
Theopolis K. Gregory, Sr.	X		
Michael A. Brown, Sr.	X		
Maria D. Cabrera			
Sherry Dorsey Walker	X		
Romain L. Alexander	X		
Michael P. Migliore	X		
Earl T. Jeter	X		
Jeffrey Starkey			
Alexandra Coppadge			

President and Members of Council of
The City of Wilmington

May 27, 2016

Ladies and Gentlemen:

We, your Wilmington Cable Video and Telecommunications Commission, met on the above date at 12:00 p.m., Theopolis K. Gregory, Sr. presiding. The following items were discussed:

- Discussion of a City Council Resolution supporting Delaware Senate Joint Resolution 10, which encourages governments throughout Delaware to create and expand their presence on various social media platforms, and extending that encouragement to Wilmington government as well (information to be presented by Chair/staff)
- Discussion of a City Council Resolution supporting a proposed FCC rules change which would allow consumers the freedom to choose where they purchase their cable box equipment, thus removing the effective monopoly presently held by cable companies which typically charge a monthly rental fee to use their equipment (information to be presented by Chair/staff)
- A report from the Red Clay Consolidated School District regarding the operations of EDtv which airs programming on the City's education channel (information to be presented by Pati Nash, Executive Producer of EDtv)

- A report from Leased Access Preservation Association (LAPA) regarding the operations of LAPA TV 28 which airs programming on the City's public channel (information to be presented by Ruth Baker, President of LAPA)

/s/Theopalis K. Gregory, Sr.,
 /s/Michael A. Brown, Sr.
 /s/Sherry Dorsey Walker
 /s/Romain L. Alexander

Respectfully submitted,
 /s/Michael P. Migliore
 /s/Earl T. Jeter

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

The City Clerk read the following committee report:

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

President and Members of Council of
 The City of Wilmington

June 1, 2016

Ladies and Gentlemen:

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

- Discuss a Resolution respectfully encouraging the Administration to consider partnerships with governmental organizations at the County, State and Federal levels, as well as with non-profit entities to ensure lead abatement services remain available and in operation throughout the City of Wilmington
- Discuss a Resolution declaring surplus and authorizing the disposition of 511 Concord Avenue to the 2nd District Neighborhood Planning Council for a community green space

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

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

President Gregory: Mark Mr. Darius Brown present please.

Mrs. Seijo (City Clerk): So noted.

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

President Gregory: Treasurer's Report please.

TREASURER'S REPORT

The following Treasurer's Report dated June 2, 2016 was read into the
record by the City Clerk, and upon a motion of Ms. Walsh, seconded by Mr.
Williams/Mr. Freel, the Report was received, recorded and filed. Motion prevailed.

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TO: THE HONORABLE MAYOR AND CITY COUNCIL OF WILMINGTON JUNE 2, 2016

102	Community Development Block Grant	M & T Bank	\$ 1.00
104	Old Non-Uniform Pension Account	M & T Bank	\$ 4,976.81
105	Police Pension Account	M & T Bank	\$ 3,233.43
106	Fire Pension Account	M & T Bank	\$ 1,855.98
107	Evidence/Found Currency Account	M & T Bank	\$ 528,789.88
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	\$ 39,141.10
117	Cement Workers	Wilmington Savings Fund	\$ 33,482.79
118	Worker's Comp. 3 rd Party Account	M & T Bank	\$ 13,003.23
124	Non-Uniform Pension Act of 1990	M & T Bank	\$ 5,293.08
120	Grant-In-Aid Account	M & T Bank	\$ 201,369.00
130	Payroll	M & T Bank	\$ 186,645.79
131	Pension Payroll Account	M & T Bank	\$ 110,789.75
139	Pension Healthcare Account	M & T Bank	<u>\$ 62,512.28</u>
	Total Cash on Hand		\$ 1,196,485.15

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FUND CODE	FUND	INSTITUTION	INVEST. TYPE	MATURITY DATE	INTEREST RATE	INTEREST RECEIVABLE	INVESTMENT AMOUNT
116	General	M&T Bank	RP	06/02/16	0.01%	\$ 1.50	\$ 5,445,220.00
116	General ¹	TD	CD	06/10/16	0.60%	\$ 21,996.05	\$ 15,169,686.00
116	General	TD	CD	06/10/16	0.43%	\$ 1,236.99	\$ 2,100,000.00
116	General	WSFS	CD	06/10/16	0.40%	\$ 572.60	\$ 1,375,000.00
116	General	WSFS	CD	06/10/16	0.40%	\$ 572.60	\$ 1,375,000.00
110	Capital	TD	CD	06/24/16	0.60%	\$ 16,333.34	\$ 10,000,000.00
116	General	TD	CD	06/24/16	0.40%	\$ 2,133.34	\$ 3,200,000.00
116	General	TD	CD	06/28/16	0.40%	\$ 1,033.34	\$ 1,500,000.00
106	Fire Pension	WSFS	CD	06/29/16	0.45%	\$ 917.44	\$ 2,255,000.00
124	Non-Uniform 1990	WSFS	CD	06/29/16	0.45%	\$ 244.10	\$ 600,000.00
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%	\$ 22,805.15	\$ 5,670,097.05
515	Worker's Comp	WSFS	CD	07/11/16	0.40%	\$ 22,805.15	\$ 5,670,097.05
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
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
110	Capital	WSFS	CD	11/18/16	0.50%	\$ 99,726.02	\$ 20,000,000.00
104	Escrow Pension	Affinity Wealth					\$ 1,468,668.00
104	Escrow Pension	Vanguard					\$ 41,962,440.00
104	Escrow Pension	Black Rock					\$ 23,601,700.00
104	Escrow Pension	Edgar Lomax					\$ 22,900,501.00
104	Escrow Pension	Wilmington Trust					\$ 43,772,365.00
104	Escrow Pension	Manning & Napier					\$ 10,219,576.00
104	Escrow Pension	Earnest Partners					\$ 18,121,981.00
104	Escrow Pension	GMO					\$ 11,515,047.00
104	Escrow Pension	MFS Management					\$ 22,539,069.00
104	Escrow Pension	American Funds					\$ 10,030,768.00
139	Medical Escrow	Black Rock-OPEB					\$ 14,206,786.00
116	Deferred Comp.	MassMutual					\$ 39,778,590.00
	Total Investments						\$ 364,077,591.10
	Total Cash on Hand						\$ 1,196,485.15
	Grand Total						\$ 365,274,076.25

¹ Budget Reserve

/s/Henry W. Supinski
City Treasurer

NON-LEGISLATIVE BUSINESS

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

All Council	Recognize YMCA Black Achievers
All Council	Recognize Thomas H. Baker
Chukwuocha	Sympathy Mattie Lee Church
Gregory	Recognize Donn Devine
Gregory	Retirement Sandi Burton, Gretchen Broadwater and Mattie McBee
Gregory	Sympathy Brandon N. Wingo
Gregory	Recognize Corporal Robert L. Snow
Freel	Recognize June 20, 2016 as ASK (Asking Saves Kids) Day”
Shabazz	Commend Shanell Jett – JettSet Mobile Studio
Williams	Recognize 15 th Annual Pretty Ladies Uniting for Scholarship and Honor Premier
Wright	Retirement Levi Coates

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

LEGISLATIVE BUSINESS

President Gregory: Ms. Walsh can you make your way this way? Mr. Chukwuocha.

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

President Gregory: Mr. Congo.

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

Mr. Congo presented Resolution No. 16-045 (Agenda #4220) as follows:

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

WHEREAS, Wilm. C. §2-621(a) provides that the Council shall by resolution declare a property approved for disposition and authorize the conduct of disposition proceedings by the Department of Real Estate and Housing; and

WHEREAS, Wilm. C. §2-621(c) provides, that governmental agencies, governmental authorities organized pursuant to Title 22 of the Delaware Code and non-profit organizations are exempt from the City’s bid procedures and that upon the declaration of a property as surplus, by resolution of City Council, the City may negotiate an agreement of sale, lease, exchange, or other transfer of such property owned by the City to any such governmental agency, governmental authority or non-profit organizations; and

WHEREAS, the City currently owns the parcel of real estate located at 511 Concord Avenue, Wilmington, Delaware (the "Property"); and

WHEREAS, the Council, upon the recommendation of the Department of Real Estate and Housing, wishes to declare the Property surplus; and

WHEREAS, the Council further wishes to approve the disposition of the Property to the 2nd District Neighborhood Planning Council.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that Council hereby declares the Property to be surplus and approves the Property for disposition to the 2nd District Neighborhood Planning Council.

BE IT FURTHER RESOLVED that Council hereby authorizes the Mayor or his designee to execute any and all documents necessary to effectuate disposition proceedings for the Property, including any and all further undertakings and assurances that may be appropriate.

On the question:

Mr. Congo: Yes Mr. President. This is just a piece of property on 511 Concord Avenue that the City is going to give to the 2nd District Planning Council.

President Gregory: The Clerk will call the roll, please.

Ms. Cabrera: Excuse me ...

President Gregory: Yes? I'm sorry ...

Ms. Cabrera: Can I be added to that please. I did want to talk about it a little bit.

President Gregory: So noted. You want to speak to it?

Ms. Cabrera: Yes. This property, I believe, is another example of how we can take these abandoned spaces and transform them into community gardens and to usable spaces. As it is now, this property is like a slab of cement and there's an old shed that's going to be demolished, and the Neighborhood Planning Council is going to be responsible for beautifying it during their plantings, maintaining it and I see that as a, as a stake that's very public where the community can enjoy. So we do encourage more of these spaces be transformed into gardens, and just spaces the community can use. So, I do want to be added as a sponsor.

President Gregory: Ms. Shabazz.

Ms. Shabazz: Thank you Mr. President. If the sponsor may, I, too, would like to be a co-sponsor on it. I mean, this, the Neighborhood Planning Council and doing these type of initiatives exactly what the Neighborhood Planning Council should be doing throughout the city, and a very good example of taking charge of the community and making it beautiful and adding a quality to the neighborhoods.

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

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

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

Mr. Darius Brown: Thank you Mr. President. I have a Resolution to present.

Mr. Darius Brown presented Resolution No. 16-046 (Agenda #4221) as follows:

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

WHEREAS, pursuant to Wilm. C. (Charter) §8-205, the City may sell or exchange any real estate belonging to the City or grant any license, easement, right-of-way or other interest over or in such real estate with “authority by general ordinance and later resolution from Council so to do”; and

WHEREAS, Wilm. C. §2-621(a) provides that the Council shall by resolution declare a property approved for disposition and authorize the conduct of disposition proceedings; and

WHEREAS, the City of Wilmington (the “City”) currently owns the properties located at 1043 Clifford Brown Walk, 1039 Clifford Brown Walk, 318 East 11th Street, 316 East 11th Street, and 314 East 11th Street, Wilmington, Delaware, respectively being Tax Parcel Nos. 26-036.10-089, 26-036.10-088, 26-036.10-046, 26-036.10-047, 26-036.10-048 (collectively the “Property”); and

WHEREAS, the Department of Real Estate and Housing in consultation with the Office of the Mayor and in consultation with City Council recommends that the Property be disposed of to the African American Heritage Center of Delaware, Inc., subject to the terms and conditions of that certain Agreement of Sale and that certain Option Agreement attached hereto and made a part hereof as ‘Exhibit A’; and

WHEREAS, the Council wishes that the Property be disposed of to the African American Heritage Center of Delaware, Inc., subject to the terms and conditions of that certain Agreement of Sale and that certain Option Agreement attached hereto and made a part hereof as ‘Exhibit A’.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that Council hereby authorizes and approves the execution of that certain Agreement of Sale and that certain Option Agreement attached hereto and made a part hereof as ‘Exhibit A’ to allow for the disposition of the above-enumerated Property.

BE IT FURTHER RESOLVED that Council hereby authorizes the Mayor or his designee to execute any and all documents necessary to effectuate disposition proceedings for the Properties, including any and all further undertakings and assurances that may be appropriate.

On the question:

Mr. Darius Brown: Yes. Mr. President. This Resolution allows for the disposition of properties to the African-American Heritage Center of Delaware, Incorporate.

President Gregory: The Clerk, call the roll.

Upon a motion of Mr. Darius Brown, seconded by Mr. Williams, the aforementioned Resolution was received, adopted as read and directed to be recorded and filed by the following Yea and Nay Roll Call Vote: Yeas, Council Members Chukwuocha, Congo, Darius Brown, Shabazz, Prado, Dorsey Walker, Williams, Cabrera, Walsh and Wright, and Council President Gregory. Total, eleven. Nays, Council Member Freel. Total, one. Absent, Council Member Michael Brown. Total, one.

President Gregory: Declare it adopted.

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

Mr. Darius Brown: Madame President. I have another Resolution to present.

Madame President Pro Temp Walsh: Yes.

Mrs. Seijo (City Clerk): Just one second.

On behalf of President Gregory, Mr. Darius Brown presented Resolution No. 16-047 (Agenda #4222) as follows:

WHEREAS, social media platforms offer a range of tools that facilitate the creation and exchange of information, ideas and other content through highly interactive platforms; and

WHEREAS, social media platforms are being used by Delawareans and Wilmingtonians at an increasing rate; and

WHEREAS, in recent years, public agencies across Delaware and throughout the United States have established a presence on common social media platforms, offering constituents additional opportunities to receive information from, and interact with, various governmental entities; and

WHEREAS, in Wilmington, residents, business owners and guests can engage on social media with various City offices and departments, including City Council, WITN-22, the Mayor's Office, and the Police Department; and

WHEREAS, the Delaware General Assembly, in Senate Joint Resolution No. 10, expresses its support of the use of social media by Delaware governments and encourages further use; and

WHEREAS, the Wilmington City Council seeks to add its support of this measure.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON, that the Council supports Senate Joint Resolution No. 10, and joins the Delaware General Assembly in encouraging Delaware governments to establish or increase their social media presence to better connect with residents, businesses and visitors.

On the question:

Mr. Darius Brown: Yes, Madam President. This Resolution just supports the Senate Joint Resolution No. 10 in terms of the Delaware General Assembly encouraging local municipalities, Delaware governments to establish and increase their social media presence to make residents, businesses and visitors more aware of their operation.

Madame President Pro Temp Walsh: Anyone else? Clerk will call the roll.

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

Madame President Pro Temp Walsh: Declare it adopted (the gavel was hit). Don't know why you have to do that but...Ms. Shabazz.

Ms. Shabazz: Yes Madame 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. 16-019 (Agenda #4189) entitled:

**AN ORDINANCE TO ENACT CERTAIN TRAFFIC/
PARKING REGULATIONS**

On the question:

Ms. Shabazz: Madam President, this Ordinance is being presented by the Administration for Council's review, which would authorize certain traffic and parking regulations changes as so noted in the various districts.

Madame President Pro Temp Walsh: Anyone has any questions? Clerk will call the roll.

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

Madame President Pro Temp Walsh: Declare it adopted.

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

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

On the question:

Ms. Shabazz: Madam President, this Ordinance authorizes a portion of “E” Street, Claymont Street and Green Street to be removed from the City Map, and the request is being made by the property owner, 2000 LLC, which they own eight parcels of contiguous land in South Wilmington and the request, which has already been approved by the City Planning Commission and was so invented in the Public Works Committee would allow the City of Wilmington and New Castle Council access to existing buried utilities as well as water and sewer infrastructure in the area. It’s a quarter of a piece of property that will kind of square things off of them, but one of the reasons that we were in support of it is because if any type of development or if we had to come back to the City for approval in protection of the utility that’s laid within that property line.

Madame President Pro Temp Walsh: Anyone else? Clerk will call the roll.

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

Madame President Pro Temp Walsh: Declare it adopted.

Ms. Shabazz: Madame President, item #4223 – Agenda #4223, I’m holding.

Madame President Pro Temp Walsh: Okay, thank you.

Ms. Shabazz: But I have another Resolution to present.

Mrs. Seijo (City Clerk): Wait just one moment.

Ms. Shabazz presented Resolution No. 16-048 (Agenda #4224) as follows:

WHEREAS, the serious health and development risks associated with lead exposure have made national headlines in recent months due to the crisis in Flint, Michigan; and

WHEREAS, the threat posed by lead poisoning has been well known to government officials and health professionals for years; and

WHEREAS, according to the Centers for Disease Control and Prevention, high lead levels in children can lead to severe neurologic problems – including coma, convulsion and even death – as well as adverse effects on the central nervous system and kidney, not to mention decreased stature or growth; and

WHEREAS, according to the United States Department of Housing and Urban Development, an estimated 22-percent of homes have one or more lead-based paint hazards; and

WHEREAS, some health officials have asserted that the extent of lead-based hazards in Delaware are comparable to cities like Flint; and

WHEREAS, while the City of Wilmington’s De-Lead program grant has expired, it is still critical that potential lead hazards in the City are addressed.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON, that the Council respectfully encourages the Administration to consider partnerships with governmental organizations at the county, state and federal levels, as well as with non-profit entities, to ensure that lead abatement services remain available and in operation throughout the City of Wilmington for the health and welfare of its residents.

On the question:

Ms. Shabazz: Yes, Madam President. I’m asking for Council to support in the urging that the Lead Abatement Services be available in Wilmington, either through the efforts of the City or through any other community partnership. A grant supporting the DE-LEAD program has expired for the City of Wilmington and this Resolution states that lead poisoning remains a national health concern with high lead levels causing severe

neurological problems in our children. The Resolution cites national statistics which indicates that as many as 22 percent of the homes in the United States have one or more lead-based paint hazards that need to be remediated, and thus the need for the program to be re-started in Wilmington. We know that this is a health issue in our city and I will

strongly support, ask the Council support that we get, that we request that this program be re-instated, or collaborating with the, I think New Castle County also has it, collaborate with them and then make sure that we have this covered.

Madame President Pro Temp Walsh: Council Member Williams.

Mr. Williams: Thank you, Madam President. If it pleases the sponsor, I'd like to be added as a co-sponsor, please.

Ms. Shabazz: Thank you.

Madame President Pro Temp Walsh: Council Member Dorsey Walker.

Ms. Dorsey Walker: Thank you, Madam President. I, too, would like to be added as a co-sponsor if it pleases the sponsor.

Ms. Shabazz: Yes ma'am.

Ms. Dorsey Walker: Thank you.

Madame President Pro Temp Walsh: Council Member Cabrera.

Ms. Cabrera: I, too, would like to be added please.

Mrs. Seijo (City Clerk): So noted.

Madame President Pro Temp Walsh: Anyone else? Clerk will call the roll.

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

Madame President Pro Temp Walsh: Declare it adopted.

Ms. Shabazz: Madame President, I have another Resolution to be presented.

Ms. Shabazz presented Resolution No. 16-049 (Agenda #4225) as follows:

WHEREAS, Wilmington City Council (the "Council") has enacted the provision of Section 2-3 of the Wilmington City Code regarding the authorization and

procedures for naming City streets, parks, playgrounds, plazas, buildings, facilities, statues, monuments, and other lands reserved for public use in order to commemorate a particular person and his/her social significance to the city; and

WHEREAS, Elbert Park, located at 621 Townsend Street, was named after Samuel G. Elbert (1865 – 1939), a doctor, businessman, civic and community leader well known for serving the African American community within South Wilmington as a devoted public servant; and

WHEREAS, Council deems it necessary to name the playground and basketball court facilities within this park for the purpose of honoring two individuals who have made considerable contributions to the South Wilmington community and to the City of Wilmington as a whole, namely Joseph Perkins and Norman “Stormin” Oliver; and

WHEREAS, Mr. Joseph Nathan Perkins was born in Wilmington, Delaware on October 27, 1954 to Hattie (Zudy) Perkins and Randolph Curley Jr., and attended Bancroft, Elbert, and Howard High Schools; and

WHEREAS, Mr. Perkins met his wife of 38 years, Deborah Perkins, in 1975, and they were married in 1977 and had seven children, 3 god-children and 17 grandchildren together; and

WHEREAS, Mr. Perkins grew up in, and maintained a lifelong relationship with, the Southbridge Community, and later moved to and became a strong community member of Wilmington’s Hilltop neighborhood for twenty years; and

WHEREAS, Mr. Perkins worked as a Youth Advocate and Counselor for Project Stay Free through the Kingswood Community Center, and helped to manage and support community activities at the Martin Luther Center in Southbridge and the Southbridge Community; and

WHEREAS, Mr. Perkins served as secretary to the Stallion’s Social Club, which he joined as a teenager and remained a member until his death; became a member of the Monday Club; and was co-creator of the Midnight Basketball League and originator of Overnight Youth Camping ; and

WHEREAS, Mr. Joseph Perkins passed away on May 16, 2015 and is remembered for his strong community involvement and many natural talents including art, photography, basketball and carpentry; and

WHEREAS, Mr. Norman Oliver has been an innovative leader in Wilmington and the State of Delaware, and after graduating from Delaware State University in 1985, served in a staff role with former Mayor Daniel Frawley, then as political advisor to former County Executives Dennis Greenhouse and Thomas P. Gordon, and former Attorney General Charles Oberly; and

WHEREAS, in 1992, Mr. Oliver was elected to Wilmington City Council to represent the Fourth Council District until 2004, where he chaired the Community and Economic Development Committee; and

WHEREAS, Mr. Oliver was elected as Chair of Wilmington’s Democratic Party and was a part of Delaware’s delegation to the Democratic National Convention in 2000, further developing the leadership skills which allowed him to run national, statewide and local political campaigns; and

WHEREAS, Mr. Oliver became well known throughout the State as the founder of “Stormin’s Classic Basketball Summer League” (1980 to 2000), which provided an opportunity for young men to learn the many important lessons of sportsmanship and team play while also emphasizing the value of education and community service; and

WHEREAS, Mr. Oliver is also an entrepreneur and businessman founded organizations serving at-risk youth and teen populations, including Nor Enterprises Inc., and Our Youth, Inc.; and

WHEREAS, Mr. Oliver co-hosted the televised show, “Community Cross Fire” along with the late Delaware State Representative Hazel D. Plant; and

WHEREAS, in 2002 Mr. Oliver was appointed to the Board of Directors of the Delaware State University, serving until 2008, and is active in the Wilmington Rotary Club, Monday Club and Kappa Alpha Psi Fraternity, Inc.; and

WHEREAS, Mr. Oliver received the National Jefferson Award for Volunteerism in February 2016; and

WHEREAS, Mr. Oliver, who currently resides in Middletown, was married to his wife Margret for 23 years prior to her passing in 2015, and is the father of two children; and

WHEREAS, Council deems that Mr. Joseph Perkins and Mr. Norman Oliver have both made significant contributions to the wellbeing of the Southbridge community and the city as a whole, and are to be recognized through the commemorative naming of the playground and basketball court facilities, respectively.

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON, that the Council hereby approves the change to the current name of the Elbert Park located at 621 Townsend Street, to “The Joseph Perkins Playground and Norman Oliver Courts at Elbert Park”.

On the question:

Ms. Shabazz: Yes, Madam President. I’m quite sure everyone knows how close knit and multiple generations the South Wilmington neighborhood is, and many, we have gotten many great leaders to come out of that neighborhood and this Resolution is authorizing Council to the renaming of the Elbert Park in the Southbridge community to the Joseph Perkins Playground and Norman Oliver Courts at Elbert Park, to be named after Elbert, that has the name “Elbert” on it and we wanted to add individuals, also, too, that have been significant, made significant contributions as Mr. Perkins and Mr. Oliver has done many things in the neighborhood in mentoring to many other young people in the Southbridge community and the city as a whole. Mr. Samuel Elbert, who died in 1939, was a doctor, businessman and civic leader in South Wilmington. Mr. Perkins also lived in South Wilmington and passed in 2015 and many of us know of Mr. Norman Oliver who had the Stormin’ Classics for quite some time and has organized one of the largest state-wide turkey drives that provides food for seniors on Thanksgiving. So I ask that the community would, I mean, that the Council will support the renaming of this park in representative of these two young men.

Madame President Pro Temp Walsh: Anyone else on the question?
Council Member Dorsey Walker.

Ms. Dorsey Walker: Thank you Madam President. Just want to kind of reiterate about Joe Perkins. Mr. Perkins made a huge difference in the west side of Wilmington, mentored a lot of young people, and I was one of those young people that he mentored so, I'm definite to be a support of this renaming of the park in honor of him.

Madame President Pro Temp Walsh: Council Member Chukwuocha.

Mr. Chukwuocha: Thank you, Madam Chair. I would like to be added as co-sponsor, it seems fit, and also just comment as follows my colleague regarding Mr. Perkins, who was a absolute soldier for children, especially children who had been adjudicated in the juvenile justice system, so he was a true advocate who worked tirelessly for the youth that so many areas had shut doors and just turned their backs on, he was there for them. Thank you.

Madame President Pro Temp Walsh: Thank you. Clerk will call the roll.

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

Ms. Shabazz: Madame President, I have to two Ordinances for first and second.

Madame President Pro Temp Walsh: Declare it adopted.

Ms. Shabazz: I'm sorry.

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

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

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

Ms. Shabazz presented and called for the first and second 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

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

Ms. Shabazz: Thank you.

Madame President Pro Temp Walsh: You're welcome. Mr. Prado.

Mr. Prado: Nothing tonight Madame President.

Madame President Pro Temp Walsh: Ms. Dorsey Walker.

Ms. Dorsey Walker: No legislative business tonight Madame President.
Thank you.

Madame President Temp Walsh: Mr. Williams.

Mr. Williams: Madame President, I have an Ordinance to present and call for the first and second reading.

Mr. Williams presented and called for the first and second 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

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

Mr. Williams: Madame President I have one to present on behalf of Councilman Brown. Do you want it now?

Madame President Pro Temp Walsh: Yes.

Mr. Williams: Thank you ma'am. I have an Ordinance to present and call for the first and second reading.

On behalf of Mr. Michael Brown, Mr. Williams presented and called for the first and second reading Ordinance No. 16-035 (Agenda #4229) entitled:

AN ORDINANCE TO AUTHORIZE CITY CONTRACT
17001PD – POLICE CLOTHING – WITH GRAVES
UNIFORMS LLC

The aforementioned Ordinance was given two separate readings by title only and upon a motion of Mr. Williams, the Ordinance was referred to the Public Safety Committee. Motion prevailed.

Madame President Pro Temp Walsh: Ms. Cabrera.

Ms. Cabrera: Madame President, I have an Ordinance to present and call for the first and second reading.

Ms. Cabrera presented and called for the first and second reading Ordinance No. 16-036 (Agenda #4230) entitled:

AN ORDINANCE TO AMEND CHAPTER 5 OF THE
WILMINGTON CITY CODE RELATING TO
MANDATORY LANDLORD TRAINING AS A
CONDITION FOR RENTAL BUSINESS LICENSES

The aforementioned Ordinance was given two separate readings by title only and upon a motion of Ms. Cabrera, seconded by Mr. Williams, the Ordinance was received, recorded and referred to the Housing, Licenses and Inspections Committee. Motion prevailed.

Ms. Cabrera presented and called for the first and second reading Ordinance No. 16-037 (Agenda #4231) entitled:

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

The aforementioned Ordinance was given two separate readings by title only and upon a motion of Ms. Cabrera, seconded by Mr. Williams, the Ordinance was received, recorded and referred to the Housing, Licenses and Inspections Committee. Motion prevailed.

Madame President Pro Temp Walsh: Mr. Wright.

Mr. Wright: Yes ma'am, I have an Ordinance and a Resolution to present.

Mr. Wright presented and called for the first and second reading
Ordinance No. 16-038 (Agenda #4232) entitled:

AN ORDINANCE TO AMEND CHAPTER 8 OF
THE CITY CODE REGARDING ECONOMIC
OPPORTUNITY PLANS

The aforementioned Ordinance was given two separate readings by title only and upon a motion of Mr. Wright, seconded by Mr. Williams, the Ordinance was received, recorded and referred to the Economic Development Committee. Motion prevailed.

Madame President Pro Temp Walsh: Oh, that's the one I'm doing next week.

Mr. Wright: Yes ma'am.

Madame President Pro Temp Walsh: Thank you.

Mr. Wright presented Resolution No. 16-050 (Agenda #4233) as follows:

WHEREAS, an act to amend Title 6 of the Delaware Code relating to homeless persons was proposed in the 148th General Assembly; and

WHEREAS, Senate Bill 134 provides persons experiencing homelessness protection from discrimination while on the streets and when seeking access to housing, employment, and temporary shelter; and

WHEREAS, the bill amends Title 6 by adding Chapter 78, "Homeless Persons Bill of Rights," which provides basic legal and civil protections and ensures equal treatment; and

WHEREAS, a person experiencing homelessness should be granted the same rights and privileges as any other resident of the State of Delaware, including:

- (1) The right to use and move spaces in public spaces , including but not limited to, public sidewalks, public parks, public transportation and public buildings, in the same manner as any other person and without discrimination on the basis of his/her housing status;
- (2) The right to equal treatment by all State, county and municipal agencies, without discrimination on the basis of housing status;
- (3) The right not to face discrimination while seeking or maintaining employment due to his or her lack of a permanent address, or his/her

mailing address being that of a shelter or social service provider, or his/her housing status;

- (4) The right not to face discrimination while seeking or maintaining housing due to his/her lack of a permanent address, or his/her address being that of shelter/social service provider, or his/her housing status;
- (5) The right not to face discrimination while seeking temporary shelter because of race, color, religion, creed, age, gender, sexual orientation, gender identity, marital status, familial status, disability, national origin, or housing status, except in case of temporary shelters specifically designated for a specific gender or familial status, or in case of funding sources that require certain populations be served;
- (6) The right to emergency medical care free from discrimination based on his/her housing status;
- (7) The right to vote, register to vote, and receive documentation necessary to prove identity for voting without discrimination due to his/her housing status: provided, however, that this paragraph should not be construed to require a temporary shelter to accept documents on that persons behalf;
- (8) The right to protection from unlawful disclosure of his/her records and information provided to temporary shelters, service providers, and State, municipal and private entities: and the right to confidentiality of personal records and information in accordance with all limitations on disclosure established by the Delaware Community Management Information System, the Federal Health Insurance Portability and Accountability Act, and the Federal Violence Against Women Act: and
- (9) The same right to reasonable expectation of privacy in his/her personal property while residing in temporary shelter and on the street as a person residing in a permanent residence: provided, however, that this paragraph should not be construed to prevent reasonable searches performed pursuant to posted rules; and

WHEREAS, it is of the utmost importance that we ensure that the peace, health, safety, and general welfare of all residents are protected under these rights.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON, that Council fully supports equal rights and protections of homeless persons, and further encourages the members of the Delaware General Assembly to approve Senate Bill 134.

On the question:

Mr. Wright: Yes, Madam President. This Resolution came before the Health and Aging Committee last week. There were some sponsors, co-sponsors that were omitted, being Council President Gregory, Councilwoman Shabazz and Councilwoman Dorsey Walker from the committee meeting. I want to take this moment to thank Ms. White who here tonight, she made a presentation on Senate Bill 134, it's meaning, as well as bringing it to my attention what this Senate Bill does that we're supporting on tonight, should this pass, creates a homeless bill of rights, so that they can not be discriminated against. Those individuals are unfortunately homeless. Also, I just want to say I had the opportunity to work with an organization called The King's Table, and around the holidays they feed down at the Christina Park for those who are less fortunate and unfortunately homeless. So, this was something that I felt was definitely needed. I'm glad that the General Assembly felt the need to give them some form of rights so they won't be discriminated against regardless of their class or position or stage in life. So with that, I ask my colleagues to support this Resolution on tonight.

Madame President Pro Temp Walsh: Council Member Shabazz.

Ms. Shabazz: Thank you Madam President. I thank you, Councilman Wright, for recognizing our request for the co-sponsorship and you know we here in the city of Wilmington do have a homeless problem, I've had many phone calls from businesses with individuals who in their kindness of their heart to bring food down to feed the homeless, but the sight, unsightliness of it is not pleasing to the eyes of some individuals or the trash that might be left behind is, you know, causing some little problems with the, some of the problems and now we're even having issues with the camping in certain locations and they seem to find a little close-off space and they go and camp and then they're recognized and then they're moved and all that does is move them to somewhere else, and so because we have this tremendous homeless problem in the city of Wilmington, I think we really need to put our heads together of how do we address it, because we just can't keep moving them around because they're going to go from one location to the other. If people do want to bring clothing, food and clothing down to them do we designate a location where that could be done properly with proper permits and proper, especially food, food and health regulations followed by those individuals, and most of them are churches doing ministry work, so, it is something that I think we are going to have to look into of how do we address it because it's not getting any better, and we can't keep just pushing them around because they only move from one spot to the other, and with this bill of rights, is this going to give them rights, also, and we have to take that into account.

Madame President Pro Temp Walsh: Council Member Cabrera.

Ms. Cabrera: Yes, I would like to be added as a sponsor, if it pleases the sponsor. I did want to mention that two points here that I really like this speaks on is, that sometimes when someone does not have a permanent address it's almost like, you can't move forward and you don't have an address and you're trying to get an address and they

won't allow you to have housing to apply for certain things because you don't have an address. The second point is that even, you know, one of the biggest things that we're given in this country is the right to vote and to choose our elected officials and to be denied that because you're homeless is also, and not having that permanent address, you know, it really just violates our Constitution, so this is a, a really good piece and I think we should all support it. Thank you.

Madame President Pro Temp Walsh: Council Member Freel.

Mr. Freel: Yes, thank you, and I apologize for not being at the committee meeting but I'm going to go, I'm not voting tonight, though I agree with probably 95 percent of the Senate Ordinance, there is a small part of it that I have concerns about, when we talk about the use of public spaces and things like that. So, I'd rather not vote against it, so I'm just going to go not voting this evening. Thanks.

Madame President Pro Temp Walsh: Anyone else? I would like to make a comment before we took this vote, also. We've used the words several - the phrase several times, Council Member Shabazz, "pushing them around" and I think a lesson that needs to be taught by the city of Wilmington, too, is for us to be stop pushing around when it comes to the homeless problem. We are not the only ones responsible. Many of the homeless that we have in our city right now were never city residents until they started coming into the city. Some were never even residents of our state. I understand because some services are offered in the city by people who don't naturally gravitate towards there and it's a book, is it too hard in an urban setting than it is in some suburban settings. But I think a lot of, if you look at a lot of the churches that work with our shelters, you even come from the suburbs, so I think it's nice to help the homeless as long as they're not in my back yard. So perhaps some of those that come in to help with their suburban churches might also look at their own ministry to see how they can prevent some of the homeless in their own area from coming into the city for services all the time.

And then it falls back on social services, who constantly going through the motion for these services to be located in the city of Wilmington. And, as I said, I'm not against the service for the homeless, I've worked with the homeless for thirty-five years now but I do not believe that the responsibility is just on the shoulders of the City of Wilmington. The suburban districts have to help with it and the State has to recognize that if you don't want to provide these services of which there are many besides just basic food and shelter, there's many physiological problems and addiction problems. So, if you're not going to pay us the money to do it, than start locating some of these programs in the county too. Clerk will call the roll.

Upon a motion of Mr. Wright, seconded by Mr. Williams, the aforementioned Resolution was received, adopted as read and directed to be recorded and filed by the following Yea and Nay Roll Call Vote: Yeas, Council Members Chukwuocha, Darius Brown, Shabazz, Dorsey Walker, Williams, Cabrera, Wright and Walsh. Nays, Council Member Prado. Total, one. Present, Council Member Freel. Total, one. Absent, Council President Gregory and Council Members Congo and Michael Brown. Total, three.

Madame President Pro Temp Walsh: That's all the legislation we have.

PETITIONS AND COMMUNICATIONS

There were no petitions and communications this evening.

ADJOURNMENT

Upon a motion of Mr. Wright, seconded by Mr. Williams/Ms. Dorsey Walker, Council adjourned at 7:21 p.m. Motion prevailed.

Attest: Maribel Seijo
Maribel Seijo, City Clerk